

# Victoria Quarter

Quantity Not Quality



A Scheme That Designs-in Problems



**Save New Barnet**

**Response to Planning Application 21/3676/FUL**

**August 2021**

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### 1. Executive Summary

This scheme represents exceptionally poor design and, if approved in its current format, will build in numerous problems that will make the development unsustainable and a major problem for the tenants and the community in the future. Our objections include the following:

- The scheme fails to deliver good quality design, being regimental in character, lacking both a variety of building typology and design ambition. In so doing, it fails to meet National Planning Policy Framework (NPPF) Section 12, London Plan (2021) Policy D6 and Barnet Policy CS5, DM01 & DM05. As there are so many design issues, we have detailed them in a separate design review document;
- Just 11.7% of market homes in the scheme are 3 bedrooms (46 of 394 market homes) even though this size is the top priority as set out in Barnet's current and draft policy DM08 and HOU02 and supported by evidence in the SHMA;
- The children's play space fails to meet the minimum requirement, in breach of London Plan Policy S4, and there are concerns around the basis of amenity space calculations which appear to include public land not owed by the applicant;
- The scheme has not been subjected to an independent expert design review, as set out in London Plan Policy D4;
- Seven of the 13 blocks, (274 flats) have been identified as being at high risk of overheating including all the blocks facing the East Coast Main Line, and will require active cooling, contrary to London Environment Strategy Policy 8.4.3, when most of these issues could be addressed through more appropriate design;
- The scheme's design will build in significant noise problems to such an extent that properties facing the East Coast Main Line AND the spine road will require non opening windows, even though many of the flats have their balcony amenity space facing the noise source, contrary to London Plan Policy D14 and the London Environment Strategy Chapter 9;
- Waste management of the site is designed to be complex and labour intensive, risking the sustainability of the scheme, contrary to London Plan Policy D6 (B) and Table 3.2 - Qualitative design aspects to be addressed in housing developments;
- Many of the flats have been designed to meet the absolute minimum space standards, even though the London Plan paragraph 3.6.2 states that "The space standards are minimums which applicants are encouraged to exceed";
- The time between the public consultation closing and the submission of the application was less than 5 HOURS, demonstrating that the applicant had no intention of listening to, considering, or even less, implementing any public comments, negating the validity of the consultation process and contrary to paragraph 128 of the NPPF (February 2019);
- The reduction in on-site parking spaces will inevitably lead to a CPZ being introduced in New Barnet – even though this could be offset with a more appropriate design;
- No viability study has been provided even though this is a requirement where the applicant has received a public subsidy, something the applicant acknowledges on page 8 of the DAS. In addition, the London Plan identifies at page 179, footnote 59, the need to provide viability

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evidence where contaminated site clean up is used to justify a 35% affordable housing requirement;

- The applicant is grabbing 1,680sqm of the Victoria Recreation Ground comprising a 10 metre wide strip approximately 168 metres long of grass and mature trees which will become part of the construction site and will be secured behind wooden hoardings;
- The public right of way from the recreation ground to the pedestrian tunnel under the East Coast Main Line will be closed for a prolonged period, potentially up to five years, with no certainty as to how the ground level path will connect with the tunnel entrance which is approximately 7 metres above ground level;
- There are serious concerns about the adequacy of the remediation of the site and impact on tenants, particularly those in Block E (all social housing) where the lack of a hydrocarbon barrier under part of the block may allow hydrocarbon vapours to enter the building;
- The proposed protective layer of 450mm of clean soil to cover the polluted ground (Clean Cover System) will mean that any semi mature or mature trees will have to be planted in raised beds to avoid root intrusion into the polluted ground; and
- The logistics route is still directing up to 40 HGVs daily across Hadley Common even though they have been told on repeated occasions that this route is entirely unsuitable for HGVs, demonstrating that the applicant simply is not listening.

We have reviewed the GLA pre-application advice provided to the applicant on 7<sup>th</sup> June 2021 and are concerned that there are many aspects that the applicant has chosen to ignore. We would have liked to review the Barnet Council pre-application advice to the applicant, but we have been told that no written record was kept of the three pre-application meetings on 7<sup>th</sup>, 19<sup>th</sup> and 29<sup>th</sup> April 2021 nor

Written records	<p>A record should be kept of all pre-application advice:</p> <ul style="list-style-type: none"> <li>• to ensure that consistent advice is given and can be taken forward when an application comes in</li> <li>• so that there is an agreed record of discussions and any agreements or commitments given</li> <li>• for public transparency and</li> <li>• in case there are complaints later on in the development process.</li> <li>• This record should be shared with all the participants in the pre-app process and (except in clearly justified exceptional cases) made public as soon as possible, if not before an application is made.</li> </ul>
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was any written advice provided to the applicant even though this represents a serious breach of Local Government Association (LGA) guidelines on pre-application advice. This also means that Councillors will be unable to use this pre-application advice in their determination of this planning

application, again something recommended in the LGA guidelines. The applicant’s Design & Access Statement asserts that specific pre-application advice was provided by Barnet’s planners, however, without any documentary proof that these assertions are accurate or representative of the advice, we would ask that they be discounted as part of any evaluation of the application.

Set out on the following pages are the specific details of our objections and why we believe this scheme should be refused.

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### 2. Introduction

#### 2.1. Background - Site History

The community in New Barnet have spent many years working for a good quality housing development on the former Gasworks site at Albert Road. In 2015, the original scheme for the main site was granted planning permission with 305 homes and was amended again in 2017 to include the development along Victoria Road, with a total of 371 houses and flats. This was a scheme developed collaboratively with the community, delivering a large number of well-designed and attractive homes on a brownfield site. Barnet granted planning consent in 2017, with remediation works commencing along with the construction of the spine road and the basement car park which are now complete.

In 2020 a new scheme was submitted that fundamentally changed the original design, included no houses and comprised of 652 flats in a series of high density tower blocks, the tallest of which was 10 storeys. This application was unanimously refused and the Mayor of London declined to intervene in the decision.

We are now presented with a slightly modified version of the flawed 2020 scheme. Some of the building heights have been slightly reduced and add-on blocks removed to allow the minimum requirement of 20 metres between buildings to be achieved. However, it still contains 544 flats and many of the failings of the previous scheme.



**Applicant's 2020 submission (above left) and 2021 re-submission (above right).  
It is clear that no fundamental changes to the design concept have been made.**

This response sets out areas where the scheme fails to address National, London and Barnet planning policies.

#### 2.2. Other Schemes in the Area

It is important to set this development in the context of all the other proposed and consented schemes in the area which will also impact on the local infrastructure.

- At Cockfosters Station, 1.9 km from the proposed site, a planning application to build 351 flats on the car park has been lodged with Enfield Council. In addition, there is an extant consent to redevelop the adjacent Black Horse Tower into 200 flats.
- At High Barnet Station, 1.7 km from the proposed site, there are plans to build approximately 300 new flats.
- Kingmaker House, 230 metres from the proposed site has planning consent for 94 units and an appeal pending for an additional 51 units, bringing the total to 145 units.

