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Barnet Planning Department  
2 Bristol Avenue  
Colindale  
London NW9 4EW

Dear Mr Ryatt,

**REQUEST FOR JOHN DIX/NICK HUFTON TO SPEAK AT COMMITTEE**

**Application No 21/3676/FUL – Land Formerly Known As British Gas Works Albert Road  
New Barnet Barnet EN4 9SH**

Further to our objection letter of 28 September, we have set out our response to the amendments submitted by the applicant in November 2021.

In summary, the applicant has changed very little; a reduction of one storey on Block A and the addition of some parapets. The net overall effect is a reduction of just 5 flats. The applicant has tried to justify a number of issues raised in our previous objection document but their arguments appear weak and they simply reiterate their main application document. We have set below our specific comments in response to the new submissions, but we would note that it is a great shame that the applicant failed to engage the community in a meaningful dialogue at pre-application stage. It remains clear that the application is in breach of numerous planning policies and does not meet the requirements as set by the GLA in both their pre- application advice and their Stage 1 Report.

More seriously, we are surprised that the applicant has chosen to specifically address our concerns rather than address concerns which you and your team, as the people who will provide the planning recommendation, may have advised, nor the issues raised by the GLA. For all of the reasons set out in our previous response, we urge you to reject the application.

Yours sincerely

Lyn Forster  
Chair, New Barnet Community Association

## Response to Fairview Plan Amendments

### Appendix A Healthcare:

Yet again the applicant has wilfully misrepresented NHS Data to justify their case when the factual evidence paints a very different perspective. The applicant states that there are 21 GPs which does not concur with NHS digital detailed headcount analysis by GP Practice (September 2021). That states there is a total GP headcount of 19 (including 1 GP in training). In addition, the applicant does not make it clear how many of those alleged 21 GPs are part time. An increasing number of GPs do work part time with hours varying by individual. As such, headcount numbers are meaningless unless the number of hours worked is known which is why the NHS focuses on Full Time Equivalents (FTE) benchmarks. The applicant has conflated the headcount of GPs figure (which they do not evidence) with a benchmark figure (1 GP to 1,800 patients) which is based on FTE GP numbers. The latest NHS Digital numbers for the FTE equivalent GPs in the three practices is just 14.3 giving a ratio of 1 FTE GP to 1,826 patients, slightly above the benchmark and clearly indicating that any spare capacity is minimal.

| PRAC_CODE | PRAC_NAME                 | TOTAL_PATIENTS | TOTAL_GP_Headcount | TOTAL_GP_excl. Training Grade_HC | TOTAL_GP_FTE |
|-----------|---------------------------|----------------|--------------------|----------------------------------|--------------|
| E83031    | THE VILLAGE SURGERY       | 5314           | 3                  | 3                                | 1.733        |
| E83044    | ADDINGTON MEDICAL CENTRE  | 9380           | 4                  | 4                                | 3.504        |
| E83613    | EAST BARNET HEALTH CENTRE | 11427          | 12                 | 11                               | 9.067        |
|           |                           | 26121          | 19                 | 18                               | 14.304       |

Source: <https://files.digital.nhs.uk/81/F6D853/GPWPracticeCSV.092021.zip>

### Appendix B: Design Response

The applicant has made two design changes: the addition of either raking parapets or split pediments on a number of blocks and the reduction in height of Block A (by one storey). The amendments to parapets are described using architect's jargon which is meaningless and subjective and masks poor design - this is an exercise in 'window-dressing'. At seven storeys, Block A still classifies as 'tall' under the London Plan as do seven other blocks. Barnet's Core Strategy, which raises the baseline for 'tall' from six to eight storeys, is out-of-step with regional policy and, since the gasworks site sits in a predominantly low rise outer suburb, the lower definition should take precedence. It is not, in any case, a site identified in the Local Plan as suitable for tall buildings. Moreover, design guidance in documents which support the NPPF<sup>1</sup> been ignored. This requires tall buildings to be of exceptional design quality and slender in profile and notes that they should stand out (and therefore read as 'tall') in an area of lower rise development. Here, the majority of the blocks (eight out of thirteen) are seven storeys - 'tall' under the London Plan - and all of them are bulky rather than slender in their massing.

