

London Borough of Barnet

Brake Shear House Planning Brief

Consultation Report

March 2016

Summary of Consultation Activity

Consultation on the Brake Shear House Planning Brief took place between February 18th and March 10th. Consultation involved letters that were e-mailed to stakeholders on the Local Plan consultation database A drop-in session was held at the Chipping Barnet Library on the evening of the 2nd March.

A meeting was held with the Chipping Barnet Town Team on 29th February.

Below is a full set of summarised comments, alongside the Council's response to each, and what action was taken to amend the Planning Brief to address the issue raised in the response included at Appendix A of this report.

Appendix A: Full list of Representations and Council Responses

Respondent	Summary of Response	Council Reply	Action
Barnet Borough Arts Council	Supports the Brief consideration of providing studios in the new redevelopment. Makes reference to the successful drainage arrangements at the Bull Theatre's water garden and suggests may be relevant to the Brake Shear House site.	The Council welcomes this support.	No change
Hendon and District Archaeological Society (HADAS)	Draft Planning Brief does not recognise that the site is, at least in part, within the Chipping Barnet Area of Special Archaeological Significance. It therefore is subject to Policy DM06 e (September 2012). Any development in it will have to be considered by the Council, with the advice of the Greater London Archaeological Advisory Service, for the imposition of an archaeological condition.	A new section on archaeology has been added at para 5.7	The Brief makes several references to archaeology at paras 2.1 and 5.7
Chipping Barnet Town Team	<ul style="list-style-type: none"> • Concern about future rents for employment space • 'Mixed use' rather than 'residential-led' • Inclusion of section on Broadband • Concern over storey heights • Concern of appearance of scheme from St George's Fields as Novia House is considered to represent a prominent addition • Questioned whether there was potential for small retail space for local businesses rather than chains • Interest in establishment of local business partner • Support for basement parking <p>Access to the High Street may conflict with pedestrian movements in the Town Centre</p>	<p>Para 7.2 highlights that rates of new employment space will need to be comparative to other commercial uses within Chipping Barnet Town Centre</p> <p>Agreed. This is a mixed use development.</p> <p>As highlighted in para 8.5 the height and mass of any proposed buildings must reflect the urban grain of this part of Chipping Barnet.</p> <p>Reference added to consider how site is viewed</p>	<p>See Para 7.2 on employment space</p> <p>Para 1.1 clarifies that this is a 'Mixed use' used development</p> <p>Reference to broadband added at para 8.9</p> <p>Reference to view from King George's Fields added to para 8.6</p>

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		<p>from surrounding area including King George's Fields</p> <p>Reference added about Boadband</p> <p>The Brief has been prepared in line with the Town Centre Strategy which sets out that the focus for retail is within the retail triangle. This explains the lack of support for retail in the Brief</p> <p>Highways have raised no comments on impact of access on High Street. Further comments will be made on any future planning application stages.</p>	
Drop-in session	<p>Concern over storey heights and loss of views from High Street residential units</p> <p>Support for new trees and soft landscaping</p> <p>Concern over construction noise</p>	<p>As highlighted in para 8.5 the height and mass of any proposed buildings must reflect the urban grain of this part of Chipping Barnet.</p> <p>We agree that trees have an important role in improving streetscene and amenity.</p>	<p>Para 8.4 refers to importance of trees in future development</p>