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- The gasholder site immediately adjacent to this development, and which is only accessible via the spine road, has been identified for development with approximately 200 homes.
- North London Business Park, 2.9km from the proposed site has planning consent for 1,350 units, with a proposal to increase that number to 2,500 units.
- In Whetstone, 2.3km from the proposed site there are three developments proposed or under construction. At Barnet House in Whetstone the developer has very recently submitted an application for 260 flats. In Oakleigh Rd North there are two developments, with a further 264 new flats proposed or under construction.



With the 544 units in the proposed development this means the local infrastructure will have to support an additional 4,764 homes with approximately 9,500 – 10,500 people. This does not include all the smaller infill developments that are also taking place in the local area and the three recent developments at 1201 High Road, Northway House and Sweets Way at Whetstone which amount to a further 561 homes.

This application cannot be viewed in isolation and must be considered in the context of the wider development taking place in the local area, especially in terms of the strain it will place on local schools, doctors, dentists and public amenities like libraries and leisure facilities.

We would note that while the health assessment document dismisses these issues, they have used misleading, false or inaccurate information to support these statements. For example, they state that the ratio of doctors to patients in the three closest GP practices is 1 doctor per 1,137 patients, compared to the benchmark of 1GP per 1,800 patients and, as such, they claim that the three local practices can more than easily accommodate all the new patients generated by the site.

**They say: “1 GP for 1,137 patients”**  
**Fact: 1 GP for 1,823 patients**  
**(Source: NHS)**

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In reality, what they have done is take the total number of doctors, including locum and part time doctors, and compared it with a benchmark which is based on Full Time Equivalent (FTE) doctors. The benchmark is 1 FTE GP to 1,800 patients. When checking the NHS database, it transpires that the actual ratio for the three practices closest to the site is 1 FTE GP per 1,823 patients, so slightly above the benchmark, indicating that there is very little or no capacity to accommodate all of the 1,200+ patients this site will generate. In addition, the report says that Danegrove School has 31 spare places. We have spoken to the school and they state that they are typically oversubscribed and were unable to understand how such a large number of spare places could be attributed to the school. The report states that there are 40 spare places at St Margaret's nursery, a figure that appears to have no basis in reality. The assessment also fails to recognise all of the other developments in the area which will be competing for the same GP and school places.

### 2.3. Design Quality

We have very serious concerns about the quality of the design of the scheme. Our concerns are mirrored by those of the GLA who stated in their pre-app advice on 7 June 2021, *"Officers consider that there is now scope to explore alternative layouts and architectural typologies to find an optimal design solution for the site"*. They also stated *"Officers consider that there is scope for greater ambition in the architecture and urban design and greater variety in typologies"*. These comments, raised by the GLA, have been ignored. We are very concerned that the poor quality of the design has actually designed in problems to the scheme. As such, we have carried out a detailed architectural review which looks in detail at the design and which we have appended at Annex 1

### 2.4. Lack of Viability Study

The reason given by the applicant for the massive increase in unit numbers compared to the extant scheme is that the costs of remediation have made the consented scheme unviable. We have asked the applicant on a number of occasions for details of the increase in remediation costs but they have refused, saying they are commercially sensitive. We have not asked them for anything other than the specific increase in remediation costs. When the 2020 scheme was discussed at Planning Committee, Cllr Roberts asked for a copy of the viability study and he was told that they were not obliged to provide it.

However, as the GLA alluded to in their pre-application advice, the 35% affordable housing target only allows schemes to use the Fast Track Route without the use of public subsidy and that, if public subsidy was provided, the application would not meet the threshold approach. On page 8 of the Design and Access Statement the applicant makes it clear that One Housing Group's ***"strategic partnership with the GLA has secured OHG a grant allocation of just under £60m and will enable us to provide genuinely affordable homes for Londoners"***. On this basis, the applicant has received a public subsidy and **must** therefore provide a viability study.

### 2.5. Public Consultation

The applicant held two on-line consultations webinars. The first webinar, held on 7<sup>th</sup> April failed to provide a single image, plan or visualisation about the scheme and consisted of a one hour session where the applicant did all of the talking and selected a few questions submitted on-line to be answered but with no right of reply or opportunity to seek clarification. This was particularly disappointing when we discovered that detailed plans had been discussed with Barnet's planners in a pre-application meeting on the very same day.

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The second consultation webinar followed exactly the same format as the first; one hour, public not allowed to speak. Critically the applicant submitted all of their planning documents on the same day the consultation closed. We believe that the applicant has failed to comply with the NPPF paragraph 128 where it states that: *“Early discussion between applicants, the local planning authority **and local community** about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that **take account of the views of the community**”*.

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### 3. Design Review

We have prepared a detailed design review at Annex 1 which identifies a range of issues with the proposed design. The design review notes in summary:

***“At the most fundamental level, the failure here to produce a ‘good design’ is a failure to provide decent homes in pleasant surroundings which improve the everyday quality of people’s lives”.***

The specific issues are summarised below:

- Fails to address the issues of scale and character in breach of NPPF paragraph 130, the National Design Guide, the National Design Code and the London Plan;
- The gridded site layout does not correspond to the suburban example in the National Design Guide and the analysis of perpendicular street intersections does not justify a generic grid;
- There is a lack of definition between public and private spaces, as confirmed by the GLA in their pre-app advice;
- The scheme is typified by uniform footprints, blocky massing and repetitive building typologies. This does not enhance visual amenity either for residents or passers-by - there is a ‘sameness’ both in landscaping strategy and built form;
- The lack of richness in massing results in a monolithic effect and a reduction in visual amenity;
- Lack of permeability and blocked views detract from the ‘legibility’ of the site;
- The height of the scheme is in breach of London Plan policies D3 and D9, Barnet policies CS5, DM01 and DM05 and the New Barnet Town Centre Framework;
- There are fundamental flaws arising from the poor layout;
- The layout relegates landscaped areas to the incidental ‘left over’ spaces between blocks, lacking in any sense of enclosure. Communal gardens are provided in a narrow, linear strip and all but one of the blocks overlooking the gardens are seven storeys;
- There is an over-dominance of apartment blocks on Victoria Recreation Ground;
- Buildings along the spine road face each other at a minimal twenty metre distance, only two of the eight blocks are lower than seven storeys. The spine road bears no resemblance to the suburban primary street illustrated in the National Design Code and will create a ‘Noise Canyon’;
- In planning policy, housing density should be framed in terms of output rather than input. But this approach is not evident in applicant’s scheme where, in the very first pre application meeting with LBB, a ‘target’ of 550 new homes was agreed;
- The applicant acknowledges in the sustainability report that 29.7% of units are single aspect, three times higher than the consented scheme. 13% are single aspect and west facing - and some of these face the railway, so will also be adversely impacted by noise;
- Building flats to seven stories increases the number of dwellings overlooking the railway line. Using standard flat plans which do not take poor orientation into account means that these dwellings are of poor quality and do not promote healthy living;
- The NPPF states ‘Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’ This scheme fails to meet this standard.