The applicant also makes a number of misleading claims in relation to the overall design in which these two design changes, made since submission of the revised scheme in July this year, are conflated with amendments made previously. **The revised DAS**, in particular, seems a deliberate attempt to blur and confuse the limited extent of the latest design changes; design revisions made to the failed 2020 scheme are simply re-iterated. These revisions are discussed in depth as part of the SNB Design Appraisal and so don't need to be repeated here. Finally, we note that the new documentation refers to an 'external third party design review'. This is not an Independent Design Review as implied. No Independent Design Review has been carried out

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<sup>1</sup> National Model Design Code and National Design Guide

for this proposal - although this is a mandatory requirement of the London Plan for a scheme of this size. The developers' consultants design audit is discussed in greater depth as part of the SNB Design Appraisal (Appendix 4).

### **Appendix C: Daylight and Sunlight**

The applicant states that SNB have merely looked at BRE guidelines rather than the consultant's conclusions. This is not the case. SNB's Design Appraisal looked at the document as a whole, taking note of and quoting at length the applicants' own observations. The conclusions of the Daylight and Sunlight Report are based on the false premise that this is an 'urban' site and consequently the misapplication of 'urban' criteria is used as an excuse to make compromises on levels of daylight which are not appropriate to the New Barnet context. Conclusions drawn by the Daylight & Sunlight Consultant are therefore flawed. In one typical passage, the applicant's consultant refers to '*the existing urban fabric around the site*' as justification for compromised daylight levels when, in fact, the site is notably open and sits within 800 metres of the Green Belt. Similarly, the level of daylight on lower floors, as noted by the applicant's consultant, is affected by, '*the obstruction caused by the masterplan context*'. A clearer way of saying this would be that the light levels are affected by the height and proximity of the surrounding buildings proposed by the developer. In a less dense scheme, such as the scheme that already has permission, this would not be the case.

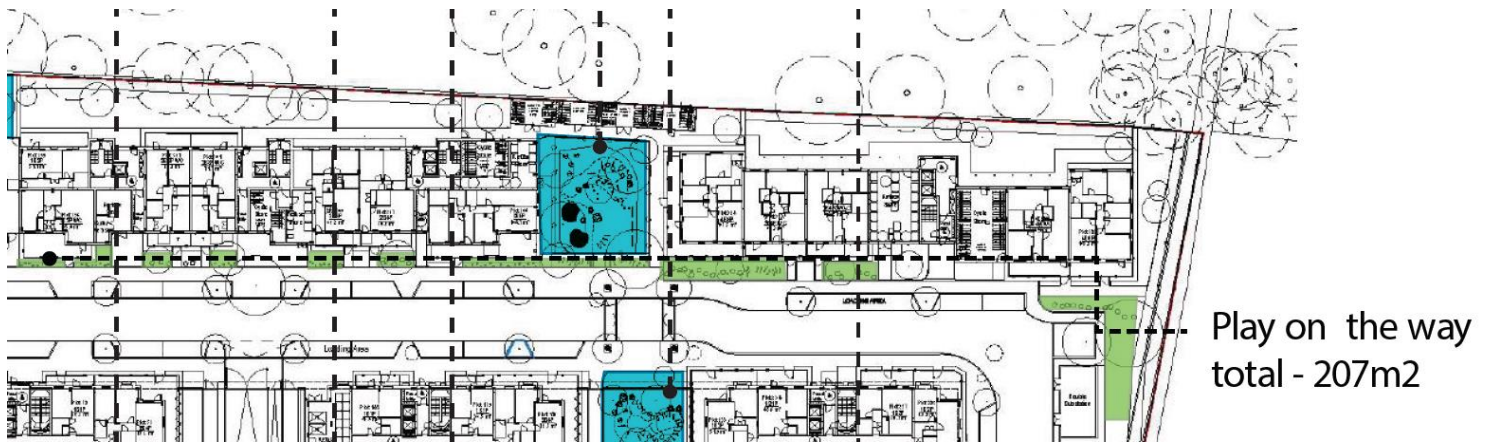
Figures have been 'massaged' by reducing target levels in living areas. Again this compromise is excused under the false premise that this is an urban site; the applicant states that, '*achieving the kitchen target is rarely possible in any urban environment*'. The existing surrounding homes are not compromised in this way and in a lower density scheme, more sympathetic to its context, there would be no such reduction in the quality of accommodation provided.

