

Officers Recommendations

That the Policy and Resources Committee:

- 1. Consider the responses to consultation on The Burroughs and Middlesex University Supplementary Planning Document (SPD) as set out in the Schedule of Representations and Responses (Appendix B).**
- 2. Having considered the consultation responses adopts The Burroughs and Middlesex University Supplementary Planning Document (SPD) (Appendix A).**
- 3. Delegates authority to the Chief Executive to make any necessary minor changes to the SPD in consultation with the Chairman of the Committee before final publication.**

1. WHY THIS REPORT IS NEEDED

- 1.1** The SPD supports the ambitions for enhancing this particular part of Hendon, known locally as The Burroughs, recognised for its civic, community and educational institutions, embedded in a rich heritage fabric. The Burroughs is home established residential neighbourhoods, heritage and green assets, Hendon Town Hall, Hendon Library and the campus of Middlesex University.
- 1.2** Through this planning framework, the Council establishes a vision and a long-term sustainable ambition for The Burroughs to become a respected, thriving, high quality and inclusive environment. A place where future investment opportunities bring the widest benefits to the local area, its diverse communities, and grow the local economy of both Brent Street and Hendon Town Centres with new innovative and creative sectors.
- 1.3** The purpose of the SPD is to adopt detailed planning and design guidance to manage future change and ensure that through development there is the opportunity to create and sustain a healthy area that thrives and supports an inter-generational community in a mixed use environmentally enhanced place. The SPD sets out the way in which, using a design and heritage lead approach, planning can ensure any future development of identified sites brings physical enhancements to green spaces and public realm as well as linkages between land uses. Future change must also respect the historical and residential character of the area.
- 1.4** One of the key purposes of the SPD is to shape the future, in a transparent and planned way, rather than seeing sites come forward in isolation to each other, The aim is to secure a comprehensive approach to change and investment and the SPD advocates a future master plan for the 8 sites identified in this document.
- 1.5** The SPD also seeks to maximise opportunities to support the health and well-being of residents, users and visitors through improved pedestrian and traffic movement which prioritises safety and active travel. Greater investment in green infrastructure is encouraged through enhancement to biodiversity and increasing the areas tree coverage and landscaped public realm. The designated open spaces of Copthall and Sunny Hill will provide a focus for future investment.

- 1.6 The Council continues to work with Middlesex University to support the consolidation onto one campus site at The Burroughs. The Council is the major landowner in the area and therefore has a critical public interest role to ensure that future redevelopment reinvigorates the academic offer of Middlesex University as well as enhancing the wider cultural, leisure, community and social offer. This programme of redevelopment is intended to be delivered through the Hendon Hub project, which is independent of this planning framework but also subject to a Full Business Case report on the same Committee agenda.
- 1.7 Design guidance is an important aspect of the SPD as the area has a significant number of historic assets, as reflected in the two Conservation Areas covering The Burroughs and Church End. Guidance for design is set out both in the main SPD document and the supporting Design Guide. Four distinct Character Areas have been identified with each providing a unique and distinctive quality that must inform the any new development in the area.
- 1.8 Guidance on improving public realm as well as the traffic and pedestrian movement in the area is set out in Appendices B and C of the SPD.
- 1.9 Overall the SPD sets out opportunities for:
- Enhancing the public realm, including traffic calming through The Burroughs.
 - Improving contributions to the local economy, as well as diversifying the area's cultural offer.
 - Improving traffic and pedestrian movement through the area.
 - Improving linkages with open spaces in Copthall and Sunny Hill.
 - Integrating the University campus with the adjacent residential areas and nearby town centres of Brent Street and Hendon Central.
 - Improving social cohesion within the area by addressing how space and land uses connect and interact with each other,
 - Delivering student and conventional housing, including affordable housing.
 - Providing a design guide and development principles for future redevelopment proposals.
- 1.10 Barnet's development plan consists of the Local Plan 2012 and the London Plan 2021. The Burroughs and Middlesex University SPD has been produced in the context of the existing development plan together with Barnet's emerging Local Plan. The Draft Barnet Local Plan Schedule of Proposals identifies nine sites in the SPD area for redevelopment. This SPD provides more detailed guidance on each of these sites.
- 1.11 The Council undertook early engagement to inform local residents of the production of the draft SPD through the Reg 18 Local Plan consultation in early 2020. The Council also arranged an online local stakeholder and Ward Member event in September 2020 to provide an update on the emerging SPD as well as seeking community feedback.
- 1.12 Key issues raised at both events focused on the interactions between those visiting (student population) and the established residential neighbourhoods. In particular with regard to increased traffic, pressure on parking and the need for greater consideration between those visiting The Burroughs for education and civic uses with residents living in the area.