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		A Construction Management Plan will be required through planning conditions.	
Woodland Trust	<p>There may still be opportunities to include existing mature trees in the layout of the site, either as street trees or providing cover for car parking. As well as retaining existing mature trees, the brief should outline an ambition to create as much canopy cover as possible – both in the streetscape as above, and in the amenity spaces mentioned. This could be included in the “Outdoor Amenity Space” section (paragraphs 8.2 – 8.4). I have included a link to our document <i>Residential Development and Trees</i> (https://www.woodlandtrust.org.uk/publications/2015/07/residential-developments-and-trees/), which has the justification for including trees in such development (benefits for health, water control, air quality, biodiversity), as well as some design suggestions. Pavements can incorporate street trees and Sustainable Urban Drainage System principles alongside parking, as proven in even the narrow streets of Lambeth.</p> <p>Apart from the uplift in quality of development the above suggestions would provide, the London Plan (Policy 7.21) states: “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’[1]. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.”. The justification to that policy states that “In terms of tree planting on development sites, cost benefit analysis that recognises future tree value should be used to support the case for designing developments to accommodate trees that develop larger canopies. Boroughs should take this advice and the work of the Trees and Design Action group[3] into account in producing LDF policies and determining planning applications.”</p>	There are no existing trees on site to retain. However, do recognise the important role of trees in improving streetscene and amenity.	Para 8.4 refers to importance of trees in future development
Historic England	Request that the Planning Brief to make reference to other heritage assets in the vicinity that may be affected by development on this	The Council considers that Mews style for this site is	Reference at para 4.1 to the

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	<p>site, depending on the scale of new development and uses proposed, notably the Wood Street Conservation Area which also covers part of the High Street.</p> <p>Given the age and consistent use of the site for small scale industry since the 19th century, we would encourage you to consider if there are any undesignated built heritage assets on the site that merit additional consideration as part of the planning process. The Local Authority's Conservation Officer and local amenity groups are best placed to advise on this.</p> <p><i>The Spatial Signature of Suburban Town Centres'</i> includes an analysis of Chipping Barnet which notes that: "the multiplicity of activities contained within suburban town centres - from light industry to the local court building - contribute to their liveliness and to their ability to adapt to social and economic change." For this reason it is important to consider the impact of any new uses on this site on the character of the neighbouring conservation areas, to ensure that their heritage significance is protected and enhanced in the longer term.</p> <p>Historic England would encourage the planning case officer to identify opportunities in the vicinity of the site where work could be undertaken to preserve, enhance or better reveal heritage significance. With regard to the assessment of local character, while we agree that proposals for large urban blocks would undermine the urban grain of the site and the High Street, we are concerned that the planning brief appears to encourage a "mews style" development. Mews houses were a specific architectural response associated with Central London, servicing larger scale terraced town houses. This type of development is not characteristic of Chipping Barnet. We would encourage you to reconsider the terminology used for small houses to ensure that any new residential development on this site would relate successfully to its local context.</p>	<p>appropriate due to proximity to Mews development at Belgravia close. This is however providing the scale and design is reflective of the local built context.</p> <p>Reference has been made to multiplicity of activities in town centres in para 2.4 "The Spires Shopping centre...has an important role in providing retail services to Chipping Barnet while the Brake Shear House site provides a range of ancillary works which support the Chipping Barnet Town Centre"</p>	<p>Wood Street Conservation Area</p>

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Greater London Archaeology Advisory Service	<p>The draft Planning Brief envisages major development within the Chipping Barnet Area of Special Archaeological Significance reflecting its location within the historic market town. There is potential for medieval and post-medieval remains associated with the town and some of the buildings may have historical interest. In the 19th century part of the site was the town gasworks. To comply with the NPPF and Barnet Local Plan archaeological policies, GLAAS would expect a planning application to be accompanied by an archaeological desk-based assessment which should include consideration of the site's recent built and industrial heritage.</p>	Noted	Reference added at para 5.7 with regard to requirements for archaeological desk-based assessment (5.7)
Environment Agency	<p>The proposed development site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters. We are however unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further advice. Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site. This approach is supported by Paragraph 109 of the National Planning Policy Framework.</p> <p>We recommend that developers should:</p> <ol style="list-style-type: none"> 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. 2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. 3. Refer to the contaminated land pages on GOV.UK for more information. <p>The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:</p>	<p>Consultation with the Environmental Health team would take place at planning application stages</p> <p>Issues relating to site contamination and drainage would be addressed at pre-app stage</p>	No change