### **Appendix D Wind Micro Climate:**

The note says we have been selective but they do not dispute the facts. They state that the children's play area may be affected but it is only a small area. However, given that the children's play space already falls short of the requirement, all of the space provided should at least be usable. We also note that they mention again the planting of tall trees but we identified already that tall trees will be difficult given the pollution control measures in place which will prevent tree roots going through the membrane barrier.

### **Appendix E Play Space:**

The applicant acknowledges that they have failed to meet the minimum requirement of play space and have allocated every single piece of amenity space to children's play space. The GLA have made it clear the applicant does not meet the minimum space requirement for 0-11 year old children and that is correct. The plans designate almost all of the available space for children's play space including 207 sqm of pavement verges described as 'Play on the way' which are directly adjacent to the spine road.



Utilising all of the available space also leaves the question of whether the public amenity space requirement has been double counted. We remain concerned that the 1,680 sqm of park space identified within the application boundary is still being counted toward public amenity space.

#### Appendix F Noise:

The applicant's previous noise report identified noise levels in excess of 70 decibels throughout the day with peaks of over 80 dB. The applicant states that a solid balcony balustrade will reduce that by 5 dB. Even if the balustrades were solid it would leave the private amenity space on balconies exposed to at least 65 dB throughout the day. However, the balustrades as illustrated and specified are **NOT** solid so the reduction in dB will not be achieved at the level stated. The applicant also appears to ignore the specific point that The London Housing Design and Quality Standards states that "Private amenity space for each dwelling should be usable, and have a balance of openness and protection appropriate for its outlook and orientation. **Private outside space should not be located where it will be exposed to high levels of noise** or air pollution". It clearly is exposed to high noise levels and as such we cannot understand why the applicant is trying to defend the indefensible.

We were also clear in our terminology stating that the windows were non-opening not non-openable although we would note that in the Overheating Report, the applicant's consultant regularly refers to "non-openable" windows. This may be semantics but the effect is the same, namely that opening the windows is not recommended because of the level of exterior noise. The applicant appears to suggest overheating and noise are not linked but it is clear that they are linked as the flats overheat because the noise is sufficiently bad that the windows should not be opened. The SNB team have demonstrated very clearly that there is a design/orientation alternative, complying with the London Plan hierarchy, but the applicant has chosen to ignore the opportunity to design out this fundamental problem.

#### Appendix G Overheating:

The applicant appears to simply reiterate the proposals they included in the main application. They also cite the Mayor's hierarchy for addressing overheating yet they continue to ignore the first level criteria of orientation and fenestration. The SNB group provided an alternative design with a different orientation and much smaller windows on the west facing facade adjacent to the railway line, specifically to address the overheating problem. The report notes that almost all of

the flats meet the DSY1 requirement but, critically, only with the installation of comfort cooling and blinds. What remains true is that because of the design, at least half the flats will need specific mechanical cooling and a system that provides fresh air throughout the year. Installing blinds may appear to be an expedient solution but experience suggests that after a few years they become damaged and after that they lose their effectiveness. The major risk with this development is that the flats with the poorest tenants in social and affordable housing will be exposed to the additional cost of cooling their flats because those are located adjacent to the railway line and are west facing. Building flats that are only usable with the help of a cooling system they may be unable to afford represents the worst possible scenario and builds in life long problems.