- 1.13 Formal public consultation on the Draft SPD was undertaken for six weeks from 11 January to 22 February 2021. Consultation communication included the Engage Barnet website, promotion through the Council's social media accounts, emails and letters to the planning consultation database, a flyer to all addresses within Hendon and West Hendon Wards, and a notice in the local press. Due to COVID-19 restrictions the three public consultation sessions were held online, attracting approximately 150 attendees. There was also a consultation session with the Barnet Youth Board.
- 1.14 Feedback received included 242 email and written responses, 109 completed online questionnaires, and feedback from the consultation sessions. The email respondents included statutory consultees, local organisations, and residents. The full detail of consultation responses alongside the Council's response is set out in the Schedule of Representations and Responses (Appendix B). Although there is no proposal in the SPD with regard to Hendon Library a petition with 1,392 signatories was submitted in relation to the consultation on the SPD and is reported elsewhere on the agenda for this meeting.

Summary of Main Issues

- 1.15 Overall, the majority of responses were from local residents who raised concerns to proposals to redevelop sites in the area, with particular concern about an increase in the amount of student housing. Many residents reported instances of anti-social behaviour and are concerned that proposals to bring forward purpose-built student accommodation would increase with more students living locally and give rise to more conflicts with the established residential neighbourhoods.
- 1.16 There was however some consensus that some of those sites are currently detracting from The Burroughs and had greater potential to better enhance the area, notably the Ravensfield and Fenella buildings. However, there were also constraints given the proximity of residential properties to the rear of these sites.
- 1.17 The loss of the car parks coupled with the lack of off-street parking and the perceived abuse of existing parking regimes was also raised through the consultation.
- 1.18 Although the SPD has no proposals with regard to the existing Hendon Library building it attracted many objections with regard to the perceived loss of the building as well as the relocation of the library facility. The potential loss of other community and social resources in the area such as the Meritage Centre was also raised in responses. Respondents highlighted the previous loss of community assets, such as the Church Farmhouse Museum.
- 1.19 Respondents commented on the need to conserve the heritage throughout the area, protecting the context of heritage assets, as well as the buildings themselves to maintain the character of the area.
- 1.20 There was a strong desire for greater community and social cohesion between both the University and Council and relations with the established residential communities to enable local voices to be heard with opportunities to influence change. A Residents' Forum has since been established by the University and the consultation on the Hendon Hub project proposals followed on from the draft SPD consultation which gave the

residents an opportunity to express opinions on the details of individual proposals and design evolution.

- 1.21 The Metropolitan Police are very supportive that the SPD promotes the need to use Secure by Design Principles with any new development in the area.
- 1.22 The comments received were carefully considered as many of the issues highlighted throughout the consultation process went beyond the remit of planning, and therefore the scope of this SPD. However, where feedback related to planning matters these have helped to shape revisions to the SPD. These resulting changes are highlighted:
- Amended and expanded vision and objectives to take account of a much broader set of benefits for the area beyond the focus on Middlesex University.
 - References to prioritising the well-being of existing residents and secure new and enhanced community assets. Including where possible dual use facilities.
 - A strengthened emphasis on the importance of historic character and archaeology and how this would be considered through any planning application process.
 - Clarification on the principle that any redevelopment of car park sites within the area would need to be supported by sufficient evidence to justify reduction in car parking capacity.
 - The SPD boundary has been amended to reflect concerns that it had been drawn inaccurately and needed to reflect property boundaries.
 - Greater detail has been added to the description of the four identified Character Areas so as to guide new development appropriately.
 - One of the original sites has been removed in response to the University stating it has no intention to develop its car park site on Greyhound Hill.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Burroughs and Middlesex University SPD will provide a fit for purpose planning framework for the redevelopment plans of this area of Hendon. This will enable good growth and help consolidate Middlesex University as a campus while respecting the existing residential neighbourhood and prominent heritage value of The Burroughs. Ensuring it remains an attractive place to live, work, learn and thrive.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative would be to not prepare this SPD. An opportunity to shape the future redevelopment of this area of Hendon and deliver good growth would be lost at a time when development proposals are being progressed.

