

Mrs Cath Shaw  
London Borough of Barnet  
2 Bristol Avenue  
Colindale  
London NW9 4EW

23<sup>rd</sup> July 2021

Dear Mrs Shaw,

**Re:** - Hendon Hub (applicant) response to Historic England Pre-application Advice Letter (Ref: PA01159685), dated 19/07/21

## Introduction

This letter sets out the Hendon Hub project team response to the advice received from Historic England regarding proposals to redevelop Meritage Centre and Building 9 development sites.

## Summary of engagement with LBB and Historic England

Prior to the first meeting with Historic England on 24<sup>th</sup> June 2021, the project team, including Montagu Evans, the Heritage Advisors had attended a number of formal pre-application meetings with London Borough of Barnet's Planning Team in regard to the proposals. These meetings were attended by the applicant's project team and Planning Officers from the LPA including the Principal Urban Designer, Arboricultural Consultant, Planning Policy Manager and Urban Design & Heritage Team Leader and the design of the sites has been worked up in response to the feedback received at these meetings.

On 24<sup>th</sup> June 2021 the project team met with Historic England (HE) to discuss proposals for the Building 9 and Meritage Centre sites. This was considered as being the earliest opportunity to engage with Historic England as the Pre-Application Advisory Service requires proposals to have reached a level of 'maturity' to enable HE to determine whether they need further involvement. Prior to June 2021 the proposals had not been progressed to a level of 'maturity' suitable for pre-application discussion with Historic England because from March to June 2021 the Hendon Hub non-statutory public consultation was being held. The applicant and project team felt it important that consideration of the public consultation responses informed the iterative design process.

## Justification for pre-planning submission discussions with Historic England

The Secretary of States' *Direction 'Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021'* determines which planning applications are 'notifiable' to Historic England.

**Paragraph 4 (a)(ii)** of the 2021 Direction requires Local Planning Authorities to notify Historic England where (inter alia) 'Relevant Works' are proposed in respect of any Grade II (unstarred) listed

building. ‘Relevant Works’ include the demolition of a listed building which forms part of the proposals for Building 9 (i.e. demolition of the 1973 rear addition to Hendon library).

The Historic England ‘Proposals for Development Management’ Document (February 2019) requests that Local Planning Authorities ‘notify’ Historic England when applications for the following developments are registered/validated (see **table 1**).

<b>Table 1: Other ‘nofitable’ development according to HE Document (February 2019)</b>		
<b>Proposed Development</b>	<b>Criteria for Notification</b>	<b>Reason for Notification</b>
The Meritage Centre	‘Notification’ is requested if a planning application has the potential to affect the setting of a Grade II* Listed Building.	Meritage site boundary adjoins the curtilage of the Grade II* Listed Parish Church of St Mary.
	‘Notification’ is requested if a development for the erection of a new building has in the opinion of the Council or Secretary of State the potential to affect the character or appearance of a conservation area.	The development includes the demolition of the 1960s/1970s Meritage Centre complex followed by the erection of four 3 to 4 storey blocks. Two out of the four proposed blocks fall within the Church End Conservation Area.
	‘Notification’ is requested when a Local Authority’s own application for conservation area consent is made.	The applicant/landowner is the London Borough of Barnet.

It should be noted that the proposals for the Meritage Centre and Building 9 do not fall under Article 3 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 i.e. development requiring pre-application ‘consultation’. Neither do any of the Hendon Hub applications require ‘consultation’ with Historic England under the 2015 Order in accordance with Article 18 and Schedule 4 ‘Consultations before the grant of permission’: The criteria for development requiring consultation in accordance with Article 18 and Schedule 4 is as follows:

- *Paragraph (q) development of land involving the demolition, in whole or in part, or the material alteration of a listed building which is classified as Grade I or Grade II\*,*
- *Paragraph (r) development likely to affect the site of a scheduled monument or*
- *Paragraph (s) development likely to affect any battlefield, garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 (register of gardens)*

None of which apply to the proposed Hendon Hub planning applications.

*Concluding remarks*

The Local Planning Authority is not required to ‘consult’ Historic England on the Building 9 and Meritage Centre proposals – either pre-application or post submission – however, the Local Planning Authority is under a duty to ‘notify’ Historic England.

The Local Planning Authority is not required to ‘consult’ or ‘notify’ Historic England of the proposals for the redevelopment of the Fuller Street Car Park, landscaping improvements around Hendon and

the redevelopment of the Ravensfield and Fenella site, as the applications for these sites do not propose works to and/or affect the setting of relevant listed buildings.