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	<p> <input type="checkbox"/> excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution <input type="checkbox"/> treated materials can be transferred between sites as part of a hub and cluster project <input type="checkbox"/> some naturally occurring clean material can be transferred directly between sites. </p> <p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.</p> <p>The Environment Agency recommends that developers should refer to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the Definition of Waste: Development Industry Code of Practice on the CL:AIRE website and; <input type="checkbox"/> the Environmental regulations page on GOV.UK. <p>Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Duty of Care Regulations 1991 <input type="checkbox"/> Hazardous Waste (England and Wales) Regulations 2005 <input type="checkbox"/> Environmental Permitting (England and Wales) Regulations 2010 <input type="checkbox"/> The Waste (England and Wales) Regulations 2011 <p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.</p> <p>If the total quantity of waste material to be produced at or taken off</p>		

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	<p>site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.</p>		
Local Resident	<p>The displacement of the current small businesses and loss of affordable workspace does not seem to justify the provision of more office space and new start-up companies? There is also the inconvenience and disruption of moving and the financial costs borne by the current leaseholders.</p> <p>It would appear that traffic and parking will present difficulties as the new scheme may necessitate new access for right turning vehicles in and out of the site. The present Pelican crossing is located in a prime location for pedestrians and cannot be moved. Also it would open onto bus lanes.</p> <p>The Northern boundary of the site is close to Monken Hadley conservation area and any new design should reflect and respond to the History and local character of the area.</p> <p>The site is situated opposite the Spires which has an important role in providing retail services for Chipping Barnet residents and dovetails nicely with the services provided by the retail and business units within Brake Shear House.</p>	<p>As highlighted in the Brief this site is a long standing development opportunity</p> <p>Highways have raised no comments on impact of access on High Street. Further comments will be made on any future planning application stages.</p> <p>Brief addresses the site's relationship to Monken Hadley Conservation Area at para 5.3</p> <p>The Brief has been prepared in line with the Town Centre Strategy which sets out that the focus for retail is within the retail triangle. This explains the lack of support for retail in the Brief</p>	
Town Team member	<p>1. We should call this employment space rather than office space to avoid confusion</p> <p>2. Would any "likely conditions" (9.3) be discussed between Barnet Council and a future developer?</p>	<p>1. Agreed</p> <p>2. Likely conditions will be discussed at pre application and planning application stages</p>	

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	<p>3. Will 'B' use floor space provide workshop usage?</p> <p>4. There is currently 2606 square metres of employment space. How much are the Council saying should be built?</p> <p>5. Land use - section 7.1 states ".....and any development would need to provide enough floorspace to allow for at least the existing levels employment". How will this be achieved?</p> <p>6. Are the council considering running this employment space themselves? Is there any precedence for them doing this or would they be looking to the local community?</p> <p>7. Section 7.2 - The affordability of new employment space within the site is an important issue and rates will need to be comparative to other commercial uses within the CBTC. As discussed this isn't acceptable. We need more affordable employment space. Maybe the wording should say something along the lines of...."compare to existing Brake Shear house site rents"?</p> <p>8. Validation checklist - does this include broadband provision?</p> <p>9. Validation checklist - will this include size/amount of employment space?</p> <p>10. What is Section 106 agreement? In relation to 10.1 and 10.2 how much are we talking about and how what will this be used for? Locally in CB?</p> <p>11. 10.3 - should this include Superfast Broadband provision or if not where is it appropriate to include internet connectivity?</p>	<p>3. Brief already states preference for workshop uses to be retained on site</p> <p>4. The Brief does not specify a quantity of floorspace</p> <p>5. Regard to HCA's Employment Density Guide to calculate employment levels that exceed existing using</p> <p>6. The management of the employment space can be considered at application stage.</p> <p>7. Para 7.2 highlights that rates of new employment space will need to be comparative to other commercial uses within Chipping Barnet Town Centre</p> <p>8. Reference to broadband provision has been made in the Planning Brief</p> <p>9. No</p> <p>10. S106 mitigates the impact of the development. CIL is dependent on floorspace in new development</p> <p>11. see response on 8</p>	
Local Resident	Level changes should be included under Site Characteristics	Level changes have been addressed in para 4.11	It is highlighted at para 8.8 that