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### 4. Housing Mix

#### 4.1. Introduction

The proposed scheme contains no houses and just 16 four bedroom properties all of which are affordable rent and none are available either for shared ownership or market housing. The number of three and four bedroom properties they are proposing makes up just 22% of the total, whereas three and four bedroom properties made up 30% of the 2017 consented scheme.

#### 4.2. Planning Policy

Planning Policy DM08: Ensuring a variety of sizes of new homes to meet housing need, states that:

***“Development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough.***

***Our dwelling size priorities are:***

- i. For social rented housing – homes with 3 bedrooms are the highest priority***
- ii. For intermediate affordable housing – homes with 3/4 bedrooms are the highest priority***
- iii. For market housing – homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority”.***

The Draft Local Plan (2021) Policy HOU02 changes these priorities slightly, stating:

***Barnet dwelling size priorities are:***

***a) For market homes for sale and rent – 3 bedroom (4 to 6 bedspaces) properties are the highest priority, homes with 2 (3 to 4 bedspaces) or 4 bedrooms (5 to 8 bedspaces) are a medium priority.***

***b) For Affordable Homes (see Policy HOU01 and supporting text):***

- i. the smallest 2 bedroom property in this tenure is required to provide a minimum of 4 bed spaces in accordance with the residential space standards in Table 9***
- ii. 2 and 3 bedroom properties are the highest priority for homes at Low Cost Rent.***
- iii. 3 bedroom properties are the highest priority for homes at a London Living Rent.***
- iv. 2 bedroom properties are the highest priority for homes at an Affordable Rent / Low Cost Home Ownership.***

#### 4.3. Market Housing

Just 11.7% of the 394 market properties in the scheme (46) are designated as 3 bed market homes, while 40.3% of market homes are studio or 1 bed flats. There are no 4 bedroom properties designated as market homes. This does not comply with the current or draft policy.

The Strategic Housing Market Assessment states that: ***“The percentage of overcrowded households (in Barnet) has increased by more than for Greater London”.*** It also says: ***“When considered by tenure ... the largest growth (in overcrowding is) in the private rented sector where the number has increased from 5,893 to 13,226, a growth of 7,333 households over the 10-year period. The percentage of overcrowded households in the private rented sector has also had the biggest increase from 25.1% to 35.7%”.*** Given that many of the market homes in this development are likely to be purchased by buy to let landlords, it is clear that the higher proportion of smaller properties is likely to exacerbate the overcrowding problem.

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Based on figures provided by Rightmove on 17 August 2021 there were 1,339 studio, one and two bed flats for sale in Barnet (priced under £700,000) with a further 1,062 studio one and two bed flats for rent (priced under £2,500/month). By contrast there were only 163 three and four beds flats for sale and 210 three and four bed flats to rent in the same price bracket.

The LBB Annual Monitoring Report identifies at Table 11 (corrected) that during the period 2011/12-2019/20 78% of new home completions have been 1 and 2 bed flats with very few 3 and 4 bed properties. Given that, according to the SHMA, overcrowding has risen during this period, it is clear that more three and four bedroom homes are required.

**Table 11: Residential completions 2011/12-2019/20 by housing type**

	Number of Bedrooms					
Unit Type	1/studio	2	3	4	5+	%
Total Number of units	(33%)	(45%)	(16%)	(5%)	(1%)	100%

**4.4. Affordable Housing**

The scheme proposes 7 affordable 2 bed, 3 person units contrary to the Barnet draft policy HOU02 (b)(i) which states that affordable 2 bed properties should be for a minimum of four persons.

**4.5. Summary**

Given that the proposed scheme provides no four bedroom and only 46 three bedroom market homes, it is clearly in breach of Policy DM08 and Draft Local Plan Policy HOU02 Housing Mix.

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## 5. Housing Density:

### 5.1. Introduction

The existing consented scheme has a housing density of 386 habitable rooms per hectare (hr/ha). The proposed new scheme has increased this density to 527 hr/ha. The London Plan Policy D3 states: applying a design-led approach to determine the optimum development capacity of sites, a phrase also included in the draft Barnet Local Plan CDH01.

**“The aspiration to build densely needs to be balanced with an environment that supports the quality of life of local and nearby residents”**  
GLA

### 5.2. Planning Policy

Barnet’s Core strategy states at Policy CS3:

“Our strategic approach on further development opportunity sites will be set within the context of the density matrix in the London Plan. We will seek to **optimise rather than simply maximise housing density** to reflect local context, public transport accessibility and provision of social infrastructure”.

In addition, the draft Local Plan includes a density matrix at page 284 which it states, **“provides a good basis for a more detailed design led approach as proposals near the planning application stage”**. A copy of the matrix is set out below:

Figure 1: Density Matrix

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
<b>Suburban:</b>	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
<b>Urban:</b>	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8 -4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
<b>Central:</b>	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha

If classified as ‘Urban’, the Victoria Quarter site, which has a PTAL ranging from 1 at the rear of the site to 3 at the front of the site, should be at a **maximum** density of 450hr/ha, a figure this scheme significantly exceeds. The reality is that New Barnet is a ‘Suburban’ area and as such at density levels less than half of that proposed.

### 5.3. Density Impact

The impact of such high density properties is highlighted at length in the architectural review attached at Annex 1. In particular, this has meant that some of the external amenity space will be windy, as well creating a noise canyon along the spine road.

### 5.4. Summary

The density of the proposed scheme is in breach of guidelines and represents over development. It breaches current **Policy CS3**, and Draft Local Plan Policy CDH01, which seeks to **optimise** housing density rather than **maximise** housing density.

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## 6. Amenity/Play Space

### 6.1. Play Space

The applicant acknowledges that the scheme fails to meet the minimum requirement for play space. The GLA noted to the applicant in the pre-app advice dated 7 June 2021 that there was insufficient play space in breach of London Plan Policy S4 but they appear to have ignored that advice.

The GLA Population Yield Calculator indicates the scheme will generate a population of 1,178 people, assuming a whole site PTAL of 3-4. For a site with a PTAL of 1-2 the population would increase to 1263, predominantly more children. The calculations are set out below:

Yield from Development  
(persons)

	Market & Intermediate	Social	Total
Ages 0, 1, 2, 3 & 4	70.3	41.8	112.1
Ages 5, 6, 7, 8, 9, 10 & 11	46.7	37.8	84.5
Ages 12, 13, 14 & 15	11.5	25.2	36.7
Ages 16 & 17	6.1	13.3	19.4
18-64	773.7	130.6	904.4
65+	18.5	3.0	21.4
<b>Total Yield</b>	<b>926.8</b>	<b>251.6</b>	<b>1178.4</b>

Play Space Calculator

Total Children	252.6
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	Benchmark (m <sup>2</sup> )	Total play space (m <sup>2</sup> )
Play space requirement	10	2526.4

The development provides just 1,857 sqm of play space, which fails to meet the minimum requirement for the 0-11 age group. By comparison, the consented scheme provided sufficient play space for 0-11 age group. The GLA Play space calculator estimates the requirement for 2,526 sqm of play space and with a PTAL of 1-2 that space requirement would increase to 2,945 sqm.