### **Appendix H Waste 7 Recycling:**

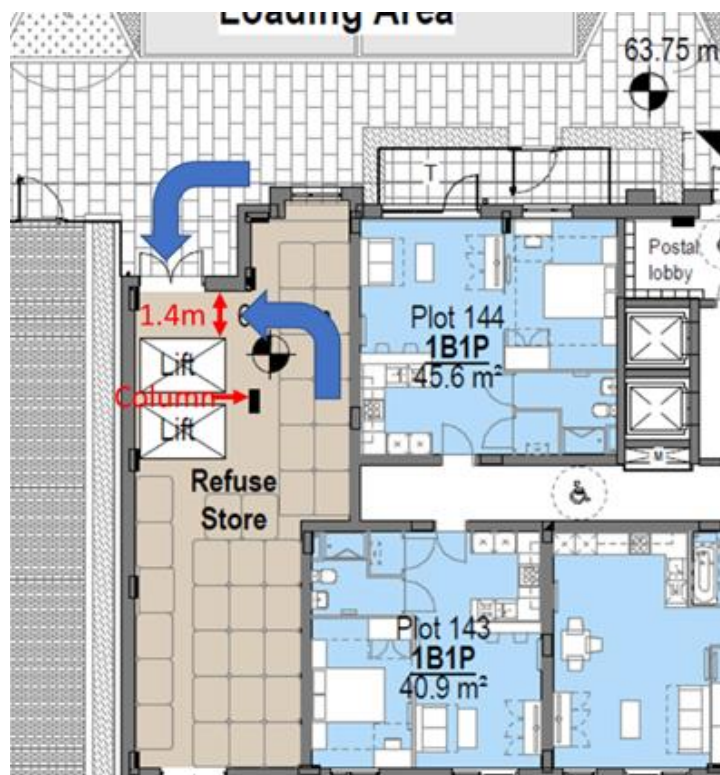
The response seems to be a basic justification for the poor design without thinking through the practicalities of their proposals. For example, they state that the basement car park is a good location for the bin stores as “residents will use the bin stores on their way to their cars” yet we know that only 60% of flats will have a car parking space. The applicant’s consultant confirms that “the building management team will be required to monitor the bins within each core bin store, and once the bins are full, the building management team will swap the full bins with the empty bins from the ‘Central Basement Bin Store’. In interest of the health and safety of the building management team and convenience of operations tugs will be used”. That does not appear to be a system “designed to work effectively for residents, management and collection services” as required in the London Plan Policy D6(B). The explanation of collection day is as follows:

*“It should be noted that the Ground Floor Waste and Recycling Holding Room will have the capacity to store at least 35 × 1,100 L bins at any single time which equates to approximately 50% of the total bins (both recyclables and general waste from these Blocks) required based on a weekly collection frequency. Therefore, on the day of collection, whilst the collection operatives are emptying the bins present within the Ground Floor Waste and Recycling Holding Room, the building management team will be simultaneously moving those empty bins back to the basement core bin stores or the ‘Central Basement Bin Store’ and bringing the remaining full bins on the way back to the Ground Floor via a service lift.”*

What this explanation fails to note are the following issues:

- No inclusion has been made for the storage of the 12 x 240 litre food waste bins which will be required for these six block of flats when food waste collections are re-introduced.
- All of the floor space is required to house the 35 x 1,100 litre bins with no circulation space that would allow bins to be easily moved in and out. This is in contradiction of Barnet’s waste collection policy which states “Bin stores will be large enough to allow gangway access to all bins without needing to arrange other bins in the space”

- The location of the service lift means that the gap between the lift and wall closest to the exit is only approximately 1.4 metres, yet a 1,100 litre bin is 1.1 metres deep and 1.38 metres wide. This means that it will be impossible for full bins to move out of the bin store and empty bins to move back into the bin store lift at the same time. There is also a structural column adjacent to the lifts which means that all bins from the front of the bin store will need to be cleared before bins from the rear of the store can be moved to the exit door. Forty seven bins will need to be moved up from the basement via the service lift and this is illustrated on the sketch opposite:



The report states that “Through this approach the collection operatives will not be required to wait for during the collection process”. All the evidence suggests the opposite will occur.

### Official Response to SNB

This document refers to the alternative proposal drawn up by the SNB community group and illustrated as part of the SNB Design Appraisal (Appendix 3).

The applicant states that, ‘there were significant obstacles [to the SNB design] from an architectural and design perspective that made the proposals undeliverable.’ This is not the case.

At a meeting in May 2021, the applicant claimed that the SNB proposal reduced parking provision. In fact, by narrowing the footprint of the railway terrace we had potentially allowed for additional spaces. The applicant also objected to the inclusion of maisonettes but purely on the grounds of additional expense. This is not an architectural or design consideration and goes against the GLA recommendation that a wider range of building typologies should be explored.