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	<p>There are opportunities to improve pedestrian permeability to the north and east. The latter is challenging due to the change in level but should still be explored with the use of steps if necessary. It is important to connect the proposal in to the local area and not to create another development that is cut off from its surroundings like Belgravia Close and Novia House. The development must not be gated.</p> <p>Suggest there should be a requirement for a proportion of new employment space to be provide as affordable workspace to help start-ups and SMEs. It is vital to provide high quality workspace to ensure proper mixed uses in this key town centre location. There should also be a restriction to prevent it being converted to residential under permitted development in future.</p> <p>Please add 'whilst avoiding pastiche' at the end.</p> <p>See 5.4 above. Exploring opportunities for increased permeability needs to be stressed</p> <p>8.6 Please add ' and from more distant views such as from King George's Fields' at the end.</p> <p>I'd have thought there should be more thought given to traffic. For instance the smaller residential units could be car-free with parking only being provided for the larger family units. Most developments in town centres are completely car-free these days (with restrictions on parking permits). Instead we put car club spaces into proposals for those that need a car from time to time. This would greatly reduce the potential impacts of additional traffic on the High Street. The proposals must also show how the buildings will be adequately serviced.</p>	<p>Site permeability already addressed in 7.8</p> <p>Last line of 8.6 refers to High Street glimpsed views. Views from the King George's Playing fields addressed earlier in this paragraph</p> <p>The Council's Highways Department have been consulted already regarding future development of this site. No objection has yet been raised. Highways will continue to be consulted at pre-app and planning application stages.</p>	<p>introduction of gates would not be supported.</p>
Barnet Society	There is one over-riding priority we wish to re-state: we would	The Brief does state the	Reference to

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	<p>strongly prefer affordable workspace to affordable housing on this site. Chipping Barnet does not (as yet) have a shortage of good-quality office space; it does have a serious shortage of space for workshop and other start-ups that cannot afford market rents. A fair amount of quality, commercially priced office space has been converted into residential accommodation having stood empty for several years. The corner development of St Albans Rd and Barnet High Street above and behind the retail frontage is a prime example. We made this clear at our meeting because we support economic as much as residential diversity, especially in this location.</p> <ul style="list-style-type: none"> • 5.4 Increased permeability would be welcome, especially to the east. • 7.7 Add 'while avoiding pastiche' at the end. • 7.8 We are concerned about potential vehicle and pedestrian clashes around the main site entrance. A combination of traffic control, appropriate paving and other visual and auditory cues/warnings will probably be essential. • 8.6 Insert 'more distant views from King George's Field and Monken Hadley' after 'High Street and Hyde Close'. • A requirement to facilitate high-speed broadband should be added 	<p>Council's preference for a range of employment space to be provided so it is accessible for a range of businesses including start-ups</p> <p>Specific design issues will be discussed at the pre application stage</p> <p>Highways have been consulted regarding the proposal and have no objections to the redevelopment of the site. Highways will be consulted regarding future applications to ensure there will be no detrimental impact on highways or pedestrian safety</p>	<p>broadband added at para 8.9</p> <p>Reference to view from King George's Fields added to para 8.6</p>
Montagu Evans (on behalf of	On whole the owner of the site supports the document and the message it delivers in regard to the need for the redevelopment of	The Housing and Planning Bill is not legislation until it	No change