Notwithstanding the above statutory obligations, the project team, as set out in this letter, have wanted to take a proactive approach and consult Historic England prior to submitting planning applications for the Building 9 and Meritage Centre sites. This is so that we as lead designers can understand Historic England's views and make changes to the scheme in response to their comments.

### Meritage Centre – 1<sup>st</sup> pre-application meeting on 24<sup>th</sup> June 2021

Historic England's approach to evaluating the likely impacts of the development on the Church End Conservation Area differs from the approach adopted by the project team and the approach that has been discussed with the LBB Planning Team at the formal meetings. From the proposals inception the project team have been working to propose a development that is in accordance with Development Plan for the area and national planning policy.

London Borough of Barnet's Development Management Policies DPD (2012) specifically **Policy DM06 'Barnet's heritage and conservation', Part C** was instrumental in guiding the project team in devising proposals for the Meritage Centre. The policy states that proposals involving Barnet's heritage assets should demonstrate how the significance and setting of a heritage asset can be better revealed. The Grade II\* Parish Church of St Mary adjoins the existing Meritage Centre site and is considered by the LBB **Hendon Church End Conservation Area Character Appraisal and Management Proposals Document (2012)** to be the principal building within the Church End Conservation Area. In accordance with the principles set out in **Policy DM06** the project team took the opportunity when designing the scheme to 'open up' views from various vantage points within the conservation area towards the Parish Church of St Mary.

Whilst the replacement of the existing Meritage Centre complex [a building considered detrimental to the overall character and appearance to the conservation area on page 41 of the Character Appraisal and Management Proposals Document] with a well-designed and proportionate cluster of standalone buildings was considered by the project team to result in a net enhancement to the Church End Conservation Area and setting of the Parish Church of St Mary [a view shared by the LBB Planning Team as confirmed in pre-application meetings/workshops], the feedback received from Historic England during the meeting suggested that they took a different view. Historic England placed very little value on the resulting 'opening up' of views towards the Parish Church of St Mary. It was their opinion that the Church was *"not intended to be viewed from any particular angle"*. We are of the opinion that the replacement of the existing Meritage Centre complex with a set of well-designed and well-proportioned contemporary blocks including the opening up of new vistas towards the Historic Church results in a net enhancement to the Church End Conservation Area as well as the setting of the Parish Church of St Mary. This opinion has also been expressed by the LBB Planning Team. It should be noted that the project team are fully aware that LBB Planning Team's views on the scheme may change following the conclusion of statutory consultations [post planning submission] and determination of the planning applications by LBB Strategic Planning Committee.

It was also Historic England's view that the proposed blocks were too large specifically blocks 1 and 2. Following the meeting the project team considered the comments from HE very carefully and made a number of design amendments in order to reduce the mass and height of buildings 1 and 2 to improve their relationship with Church End and St Mary's Church within the conservation area. This resulted in a reduction of 19 Student units.

## Meritage Centre – 2<sup>nd</sup> pre-application meeting on 9<sup>th</sup> July 2021

During the second pre-application meeting, Historic England expressed the view that the proposed reduction in height [particularly to blocks 1 and 2 within the Church End CA] reduced the negative impacts of the development on the Conservation Area. Historic England also considered the reduction in height of the block closest to Church Terrace as “positive”. Whilst Historic England considered the revisions to be positive the project team and Historic England had an alternative professional view on the most appropriate layout for the paths and landscaping. The project team asserts that the replacement of the Meritage Centre complex [which has a footprint similar to the footprint of the Parish Church of St Mary] with two moderately sized blocks which have a smaller footprint is a more appropriate design response and is more ‘in keeping’ with the vernacular and character of the Church End Conservation Area.

## Historic England Pre-application Feedback Letter (dated 19<sup>th</sup> July 2021)

On page 4 [first paragraph] of the attached feedback letter HE acknowledges that the reduction to the development’s height/mass/units reduces the level of harm to the Conservation Area and in their opinion, this is “broadly appropriate”. However Historic England still take the view that blocks 1 and 2 “compete” with the Parish Church of St Mary as they are of a similar height. This view fails to acknowledge that proposed blocks 1 and 2 have a smaller footprint than the existing Meritage Centre complex and therefore the two substituting structures would have a less dominant presence within the setting of the Parish Church of St Mary.

In their letter Historic England also makes reference to 28 Church End which dates from around the 1850s. This was the last house of what was a small terrace of three houses which formed part of the initial 19th century expansion of Hendon village.

No.28 Church End is noted in the conservation area appraisal as a ‘Positive Building’ within the conservation area, and whilst in no way exceptional, it references part of the history of the development of the settlement.