4. POST DECISION IMPLEMENTATION

- 4.1 Upon adoption the SPD will become a material consideration in the determination of relevant planning applications within the defined The Burroughs and Middlesex University. SPD area.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Burroughs and Middlesex University SPD will help to deliver against the four main priorities of Barnet's Corporate Plan 2021 to 2025 as follows:

- Clean, safe and well-run – a place where streets are clean and anti-social behaviour is dealt with so that residents feel safe -
 - The use of Designing out Crime is highlighted throughout the SPD and reference is made to the Secured Resilient Design Tool for places where crowds may congregate.
 - The SPD highlights Healthy Streets Indicators such as good street lighting to safely promote walking, cycling and use of public transport;
- Family friendly – enabling opportunities for our children and young people to achieve their best -
 - The SPD is helping to deliver good quality secure accommodation for students near their place of learning,
 - The SPD is helping to boost the contribution of Middlesex University to Barnet's economy, helping young people to access jobs and skills, as well as learning opportunities
- Healthy – a place with fantastic facilities for all ages, enabling people to live happy and healthy lives -
 - The SPD is helping to create a better sense of place that encourages social interaction and physical activity. Making public realm in the SPD area more accessible and welcoming can help, as a consequence of development, create or improve public space that can serve as a venue for celebrating Barnet's diversity and tackle anti-social behaviour and environmental crime.
- Thriving – a place fit for the future, where all benefit from improved sustainable infrastructure, housing and economic opportunity -
 - The SPD will help attract investment in sustainable redevelopment that provides new homes, new economic activity, and increases educational opportunities for local people; and

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 The cost of preparing this SPD has been at no additional cost to the Council.

5.2.2 There are no anticipated implications in IT or sustainability in relation to the SPD.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

- 5.3.2 The Burroughs and Middlesex University SPD fully supports a wide range of social, economic and environmental benefits.
- 5.3.3 Redevelopment of the sites in the SPD area will involve provision of additional academic facilities as well as student and conventional housing, bringing social and economic benefits. It will also enable delivery of improved public realm which, will lead to a much better environment. The SPD supports transformative change in transport, with zero car development and an improved environment for pedestrian and cyclists leading to a modal shift in how people get to and around the SPD area.

5.4 **Legal and Constitutional References**

- 5.4.1 Under the Council's Constitution, Article 7 Committees, Forums, Working Groups and Partnerships paragraph 7.5 (Responsibility for Functions) sets out that the Policy and Resources Committee is responsible for the overall strategic direction of the Council including responsibility for Local Plans (except for matters reserved to Full Council).
- 5.4.2 The Planning & Compulsory Purchase Act 2004 and in particular Regulation 8 and 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents. In dealing with an application for planning permission (or permission in principle) the local planning authority (LPA) shall have regard to, amongst others, the provisions of the development plan (so far as material) and to any other material considerations (s.70(2), Town and Country Planning Act 1990).
- 5.4.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise (s38(6), Planning and Compulsory Purchase Act 2004).
- 5.4.4 The SPD must be adopted by a resolution of the Council as the LPA for its administrative area (s.17(8)(a) and s28(3), PCPA 2004). Upon adoption the SPD will be a material consideration in the determination of relevant planning applications within the defined SPD area. SPDs provide further detailed guidance on topics in development plan policies and may not allocate land uses or create new planning policies. The SPD is a supplementary document, it therefore does not form part of the Council's statutory development plan. However it will be a "local development document" (s.17(7)(za), PCPA 2004 and reg. 5, 2012 Regulations).
- 5.4.5 All SPDs must be prepared in accordance with the Council's Local Development Scheme (s.19(1), PCPA 2004) and the Statement of Community Involvement (SCI) (s.19(3), PCPA 2004). The SCI sets out the Council's policy for consulting and engagement with individuals and stakeholders.
- 5.4.6 In accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council must publish, prior to adoption, a consultation statement explaining (i) who was consulted, (ii) a summary of the issues raised through representations and (iii) how any such issues raised in representations have been addressed in the SPD.