We maintain that the SNB alternative design shows a fundamentally better scheme of the type that would be achievable were the developer not attempting to over-densify the site. Poor design features in the submitted scheme are excused by the applicant as an inevitable result of site constraints; “Any alternative design would experience the same noise levels at those façades and the same mitigation measures would be required in a similar manner’ .... ‘There will be noise issues and therefore compromises have to be made’ ...’ These issues are the same regardless of the scheme design in this part of the site’.

These statements are incorrect. The applicant’s over-dense site strategy ignores established passive solar and acoustic design principles. It fails to address site constraints and results in poor quality accommodation affected by the combined impact of the failure to consider how noise and overheating issues might be addressed via sustainable passive design strategies. Some



of the noise issues, along Spine Road, are not even existing site constraints; at only twenty metres separation, six and seven storey blocks create a noise canyon which requires mitigation.

The alternative scheme by SNB addresses the noise and overheating issues by using passive design strategies, including Passivhaus principles for orientation and proposing alternative building typologies in its design; the inclusion of maisonettes along the railway as suggested in the SNB proposal means that there would be no habitable rooms facing the tracks.

Similarly, as regards the proposed ‘Active Cooling’, the applicant considers that, “*It is common and well accepted good practice to provide an alternative means of ventilation to prevent the need to open windows in noisier areas*’. This might be so where there is no alternative design possible, but the provision of Active Cooling is regarded as a last resort in the London Plan (Policy SI 4). It is not a sustainable solution and should be avoided where good passive design strategies, considering orientation and alternative typologies, can resolve environmental issues – as demonstrated in the SNB alternative design.

### Viability Study:

The applicant has stated that they “confirm that there is no grant funding ‘assumed’ for the 35% affordable housing provision at VQ” and therefore are not required to provide a viability study so long as they achieve a 35% affordable target. We note that this issue was raised by the GLA in their pre application advice. A Freedom of Information (FOI) request appears to suggest that One Housing did apply for grant funding from the Mayor’s 2016-2021 Affordable Housing Programme and the GLA have provided a contract that suggests this was secured in late 2017. As the extant application is still in force on which this grant appears to apply, we would ask for further clarification about the applicant’s statement regarding grant funding for this site in light of the evidence provided by the GLA.

OHG’s 2016-21 schemes

| Project name                             | Borough        | Affordable Housing Programme |
|--|----------------|------------------------------|
| Kings Cross Central, Block R8            | Camden         | AHP 2016-21                  |
| Reservoir Site                           | Redbridge      | AHP 2016-21                  |
| 43-49 Parker Street                      | Camden         | AHP 2016-21                  |
| Harrow View West                         | Harrow         | AHP 2016-21                  |
| 3, 5 and 7 Blackhorse Lane               | Waltham Forest | AHP 2016-21                  |
| Church Road                              | Harringay      | AHP 2016-21                  |
| Albert Road                              | Barnet         | AHP 2016-21                  |
| 277a Gray’s Inn Road                     | Camden         | AHP 2016-21                  |
| 102 Camley Street                        | Camden         | AHP 2016-21                  |
| St Ann’s Police Station                  | Haringey       | AHP 2016-21                  |
| Albert Road                              | Barnet         |                              |
| Canning Town, Hallsville Quarter Phase 3 | Newham         | AHP 2016-21                  |
| Kingsbridge Estate, Westferry Road       | Tower Hamlets  | AHP 2016-21                  |
| Phoenix Place/Kings Cross Phase 2        | Camden         | AHP 2016-21                  |
| Canning Town Phase 3                     | Newham         | AHP 2016-21                  |
| Granville Road                           | Barnet         | AHP 2016-21                  |
| Canning Town Phase 3a                    | Newham         | AHP 2016-21                  |
| Western Gateway/Royal Eden Docks         | Newham         | AHP 2016-21                  |
| Bellamy Close and Byng                   | Tower Hamlets  | AHP 2016-21                  |
| Ladderswood Phase 4 (Block J)            | Enfield        | AHP 2016-21                  |
| Calthorpe Street                         | Islington      | AHP 2016-21                  |
| Lea Bridge Station                       | Waltham Forest | AHP 2016-21                  |
| Suttons Wharf South                      | Tower Hamlets  | AHP 2016-21                  |

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