

FAO Hardeep Ryatt
Planning Department
London Borough of Barnet
2 Bristol Avenue
London
NW9 4EW

Our Ref: *FNH438*
Your Ref: *21/3676/FUL*
Email: *Faye.Wilders@fairview.co.uk*

5th November 2021

Dear Mr Ryatt,

PLANNING APPLICATION 21/3676/FUL – response to Save New Barnet Objections

I write in respect of the above application and the representations provided by Save New Barnet. Having reviewed the documentation provided by Save New Barnet, and noting the level of detail they have provided within their responses, we have taken the opportunity to review their comments with our consultants and design team and provide a robust response.

Consideration has been given to the Save New Barnet Official Response (SNBOR), Save New Barnet Design Appraisal (SNBDA), and Appendices 1-4 of the SNBDA.

It should be noted that further changes have been made to the scheme since the SNBOR was received. Revised application documents were submitted to the Local Authority on 5th November 2021. This response refers to this latest scheme.

HEALTH IMPACT ASSESSMENT/OTHER SCHEMES IN THE AREA

At Section 2.2 the SNBOR identifies other proposed and consented schemes in the area which will impact local infrastructure. They also state that the Health Impact Assessment dismisses such impact and uses misleading information. Each of these issues are responded to below.

Cumulative Impact

The HIA is based on the NHS London Healthy Urban Development Unit (HUDU) Health Urban Planning Checklist. This is consistent with the recommended approach set out in the Mayor of London's Social Infrastructure SPG (2015) as this is a major application but not an EIA development. The checklist does not include an assessment of cumulative impacts.

This notwithstanding, we have considered the schemes identified in the SNB response as set out in **Appendix A**.

Out of the six identified cumulative schemes only two schemes are in the defined Local Impact Area of Victoria Quarter and only one scheme benefits from planning permission (Kingmaker House). This scheme will provide 43 residential units and will have a marginal

impact on the social infrastructure in the surrounding area. The impact on healthcare provision has been factored into the analysis presented in **Appendix A**. The development is providing improvements to the public realm which will lead to positive outcomes.

Inaccurate Doctors Review

The analysis of healthcare provision including in the Health Impact Assessment (HIA) was based on valid, publicly accessible data at the time of drafting.

We have reviewed the latest available data (September 2021) and have provided an updated position in **Appendix A** to this document. We have clarified the approach applied in the assessment as well as providing the data sets used to obtain the data. We have placed this data into a table that shows the number of GPs working at each practice and the number of patients to show the GP to patient ratio.

This analysis confirms that the average GP to patient ratio in the three GP surgeries within 800m of the site is 1:1,248. This is marginally higher than the ratio set out in the original HIA (1:1,137) but is still below the benchmark standard of 1:1,800.

Taking into account the proposed development and the committed development at Kingmakers House increases the ratio to 1:1,312, below benchmark levels.

It is not clear from the SNB Response how the GP to patient ratio of 1:1,823 has been calculated in order to comment.

The review of the analysis does not materially impact the findings of the assessment presented in the HIA.

LACK OF VIABILITY STUDY

One Housing (OH) has confirmed to the LPA via email to the LPA (01.09.2021) that there is no grant funding assumed for the 35% affordable housing provision at VQ. That does qualify the application to be considered on the fast track in line with the London Plan.

OH has stated throughout the consultation process that if we are able to lever any grant funding into the scheme we will increase the percentage of affordable housing provided, but the baseline without funding is 35% affordable by hab room.

The statement from the DAS illustrates OH's total strategic partnership funding of £60m from the GLA for the 16-21 funding programme, and does not relate to VQ directly. We believe that the point of including the statement was to establish OH as a significant provider of affordable homes who have a good relationship with the GLA housing team. There is no grant funding allocated for the affordable housing provision in the current planning application.

The GLA Stage 1 response confirmed at paragraph 32 that the 35% affordable housing offer at an acceptable tenure split is strongly supported and meets the 35% threshold for the Fast Track Route in accordance with Policy H6 of the London Plan, and that the applicant should investigate the potential for Mayoral grant funding (and any other available public subsidy) with a view to maximising affordable housing delivery.

PUBLIC CONSULTATION

Public Consultation

We have sought to involve members of the local community from an early stage, adopting a two-stage programme of consultation. This enabled meaningful opportunities for engagement throughout the iterative design process before the proposals were finalised.