5.5 Risk Management

- 5.5.1 Not progressing the SPD risks the Council having less influence to ensure successful redevelopment and positive outcomes in the SPD area.
- 5.5.2 A key risk to The Burrough and Middlesex University SPD is that it is challenged in the High Court following adoption by the Council. The challenge must take place within 6 weeks of adoption. This has been mitigated by ensuring that the SPD is fully compliant with Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The SPD has undergone a six week consultation process and the Council has ensured that all the consultation responses have been carefully considered and taken into account.

5.6 Equalities and Diversity

- 5.6.1 An Equality Impact Assessment (EqIA) assesses whether a policy, strategy or approach affects any groups, in respect of the protected characteristics defined by the Equality Act 2010, and whether there is a significant positive, negative or neutral impact on groups before a policy is formally introduced. The protected characteristics are - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. An Equality Impact Assessment (EqIA) has been undertaken for The Burroughs and Middlesex University SPD. The EqIA highlighted one negative impact in terms of the protected characteristic of faith and religion as the consequence of potential reductions in car parking spaces arising from development of car parks on The Burroughs. This impact is mitigated through the SPDs requirement that a detailed assessment of the level and pattern of car park usage is submitted at planning application stage. This includes an assessment of existing disabled parking and parking permits and how these will be accommodated in the development proposal.

5.7 Corporate Parenting

- 5.7.1 N/A

5.8 Consultation and Engagement

- 5.8.1 Early consultation has been undertaken through virtual/ online forums to overcome the social distancing requirements due to COVID19. An event in September engaged with local stakeholders (businesses and community groups) and Members to provide an update on the emerging SPD and seek their input.
- 5.8.2 Public consultation was undertaken for six weeks from 11 January to 22 February 2021 - further details are set out in the section above on public consultation. The responses received were assessed and used to inform and update the final version of the SPD.
- 240 emailed and written responses
 - 109 Questionnaires
 - Petition with 650 signatures
 - Hendon Library petition with 1,392 signatures.

5.9 Insight

- 5.9.1 N/A

6. BACKGROUND PAPERS

- 6.1 Barnet Local Plan Core Strategy DPD, September 2012
<https://www.barnet.gov.uk/sites/default/files/assets/citizenportal/documents/planningconservationandbuildingcontrol/PlanningPolicy/LocalPlan/DPD/LocalPlanCoreStrategyDPDSeptember2012.pdf>
- 6.2 Barnet Development Management Policies DPD, September 2012
<https://www.barnet.gov.uk/sites/default/files/assets/citizenportal/documents/planningconservationandbuildingcontrol/PlanningPolicy/LocalPlan/DPD/Barnet27sLocalPlanDevelopmentManagementPoliciesplanning.pdf>
- 6.3 Policy & Resources Committee - 16th June 2021 (Item 8) – Barnet’s Local Plan – Publication - (Reg 19)
<https://barnet.moderngov.co.uk/documents/s65263/Barnets%20Local%20Plan%20Publication%20-%20Regulation%2019%20Town%20and%20Country%20Planning%20Local%20Planning%20England.pdf>
- 6.4 The Burroughs and Middlesex University SPD Sustainability Appraisal, July 2021
- 6.5 The Burroughs and Middlesex University SPD Equalities Impact Assessment, July 2021.
- 6.6 The Burroughs and Middlesex University SPD Statement of Consultation, July 2021.
- 6.7 The Burroughs and Middlesex University SPD Design Guide.
- 6.8 The Burroughs and Middlesex University SPD Landscape and Arboricultural Assessment.
- 6.9 The Burroughs and Middlesex University SPD Transport Study.