The applicant notes in the Health Impact Assessment Report that, *“Although on-site provision does not meet the quantitative standard, it will be of high quality.”* However, the Wind Microclimate Report states that: *“Communal and public amenity spaces, including the play spaces, are generally expected to enjoy suitable conditions for recreational activities including at least short periods of sitting or standing from spring through to autumn. These conditions are considered appropriate for uses such as children’s play, for example. The play space between Blocks F3 and F4 may be marginal for such uses closer to the corner of Block F4 but overall is expected to be considered at least tolerable”.* “At least tolerable” does not appear to be the same as ‘high quality’ and is not a ringing endorsement of the quality of the limited playspace that is available, an issue again raised by the GLA in their pre-app advice.

The applicant is assuming that 12-17 year old children will be able to use Victoria Recreation Ground. However, this fails to recognise that the park is already widely used by the community,

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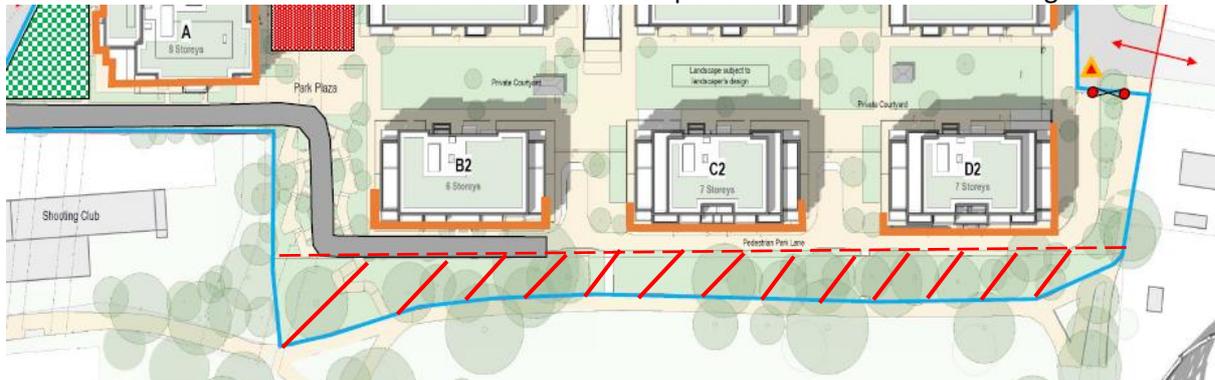
especially since it was upgraded, and that there are a number of other developments taking place within 400 metres, such as Kingmaker House, which will also use the park as their play space.

**6.2. Public Amenity Space**

We are very concerned that the basis for calculating the public amenity space is flawed. This stems from the fact that the application site is larger than the ownership site and includes a strip of land approximately 1,680sqm within Victoria Recreation Ground, as illustrated on the applicant’s document “Proposed Site Location Plan”. If this strip of land has been included in the calculation of public amenity space, then it provides a false statement of the actual amenity space.



In addition, we are very concerned that the applicant will deprive the local community of approximately 1,680 sqm of Victoria recreation ground for the 5 year period of construction as they propose to erect hoarding immediately adjacent to the footpath enclosing all of the trees and the grassed area behind the hoarding. This can be illustrated on the applicant’s site set up plan set out below where the red dotted line indicates ownership and the blue line the hoarding line:



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This also raises very serious concerns about the health of the trees, the risk of damage and lack of care and maintenance during the five year period. Given that the applicant does not own this land we do not see how they can lawfully enclose it for the duration of the construction period.

We also note that the footpath and footbridge leading under the railway line will be within the hoarded boundary. This path is a public right of way as set out in the Definite Map of Barnet's public rights of way. Temporary closure is acceptable while development works take place but the closure of this right of way may last 5 years. No details have been provided on how this right of way will be maintained or reconstructed following demolition of the walkway, something that was raised by the GLA in their pre-application advice but which the applicant has failed to address.

### 6.3. Private Amenity Space

In addition, the calculation of Private Amenity Space includes balconies in blocks E, F1,F2, F3, F4, G, B1, C1, D1, and A. According to the applicant's noise report, all of these blocks will be affected by high levels of noise such that the windows will be non opening to reduce noise intrusion into the flat. This is also confirmed in the applicant's energy report paragraph 7.5.

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***".

As such, the statement of private amenity space should be recalculated to exclude these balconies. We would note that we did suggest an alternative scheme which would have addressed these problems but this was ignored by the applicant.

### 6.4. Summary

As such, it is clear that the scheme fails to meet the GLA guidelines for play space and fails to meet Barnet's Planning Policy DM01 (g) which states that "Development proposals should retain outdoor amenity space having regard to its character". In addition, the lack of detailed calculation of the amenity space and the conflation between application and ownership boundary raises serious concerns about the amenity space calculation.