To ensure that as many residents and stakeholders were aware of the consultations as possible, advertising was broad, including leaflets sent to over 6,700 properties around the site, emails to key community groups and representatives and local media press releases. We were pleased to see a good turnout at the webinar and to have received a strong level of engagement during both consultations.

Following the refusal of the previous application by Barnet's Planning Committee, we were given a very clear steer by the community, planning committee and officers as to the positive areas of the previous scheme (such as opening access to the Recreation Ground and replacing the railway crossing) and the points to address in bringing forward this new application.

At the first consultation, we acknowledged the lessons learned from the previous application and set out the parameters within which we are working up revised proposals. This included reducing the number of properties proposed, reducing the maximum height, providing more family properties where possible, improving the quality of amenity space and the living environment for future generations.

At the second consultation, we provided our detailed proposals and sought feedback on them.

Alternative

Over the course of the first phase of consultation, we engaged with New Barnet Community Association (NBCA). A response was provided to the NBCA's letter (dated 27th March 2021) within 10 days to address some of the group's initial concerns.

We also welcomed an opportunity to meet with the NBCA, and arranged a meeting following the close of the first phase of consultation on 26th April 2021 to discuss the early revised proposals for the scheme.

Two further meetings took place with the NBCA after the close of the first stage of consultation on 18th May and 15th June 2021. The first meeting was to allow for the NBCA to present their ideas for the Victoria Quarter scheme, which we considered before meeting again to discuss these ideas and our response further. At the meeting it was discussed that whilst their proposals had some merit there were significant obstacles from an architectural and design perspective that made the proposals undeliverable.

We remain open to an ongoing dialogue with NBCA.

The full and extensive engagement programme is set out in detail within the Statement of Community Involvement submitted as part of the planning application, building on the similarly extensive consultation programme undertaken by Fairview and OH in relation to the previous application.

DESIGN REVIEW

Save New Barnet included a Design Appraisal at Annex 1 of their objection. A detailed design response has been prepared in response to this and is provided at **Appendix B**.

The Save New Barnet Design Appraisal (SNBDA) included commentary on daylight and overshadowing. A response has been prepared by GIA and is available at **Appendix C**.

The SNBDA also included comments on wind microclimate which have been responded to at **Appendix D**.

HOUSING MIX

The council stated in the committee report for the previous application that, "In terms of family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units". The council and GLA accepted the unit mix which provided a total of 327 family units equating to 50.1% of the total number of units. The number of family units has increased in the revised scheme which will provide 371 family units equating to 68.8% provision.

It is understood that the LPA is satisfied with the affordable housing mix as proposed. This is a JV partnership with OH who have significant experience with delivering and managing affordable housing units, and are satisfied that there is demand for the small quantum of 2b 3p units within the scheme.

AMENITY

It is acknowledged that the hoarding line for the development was put on the application boundary rather than the ownership boundary, and this has been amended in the updated Construction Management Plan.

The overpass will not be closed for the duration of the build, but a temporary diversion to the right of way will be implemented while the works are being undertaken to deliver the amended footpath. The works will comprise the demolition of the overpass structure followed by the construction of the ramps and embankment work and provision of the footpath. Engagement and coordination has commenced with Network Rail to enable the safe delivery of the apparatus and construction of the pathways, however we are unable to give a definitive timescale at this stage. The diversion of the right of way will be advertised ahead of the works commencing.

PLAY SPACE

The revised scheme will provide 1,857sqm of play space. This fulfils the entire requirement for U5's play and almost the full provision of play for 5-11yrs with a shortfall which equates to 13%. The 12+ age group is catered for offsite within Victoria Recreation Ground and a financial contribution towards improvements will be provided. This approach was considered acceptable by the LPA and GLA in the previous application.

The Play Strategy is included at **Appendix E**.

NOISE

Syntegra Consulting have reviewed the SNB comments in relation to noise, and we provide a response at **Appendix F**.

The response confirms that the approach undertaken is appropriate and that we are not proposing sealed windows. 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 and that does not necessitate the sealing of windows. This means future residents do not have to open their windows to achieve a good quality internal living environment but can do if they

choose to do so. One of the purposes of the noise assessment is to identify where issues are occurring and to specify the mitigation required, thus highlighting the noisier areas of the site.

All windows on façades facing the railway line are upgraded to a minimum 34 dB Rw. This will match the specification for those windows on façades overlooking the main roads at the front of the site.

Any alternative design would experience the same noise levels at those façades and the same mitigation measures would be required in a similar manner.