Whilst we understand the reference point that No. 28 holds at a point in time for the development of the settlement, we strongly feel that the retention of the house and possibly the 1930’s neighbour 30 Church End would significantly compromise the quality and integrity of the sensitive regeneration proposals for the site. We would note the Historic England reference to evidential value of No 28 Church End and as such would propose to integrate a reference to its history and capture this within the new build fabric and landscaping, with for example artwork within the façade of the new blocks. Any proposal for a memorial feature will be subject to consultation and determination by LBB Strategic Planning Committee.

The project team agrees with the view expressed by Historic England on page 1 of the letter which states that the final assessment of the proposals will be subject to the balancing exercise as required under **paragraphs 202 and 203** of the **NPPF (2021)** i.e. it will be for the ‘decision maker’ to weigh up the benefits and harm to the heritage assets [identified by HE and LBB Planning Team] in order to determine whether the former outweighs the latter. Great weight will be given to the conservation of heritage assets in accordance with **Paragraph 199** of the NPPF. **Section 66** and **section 71** of the **Planning (Listed Buildings and Conservation Areas) Act 1990** also places a duty on the LPA to have special regard to the desirability of preserving listed buildings and their setting and to have regard to preserving and enhancing the Church End Conservation Area in accordance with the recommendations of the **LBB Hendon Church End Conservation Area Character Appraisal and Management Proposals Document (2012)**.

Historic England has a remit to provide advice to applicants and LPAs on issues [only] affecting the historic environment. As the Local Planning Authority for the area, LBB must have regard to a wider range of policy objectives and considerations [as per **Section 70(2)** of the **Town and Country Planning Act 1990**]. In accordance with this duty under The Act, LBB Planning Team must consider development impacts on heritage assets as well as consider opportunities for increasing housing supply (including student accommodation), jobs and training for local people. For the purposes of **section 70(2)** of the Act, the Barnet Local Plan (Core Strategy and Development Management Document 2012) and the Greater London Authority London Plan (2021) comprises the Development Plan for the area.

In this regard it is worth noting that project team presented proposals for the RFC site to Greater London Authority on 29th September 2020 and 10th February 2021 (RFC is a referable development to the GLA under the criteria set out in the Mayor of London Order (2008)). Formal feedback was received on 24th March 2021 and a summary of comments made by the GLA in relation to the proposals are provided below:

- Under Policy H1, Table 4.1, of the London Plan, a ten-year target of 23,550 [since published has been revised up to 23,640] homes is set for the London Borough of Barnet. Paragraph 4.1.9 of the London Plan states that net non-self-contained student accommodation should count towards meeting housing targets on a 2.5:1 ratio.....which would contribute positively to the above target and would be strongly supported (paragraph 11).
- The overall ambition and endeavour to bring together various sites as part of a masterplan with the potential to truly benefit The Burroughs and this part of Hendon is welcomed. There is a real opportunity to make the most of Middlesex University as a centre of activity for Hendon and LB Barnet (paragraph 24).

London Plan **Policy H1 'Increasing housing supply' Part B** requires LB Barnet to ensure that the 10-year housing target (as described above) is achieved. Supporting **paragraph 4.1.8** states that non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio. The proposals for the Meritage Centre will make a tangible contribution towards the Borough's ten-year housing target of 23,640 homes.

The project team would like to point out that the public benefits which would flow as a result of the Building 9 and Meritage Centre proposals weigh heavily in favour of the proposals and are substantial in their quantitative and qualitative impacts on job creation and the local economy. These impacts can be reviewed in detail in the 'financial case' section of the Full Business Case (FBC). Historic England had also suggested several mitigations in paragraph 2 on page 5 of the feedback letter. Suggested mitigations include public realm improvements which have from inception of the Hendon Hub project formed part of the overall Hendon Hub Masterplan Area.

Having received Historic England's Feedback Letter the project team are now considering the points raised by Historic England and will advise on any further actions in due course. The project team will continue a dialogue with Historic England on the aspects that they have raised and will implement changes to the scheme, where felt appropriate.

### **Building 9 – 1<sup>st</sup> and 2<sup>nd</sup> pre-application meetings on 24<sup>th</sup> June 2021 and 19<sup>th</sup> July 2021**

The project team are proposing to replace the existing UPVC and crittall windows with timber sash windows, clean, repair and renovate the roof and building facades and will restore the Hendon library staircase and the remaining original internal features of merit by removing recent partitions and cleaning the façade and renovating the glazed rooflight and ceilings.

In accordance with Historic England's comments more clarity and consideration will be given to the detail of the roof interface between the rear of the listed library and the new build business school. The proposals will ensure the historic hipped roof will not be disturbed and will be left unaltered.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Selwyn Atkinson', written in a cursive style.

**Selwyn Atkinson MRTPI**

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