## 7. Noise Report

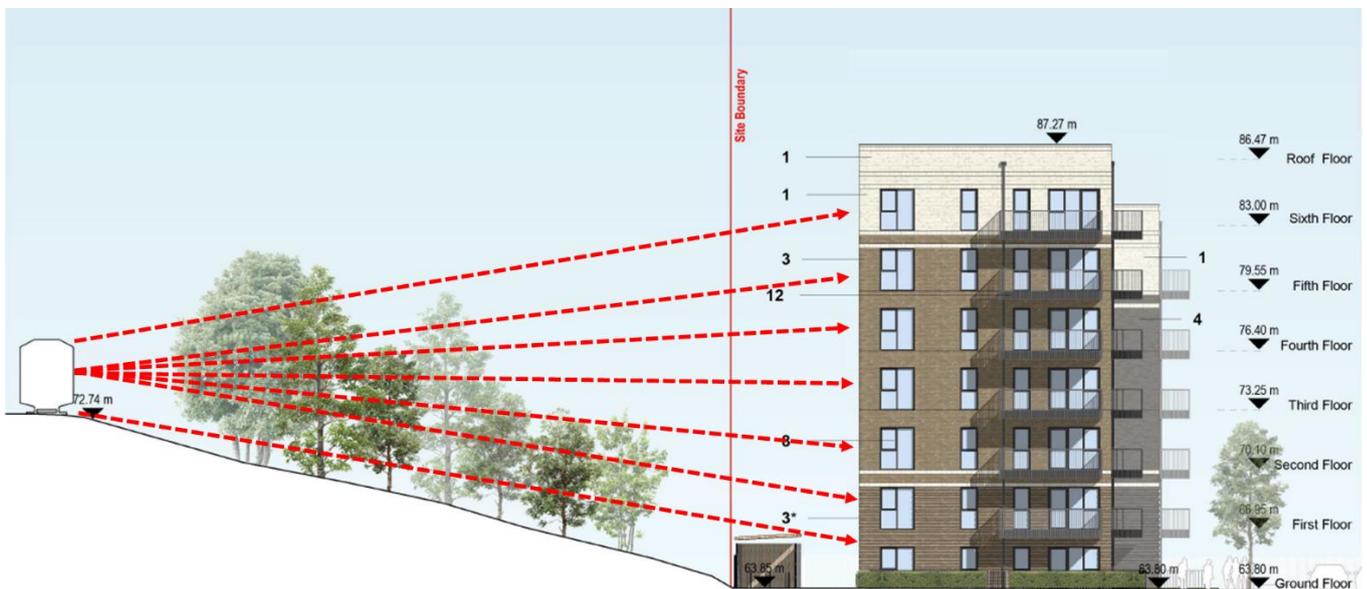
### 7.1. Introduction

We have reviewed the amended noise report submitted on 6<sup>th</sup> August 2021. We note that the revised noise reading indicated the noise from the railway line is higher than stated in the original report submitted on 5<sup>th</sup> July. However, it does not take into account the fact that the first set of readings were taken in January, when the leaf cover of trees and shrubs would have been at their minimum, while the second reading taken in August 2021 when the trees and shrubs were in full leaf, reducing sound transmission. We have requested details from Network Rail of any track maintenance taking place during the measurement period which may have slowed line speeds. Critically, the embankment is not the property of the applicant and, as such, there is no guarantee that the trees will remain in the future, especially if Network Rail decide that leaves on the lines are causing problems and the trees are removed.

### 7.2. Noise Intrusion

We would note that the approved methodology for measuring train noise DoT CRN 1997 states that measurement should be taken 1 metre and 4 metres above track level. Nevertheless, the conclusion of the noise report is that the flats in blocks facing the railway line will be so affected by noise that the windows should remain closed. This is reinforced in the Energy report which states that windows **cannot** be opened for purge ventilation.

Considering the height of the embankment and the height of the blocks which face the embankment, taking sound readings at 4.5m-9 metres (which appears to be the height difference between the ground and the top of the embankment) would have given a more realistic perspective of the noise experienced by flats especially in floors 4,5,6 & 7.

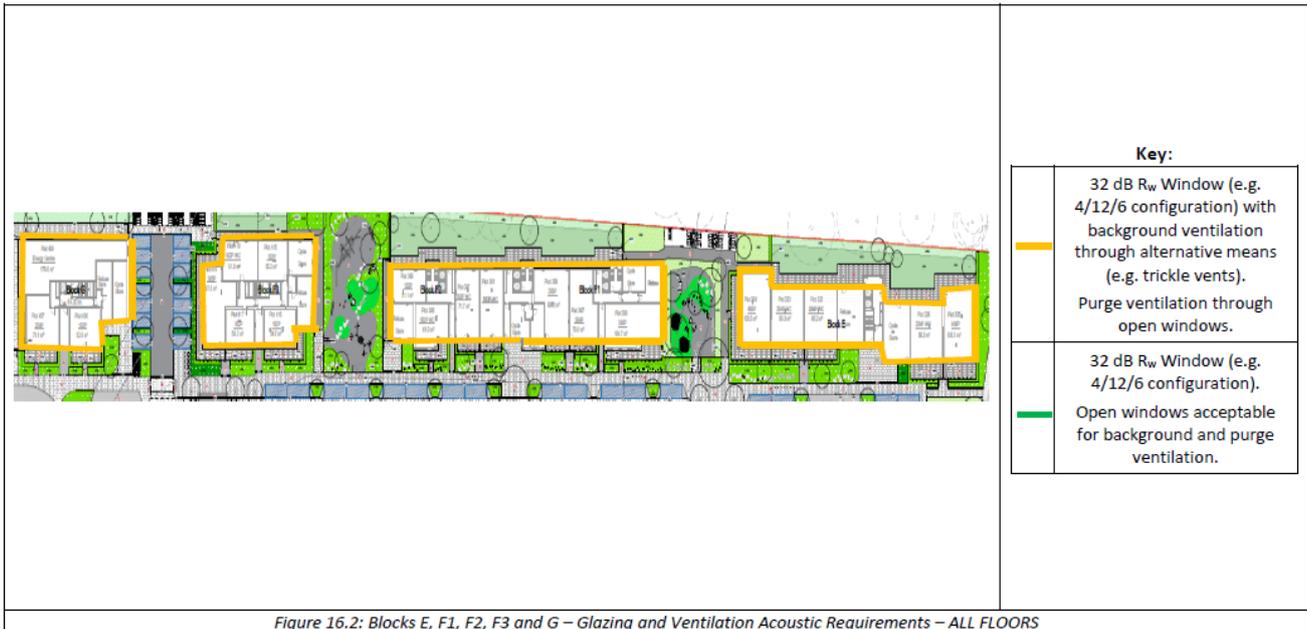


Set out overleaf are the noise standards recommendations in the affected blocks which make it clear the noise levels are too high to allow for opening windows in those flats facing the railway embankment or the Spine Road. In addition, paragraph 7.5 which states:

***“For the units facing the Railway and Victoria Road the acoustic assessments have identified that windows along these elevation must remain closed during day time and night time and therefore cannot be relied upon to provide purge ventilation for mitigating excess heat”.***

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Blocks E, F1,2 &3, F4, and G - Facing the Railway Embankment and Spine Road –  
**Yellow line indicates non opening windows.**



Blocks A, B1, C1 and D1 - Facing the Spine Road



**7.3. Summary**

The design of the scheme has created such serious noise issues that hundreds of the flats will be required to have non opening windows. This could have been overcome in all of the blocks, other than those facing Victoria Road, with better design, something the Save New Barnet campaign team shared with the applicant and their architects. As such, this scheme is in breach of London Plan Policy D14.