OVERHEATING

The overheating strategy has been submitted now, and I include the document for ease of reference at **Appendix G**.

A development in London adjacent to a railway line always creates challenges. There will be noise issues and therefore compromises have to be made to balance all the demands on quality design (daylight, noise, overheating, energy etc.). These issues are the same regardless of the scheme design in this part of the site.

Even if units facing the railway were all dual aspect, the facades along the western boundary would still be recommended to keep the west facing windows shut to avoid excessive noise pollution from the railway. The objective is to provide choice, so windows can be opened, but don't have to be, i.e. by having MVHR and comfort cooling (not full air-conditioning) and where possible other aspects that the units face onto.

POLLUTION

The presence of measurable concentrations of contaminants or visual staining / odours in the remediated soils was not unexpected and recorded contaminant concentrations (including in WSCG7 and WSCG9A) are generally below the Site Specific Assessment Criteria (SSAC) which were agreed in the Delta Simons Remediation & Verification Strategy for the works undertaken by J F Hunt. The potential risks to sensitive receptors were evaluated by CGL post-completion of 'remediation phase' of remedial works, which included assessment of relevant potential dermal, direct/indirect ingestion and inhalation pathways for contaminants including but not limited to speciated PAHs, speciated TPH, BTEX group of compounds and cyanide, with specific sampling and assessment of vapour risks associated with volatile TPH fractions (Aliphatic EC5 to EC12 and Aromatic EC5 to EC12), as well as BTEX compounds, naphthalene and low levels of the chlorinated solvents. The identified potential risks are to be addressed as part of the 'construction phase' remedial works, in line with the requirements of the CGL remediation strategy. This includes for appropriate cover systems to break potential pollutant linkages in areas of proposed soft landscaping, including the proposed play areas, and further assessment / mitigation of potential hydrocarbon vapour risks to the northern section of Block E. This is an ongoing process which will be carefully managed and verified during the construction in accordance with the CGL verification plan.

It is noted that CGL has specified sulfate classes for buried concrete, and we can confirm that this has been incorporated into the designs.

It should also be noted that Fairview specialises in delivering the redevelopment of brownfield sites of this nature, and is applying this expertise in bringing forward VQ.

WASTE

A response from AECOM is included at **Appendix H** in relation to the comments on waste at section 10 of the SNBOR.

Concerns were raised about bin storage and the bin management arrangements. However, as **Appendix H** concludes, the proposed management of waste and recycling material arising from Blocks B1, B2, C1, C2, D1 and D2 are in line with the guidance provided by LBB and fulfil the requirements set out in London Plan.

TRANSPORT

Public Transport

It is entirely incorrect to say that no assessment of bus or train usage has been undertaken. Chapter 5 of the Transport Assessment provides just this.

The assessment has been provided to approving authorities including TfL. For train travel a loading of up to 15 passengers per train in the busiest periods of the day was not considered to give rise to concerns of capacity or overcrowding. This assessment does factor in the effect of the Covid-19 pandemic and trends for working from home that the SNB note recognises.

Journeys by bus were also assessed with low passenger numbers per bus. However, a financial contribution to TfL to improve bus provision in the area locally has been agreed.

Car Parking

The ratio of car parking proposed for the previous application was considered appropriate by both LBB and TfL. TfL would like to see a lower ratio provided. The ratio has been retained as part of the new planning application as is considered appropriate.

Planning policy supports development that seeks to maximise sustainable transport opportunities and make the most efficient use of land. Excessive car parking provision will only contribute further to unsustainable travel patterns and will not help address issues related to climate crisis, health and wellbeing and air quality. To provide car parking will only perpetuate car use and would not recognise those that do not wish to own a car. A significant provision of car club vehicles will be provided for those that need occasional access to a car.

We note the statistics presented by SNB. These are national statistics covering a sample of UK wide population. The Transport Assessment provides a more local assessment of car ownership by considering Census information for the local area. Chapter 3 of the Transport Assessment sets this out in detail however a key outcome is that 41% of households locally do not own cars. This further justifies the approach.

The development would provide car parking, within London Plan standards. A ratio of 0.61 spaces per home across the site is appropriate given the relative accessibility of the site, character of future occupants, planning policy guidance and emerging indicators such as declining car ownership and use. It is also consistent with wider health and wellbeing, air quality and climate change objectives.

I trust the above and enclosed are clear, however please let me know if you have any queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Faye Wilders', with a stylized flourish at the end.

Faye Wilders
Principal Planner
Fairview Homes

Encl. As detailed above