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owners of site)	<p>the site so that its potential to deliver the employment and housing benefits can be explored.</p> <p>Affordable Housing Paragraph 3.11 seeks to deliver affordable housing at 40%, with a preferred tenure mix of 60% social and 40% intermediate, in line with policy and subject to viability. We are of the opinion that this is too prescriptive and does not reflect the current changes in legislation relating to affordable housing. The Housing and Planning Bill – which is a material consideration – defines affordable housing in legislation for the first time, and includes a number of different forms of housing that can be classed as “affordable”, including starter homes. The document should reflect these changes and welcome other forms of affordable housing that would deliver housing to Barnet. Given the changes at the national level, the brief should be more flexible in its approach.</p> <p>Class B1(c) must be considered in light of the existing and proposed adjacent residential uses and the need to ensure that bad neighbour conflicts are not created.</p> <p>This form of development does not take into account the requirements for making the best use of the available brownfield land to meet the NPPF’s aspiration for housing growth. This would restrict the ability to deliver usable buildings on site by the time internal circulation routes, car parking and the existing level changes are taken in to account.</p> <p>Land Use</p> <p>We support the Council’s comments at Paragraph 7.1 of the</p>	<p>is enacted. Further details are awaited. The Planning Brief is required to set out how current policies will be applied</p> <p>Mitigation measures regarding impact of Class B(c) will be resolved at application stage</p> <p>The Brief supports a mixed use development in a town centre location. This is in accordance with Barnet’s NPPF compliant Local Plan</p> <p>The Council recognises the importance of establishing good relationships between proposed and existing uses. This will be ensured through high quality boundary treatments, soft landscaping measures and mitigation conditions.</p> <p>It is considered that the</p>	

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	<p>document in that the site is currently underutilised and, to meet local and national policy aspirations for sustainable development, the site can deliver at least the same employment yield alongside residential accommodation.</p> <p>With regard to how this employment space may be delivered, we note in Paragraph 7.2 that the Council have made reference to having Class B1(c) uses on site to provide an opportunity for the existing uses to continue on site. This aspiration must be considered in light of the existing and proposed adjacent residential uses and the need to ensure that bad neighbour conflicts are not created. The other important aspect to consider when looking at use classes is the market's response to this space – it only provides an employment benefit if the space is occupied. Whilst space can be designed to accommodate Class B1(c), it should be available to all Class B uses to allow the market to occupy the space as it sees fit. The alternative is that the space is built and left empty due to the land use restrictions imposed by the Council.</p> <p>Urban Character and Form This form of development does not take into account the requirements for making the best use of the available brownfield land to meet the NPPF's aspiration for housing growth. This would restrict the ability to deliver usable buildings on site by the time internal circulation routes, car parking and the existing level changes are taken in to account. Furthermore, and in response to comments in Paragraphs 6.1 and 8.1, there is the need for set off distances on the western boundary to respect those properties at Hyde Close. A mews form of development would not provide the opportunity to achieve this. This Paragraph makes reference to surrounding "small plot pattern of the surrounding area". This is not an accurate description of the surrounding area or of the site.</p>	<p>adjoining Belgravia and Hyde Close exhibit a tight grain.</p> <p>Brake Shear House is made up of small workshop buildings, although these have over time joined to form larger building mass. Despite this, the low workshop buildings and courtyards of the existing site present a Mews form of development.</p> <p>However, as stated in 7.6, it is not just the footprint but the height, bulk and mass which are critical in determining the acceptability of proposed buildings. It is considered that Mews housing successfully addresses this relationship. Examples of buildings with larger footprints provided by M.E. do not also have heights that are uncharacteristic of Chipping Barnet</p> <p>No detailed level surveys have been done for the site. On the provision of these,</p>	

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	<p>Building Heights and Bulk The first half of Paragraph 8.5 discusses “the urban grain of this part of High Barnet” and seeks to apply a height and mass discussion to this. CABE’s “By Design” guidance defines Urban Grain as being “The pattern of the arrangement of street blocks, plots and their buildings in a settlement.” It is therefore inappropriate to discuss height and mass in this way; and comments on this should be included in Paragraphs 7.5 – 7.7. In this regard, we have already highlighted above that in close proximity to the site there are a number of large development plots (course grain) alongside smaller blocks (fine grain). Accordingly, the site should respond appropriately to this context. The remainder of this Paragraph discusses a mixture of built forms which is supported. The principles of Paragraph 8.6 in regard to locating additional height at the centre of the site to ensure that there is no adverse impact on adjacent residential properties or views is supported.</p> <p>Routes and Access Paragraph 7.8 identifies that there is an opportunity to increase north-to-south access across the site. This would only be possible between Bath Place and the existing main access to Brake Shear House due to topographical changes, and the fact that land to the south is occupied to the service yard for Boots and Sainsbury’s and is private property.</p>	<p>topographical restrictions and opportunities can be better understood</p>	