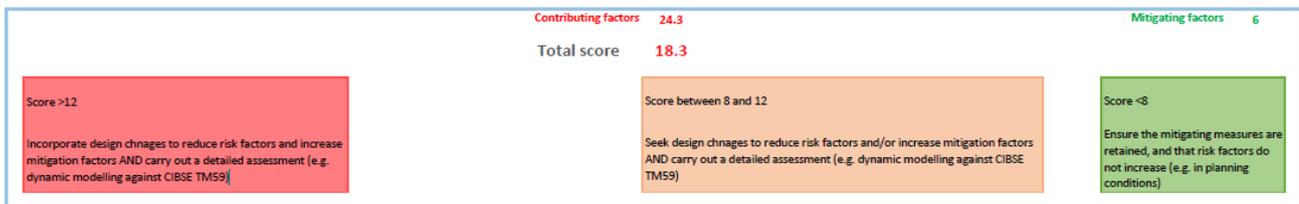
## 8. Overheating

### 8.1. Introduction

Overheating in buildings has been highlighted as a key risk for the health and productivity of people and businesses in the UK. It is estimated that there are about 2,000 heat-related deaths each year in England and Wales and this number is expected to triple to over 7,000 by the mid-century, as a result of climate change. London Plan Policy SI4 specifically considers the problem of overheating in new homes and states that: Development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

### 8.2. Energy Assessment Report

As part of the Energy Assessment report, an Early Stage Overheating Risk Tool was completed. This generated an overall scheme score of 18.3, which is high, and at this level the Risk Tool states that the scheme should incorporate design changes to reduce risk factors and increase mitigation factors AND carry out a detailed assessment (e.g. dynamic modelling against CIBSE TM59). The block by block checklist identifies that 7 of the 13 blocks attract a high risk rating with the other 6 attracting a medium risk rating.



We have asked for a copy of the detailed overheating assessment but it had not been provided as at 31st August 2021.

### 8.3. Cooling Hierarchy

London Plan Policy SI4 sets out a hierarchy of cooling as follows:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building through exposed internal thermal mass and high ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

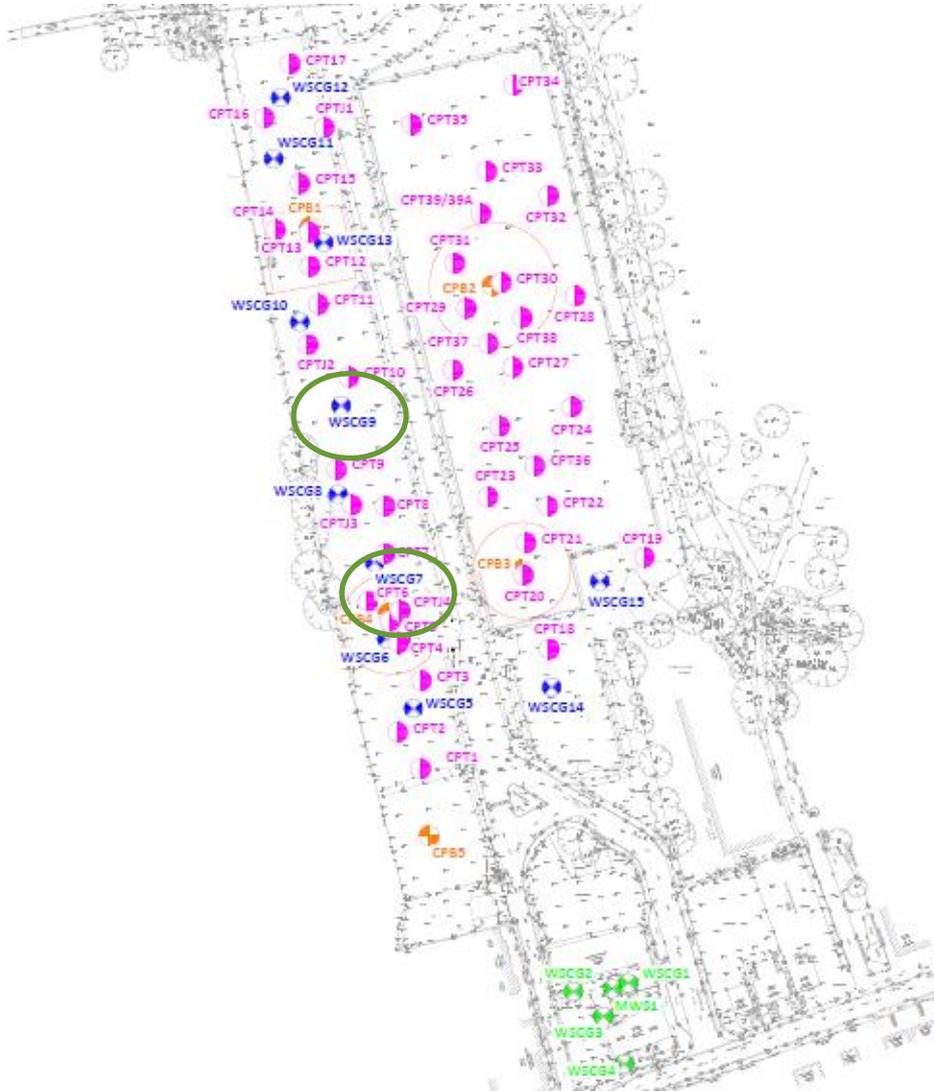
In this case, the Energy Assessment report has included the energy requirement for active cooling - level 6), although the applicant appears to suggest the problem can be overcome by passive ventilation using trickle vents, something we believe is entirely unsuitable in single aspect, west facing units that also face the railway embankment noise source.

### 8.4. Summary

What is particularly disappointing is that the Save New Barnet Team raised this issue with the applicant and suggested design solutions to this problem which, through changes to orientation and alternative design of the flats facing the railway embankment, could have significantly reduced the risk level. As such, the scheme is in breach of London Plan Policy SI4 and risks the health of occupant of these flats due to overheating.

## 9. Pollution

We remain concerned that this former industrial site continues to show evidence of pollution even after it was supposed to have been remediated. There remain hotspots on the site where potentially dangerous elements have been identified such as borehole WSCG7 which showed levels of Benzene, Toluene and p & m-Xylene, as well as borehole WSCG9 where Cyanide, Asbestos and a range of Polycyclic Aromatic Hydrocarbons (PAHs) were detected.



The report details pockets of “Black staining and hydrocarbon odours within the fill material from depths of between 0.5m to 0.85m below ground level (bgl). It also states at paragraph 6.2.1.1 that: **“The findings of the assessment ... indicated exceedances of the US95 values for several PAHs”**.

“PAHs are a group of organic compounds that contain two or more fused aromatic rings. The toxicology of these substances has been reviewed extensively [3-5]. Several PAHs and mixtures of PAHs have been shown to be genotoxic and to cause cancer in experimental animals”.

Source: Public Health England

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The report notes that, *“Based on the chemical results there remains **a potential risk to the future site occupants** ... which will be mitigated by the clean cover system. In addition, the contamination present ...cannot be considered as part of the clean cover system in isolation.”*

Public Health England notes that: *“Humans may be exposed to PAHs in the air, water and food [2]. In addition, humans may be exposed dermally, orally and by inhalation to PAH residues present in soil, particularly in former industrial “brownfield” sites, **a common example being former gasworks sites that are often contaminated with coal tar residues**. Consequently, it is important to assess the risk posed by PAHs present in soil at such sites so that the risk to health can be reduced to an acceptable level”.*

The proposal is to install a clean cover system (capping layer) in areas of soft landscaping. In areas of communal soft landscaping this will comprise a minimum of 450mm of clean soil over a geotextile marker layer, with at least 150mm of clean topsoil (or 100mm of topsoil and 50mm of turf/sod). The real concern is that this clean cover system will include the two children’s play spaces between Blocks E & F1 and between Block F3 and F4.

There is also a risk under part of Block E where the block extends beyond the vapour barrier installed during the previous remediation based on the layout of the consented scheme which is fundamentally different to the proposed scheme. The report notes that; *“Mitigation of potential hydrocarbon vapour risks to the section of the proposed Block E which extends beyond the existing hydrocarbon barrier will be required, which may include a combination of further investigation/assessment and/or watching brief/discovery strategy, impacted soil removal/remediation, widening/re-alignment of the barrier, and/or vapour protection measures within affected plots”.*

We also note that there are pockets of sulphates that are at, or exceed, 1% of the soil. At these levels there is a very serious risk of reaction with concrete resulting in extensive cracking, expansion and loss of bond between the cement paste and aggregate, commonly known as sulphate attack. The applicant has been made aware of this problem in the contamination report where it notes that: *“recommendations for concrete design classes for sulphate resistance are included within the CGL GIR report”.* So long as this advice is strictly adhered to then the new buildings should avoid this problem. However, we are not clear if sulphate resistance was specified in the concrete forming the very large basement car park and retaining walls and on which six of the housing blocks will be developed. It is also worth noting that the contamination report listed the presence of concrete from former structures which remains in the ground and which may still be liable to expansion, risking the destabilization of the ground.

We remain very concerned that this site represents risk for future tenants unless the additional remedial work is carefully managed and actively monitored.

## 10. Waste/Building Management

### 10.1. Introduction

The development is forecast to generate 181,628 litres of waste each week. This will require a total of 170 commercial size 1,100 litre bins and 25 domestic size 240 litres bins for food waste. In the blocks adjacent to the railway embankment, the Gateway site and Block A, they will all have surface level bin stores.

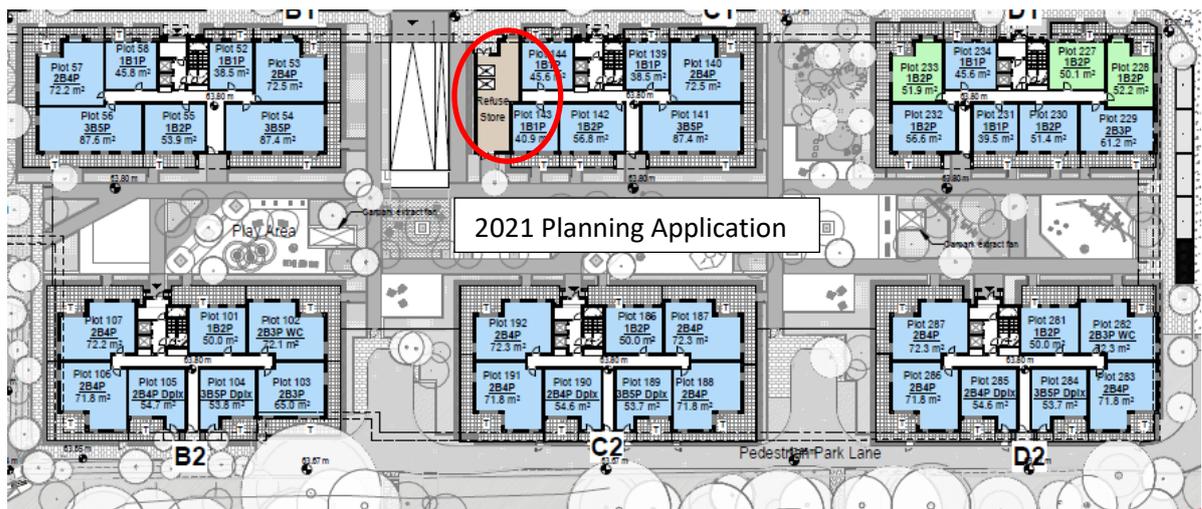


### 10.2. Bin Stores

In the 2020 scheme, Blocks B1, B2, C1, C2, D1 & D2 all had surface level refuse stores in close proximity to refuse collection points.



However, in the proposed scheme these bin stores have now been moved to the basement car park with one small surface level refuse store in Block C1.

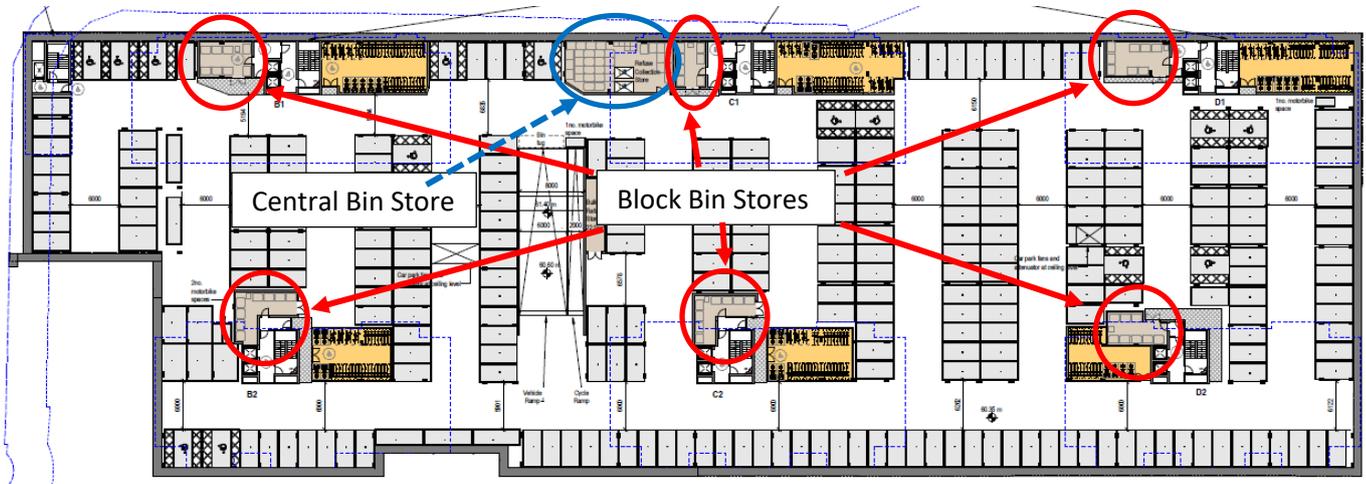


The consequence of this major design change is that residents of these 6 blocks will now have to go to the basement to drop off their rubbish, something which may be off putting to some tenants. However, these basement bin stores only have capacity for three days storage so in

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addition there is a further large bin store which will hold the additional bins. This is shown on the chart below.

Basement Level Bin Stores:



As a result, the building management team will have to regularly monitor the bins within the individual core bin stores (ringed in red) and once the bins get full, they will have to replace these with an empty bin from the central basement bin store (ringed in blue). In order to transfer bins from the core bin stores, to the central bin store, the building management team will use electric tugs.

### 10.3. Bin Management

On the day of collection, which in New Barnet is currently Mondays for both general and recycled waste, the building management team will have to move the bins via service lifts to the ground floor waste and recycling holding room from where the refuse collection staff will wheel these bins to the refuse collection point. The problem is that the bin store at ground level is very small and certainly unable to accommodate anywhere near the forecast 78 commercial size 1,100 litre bins that will need to be collected on the same day. As a result, it is likely that they will have to be positioned along the narrow pavement and possibly in the road, something which is both bad for pedestrians and will make the site look unsightly on bin collection days. After the bins have been emptied, the building management team will then need to move all of the empty bins back down to the basement and split them between the six core bins stores and the central bin store.

Critically, the level of management required to monitor the basement bin capacities, to move bins between the central bin store and the core bin stores and vice versa and to move the 78 bins to ground level and back down again on collection day will be very significant and expensive. This complexity has been designed into the scheme in the latest application as it did not exist in the 2020 scheme when the bin stores were all at ground level.

### 10.4. Summary

This seems to be in direct breach of London Plan Policy D6 (B) and Table 3.2 - Qualitative design aspects to be addressed in housing developments, where it states under Section VI - Usability and Management that: *“recycling and waste disposal, storage and any on site management facilities are **convenient in their operation and location, appropriately integrated, and designed to work effectively for residents, management and collection services.**”*

## 11. Transport Connectivity & Parking Requirements

### 11.1. Introduction

The planning application states within the Design & Access Statement that the site benefits from good transport connectivity. However, six of the proposed blocks will sit entirely within the part of the site that has a PTAL rating of 1a. In total 241 of the 544 flats sit in PTAL zone 1a and, as such, it is entirely misleading to call this good transport connectivity. Given that the rear of the site is approximately 400 metres from the green belt, it is not surprising it has such a low PTAL score. The walking distance from the front of the site is 1.7km to High Barnet Tube Station and 1.9 km to Cockfosters Tube station or as the applicant phrases it “a convenient 25 minute walk”.

### 11.2. Public Transport Capacity

The assessment says the site is well connected for transport but given the volume of people on site there is no assessment of the adequacy of bus capacity to meet the transport needs of the 1,200 site residents. Given that at rush hour (pre-Covid), buses are already at capacity with school children and often do not stop as they are full, it suggests that the transport consultants undertook no investigation of bus capacity on these routes. In addition, reference is made to

**Passengers using New Barnet Station**  
**2005/06 – 674,532**  
**2019/20 – 1,392,644**  
**Source: Office of Rail & Road**

New Barnet Station. The same issues arise with trains stopping at New Barnet Station in the morning rush hour period between 7.15am and 8.45am. They are typically very crowded making it hard to board.

New Barnet Station has seen a massive increase in usage over the last 15 years with passenger numbers doubling, exacerbating the problems of overcrowding at peak times. The trains also only run into Moorgate or Kings Cross so have no benefit to commuters who have to travel across the borough for example to Barnet Council’s offices in Colindale. Without a detailed analysis of the capacity of buses and trains at rush hour, it is entirely misleading to assume that all of the 18-65 year olds who may need to travel to work will be able to use public transport.

### 11.3. Car Parking

In the consented scheme there was one parking space allocated per household plus a small number of visitor spaces. This was a logical rationale set out by the applicant. In the proposed scheme the number of car parking spaces on site have reduced by 62, even though there are an additional 173 dwellings. The rationale this time is that residents do not need as many cars as they did four years ago, as they will make much greater use of public transport, cycle or walk. Even worse, the number of basement car parking spaces have been reduced by 47, with the spaces occupied by bin and cycle stores previously at ground level. If the parking levels were to be maintained at the same number of spaces as the 2020 scheme (392 spaces) it would increase the ratio of spaces from 0.61 spaces per dwelling to 0.72 spaces per dwelling, still low but closer to the likely level of demand.

The Office of National Statistics (ONS) publishes data on household ownership of cars, see table overleaf. It breaks down households by tenure, income and composition. What is clear from this data is that car ownership is significantly higher than the proposed provision of 0.6 cars per household. It is important to note that in households with one or two children they are more likely to have two cars than one car per household. While it may be an aspiration that households can function without a car, the reality is in outer London families with children need

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at least one car and more likely two cars, especially if the lack of local school places means that parents have to transport their younger children to one or more distant schools.

ONS Table A47 - Percentage of households with cars by income group, tenure and household composition

	One car/van	Two cars/vans	Three or more cars/vans	All with cars/vans
<b>All households</b>	<b>43</b>	<b>27</b>	<b>8</b>	<b>78</b>
<b>Gross income decile group</b>				
Lowest ten per cent	33	[2]	..	35
Second decile group	47	6	:	54
Third decile group	58	12	..	71
Fourth decile group	58	19	[2]	80
Fifth decile group	58	21	4	83
Sixth decile group	51	30	4	85
Seventh decile group	42	43	6	91
Eighth decile group	33	48	13	94
Ninth decile group	27	47	19	94
Highest ten per cent	24	43	26	93
<b>Tenure of dwelling<sup>1</sup></b>				
Owners				
Owned outright	50	25	9	85
Buying with a mortgage	37	45	12	95
All	44	35	10	89
Social rented from				
Council	34	7	..	43
Registered social landlord <sup>2</sup>	39	8	..	49
All	36	7	[2]	46
Private rented				
Rent free	61	[17]	:	78
Rent paid, unfurnished	46	22	[3]	70
Rent paid, furnished	38	[6]	..	45
All	45	18	[2]	65
<b>Household composition</b>				
One adult, retired mainly dependent on state pensions	42	..	:	43
One adult, other retired	50	..	..	52
One adult, non-retired	59	4	..	64
One adult, one child	51	..	:	57
One adult, two or more children	50	..	:	52
Two adults, retired mainly dependent on state pension	66	[18]	..	85
Two adults, other retired	55	30	4	89
Two adults, non-retired	36	42	6	85
Two adults, one child	41	43	4	88
Two adults, two children	39	51	4	93
Two adults, three children	43	36	[9]	88
Two adults, four or more children	[31]	[46]	..	82
Three adults	27	31	34	91
Three adults, one or more children	25	35	30	90
All other households without children	[19]	23	44	86
All other households with children	..	[37]	38	91

### 11.4. Summary

Evidence from other residential schemes is that limiting the number of on-site spaces simply forces residents to park on the surrounding roads. Combined with the PTAL rating of 1a for 40% of the units, this means that the on-site car parking capacity is unlikely to be sufficient to meet the requirement of residents and this is further reinforced by the applicant's desire to undertake a CPZ consultation.