

## **APPENDIX 4**

# **Appraisal of Design Audit for the New Barnet Victoria Quarter** for the Save New Barnet Group



September 2021



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## 1. Introduction & Summary

- 1.1. The following comments have been prepared by Nick Hufton on behalf of the Save New Barnet Community Group (SNBG) in response to a document titled Design Audit, prepared by Lambert Smith Hampton (LSH) on behalf of CityStyle Fairview VQ LLP, in support of the current planning application for Victoria Quarter, Albert Road, Barnet.
- 1.2. Nick is a long-term resident of New Barnet and is a qualified architect and project manager with over 30 years' experience of architectural design and masterplanning. He has been a director of award-winning architectural design and masterplanning practice Shephard Epstein Hunter since 2008. His projects include: the community led regeneration of Stonebridge Estate, London (RICS 2010 National Regeneration Award winner); Enfield Town Library (London Planning Awards Best Built Project 2011) and The Atrium Building, Canning Town, London (LABC National Winner Best High-Volume Housing Development 2018 and Regional Finalist Best Social or Affordable New Housing development.) Nick has also acted as expert witness at a successful planning inquiry for the Institute of Education in Bloomsbury.
- 1.3. We believe that this Design Audit by LSH may have been carried out as a very late attempt to secure compliance with London Plan Policy D4 which states that:  
"Development proposals referable to the mayor must have undergone at least one design review early on in their preparation before a planning application is made, or demonstrate that they have undergone a local borough process of design scrutiny."
- 1.4. The current proposal has not undergone any other Design Review apart from the Design Analysis put forward by SNBG. We feel that LSH's Design Audit could be a rather belated attempt to plug a gap in the application. It was only uploaded to the planning portal on 3<sup>rd</sup> September 21, a week or so before the consultation period was due to close and only after SNBG had drawn attention to the fact that London Plan Policy D4 requires a design review.
- 1.5. Policy D4 requires that a design review is carried out early so that it can inform the design stage. This review has clearly been carried out after the design has been done.
- 1.6. It is a stipulation of the Policy D4 that the design review should be "carried out transparently by independent experts in relevant disciplines".
- 1.7. The LSH Design Audit purports to be an "independent design audit" of the planning application at Victoria Quarter, Albert Road, Barnet. However, even a cursory examination of the document reveals that it is highly biased towards the developer's proposal and provides no substantive critique of the design. A range of important design criteria receive only scant consideration. The almost wholly positive commentary seems to be based on personal opinion (or perhaps what LSH have been appointed to say) with no specific supporting evidence relating to the actual proposals.



- 1.8. In general, the report reads as if it has been written by a town planning consultant who has been appointed to write a report in support of a developers planning appeal rather than by a suitably qualified expert designer independently critiquing a design. Indeed, on page 7 the document states that “the assessment covers the features and merits of the appeal scheme” (authors emphasis). This scheme is not at appeal stage and it is assumed that this passage has simply been copied from another document, perhaps prepared for the purposes of a planning appeal.
- 1.9. There are a number of other instances of where inappropriate passages of text have clearly been copied from other reports without amendment.
- 1.10. LSH’s “independent design audit” is clearly not independent and does not amount to an unbiased design analysis. For a proper assessment of the design quality of the scheme, we would recommend reference is made to Save New Barnet Group’s own Appraisal of Design Proposals (SNBADP)



## 2. Lambert Smith Hampton Urban Design experience

- 2.1. LSH are a large commercial property consultant. The author of this document has come across them twice recently in his professional capacity: for the recent sale of a commercial property in Kings Cross and as Project Managers for a small residential scheme in Wandsworth. In both of these instances they have demonstrated good levels of competence. However, LSH are less well known in the sector for their Urban Design and Masterplanning skills and so SNBG have investigated.
- 2.2. A search for LSH's website lists them as "Commercial Property Consultants". A further search under "Planning, Development and Regeneration" reveals just three examples of LSH's "Urban Design" work. These comprise an action plan for a deprived area of Blackpool (the design element of which was supported by a separate firm, LPA Design); a viability study for Stafford Town Centre (as part of a multi-disciplinary team, presumably including separate designers); and planning advice for an "Army Basing Programme" in Wiltshire (pictured below).



*Fig 1: Photograph of Army Basing Development in Wiltshire. This was one of only 3 examples of Urban Design that may have been carried out by LSH that we were able to find on their website and is the only one that seems to have homes in it. Despite what LSH's website claims, it does not look like a very urban location.*

- 2.3. Judging from the website, the closest match to the Victoria Quarter development is their Army Basing Development in Wiltshire. Somewhat ironically, the layout of the army base pictured on the website does have much in common with the current proposal to Victoria Quarter. The buildings all appear to be a similar, very uniform design. Unfortunately, at Victoria Quarter the proposed buildings are over twice the height of the army accommodation, with far more flats and located adjacent to a railway line. The quality of environment provided for residents in New Barnet will be poorer.



- 2.4. Based on our investigations, we do not believe that LSH are sufficiently well qualified to provide a meaningful design review of the Victoria Quarter site under the terms of Policy D4 of the London Plan. This is borne out by the limited scope of the audit carried out. To see what good relevant experience in Urban Design is, LSH's website might be compared with that of Levitt Bernstein, one of the Architects for the previous scheme, which demonstrates a wide range of high-quality design schemes. See [www.levittbernstein.co.uk](http://www.levittbernstein.co.uk) and [www.lsh.co.uk](http://www.lsh.co.uk)

### 3. Approach to design review

- 3.1. The general intention of the Design Audit, as stated by LSH on page 7, is to cover the "features and merits of the appeal scheme". However, LSH have failed to realize that this scheme is at application stage and not at appeal. Nor have they understood that the purpose a proper design review, is not only to examine the perceived merits of a scheme but also to examine its shortcomings, without fear or favour.
- 3.2. The LSH document contains various references to planning policy, typically followed by a statement to the effect that the scheme "complies" without offering any evidence to say how the scheme complies and by what standards of compliance it is being judged. It appears often to be simply an expression of LSH's opinion, as if that in itself were enough to make the proposals comply. A few examples are given in this document, but there are many more.
- 3.3. Many quantitative aspects of good design are not covered, or only by a passing reference to documents provided by the developer that we have found to be inaccurate or contradictory. Examples of this are picked up later in this commentary with reference to Save New Barnet Group's Appraisal of Design Proposals (SNBADP) for more details.
- 3.4. The LSH report contains no diagrams or drawings which means that much of the text is vague and open to interpretation. Indeed, it seems in some places as if the text might be referring to another scheme altogether. A few examples of this are given in this document.



## 4. Opinions without evidence

- 4.1. The following are examples of where LSH's document offers opinions in the place of evidence or fact:
- 4.2. Item 2.2: "(the site) lies within an established urban area". LSH's report offers no evidence to support its assertion that the site is urban. (See SNBADP for contrary evidence of its suburban character)
- 4.3. Item 2.9: "The space and park will feel safer and more attractive". LSH's report offers no evidence to support this statement. Victoria Recreation ground currently feels safe and is an attractive space to visit. There is an argument that greater footfall would be beneficial, certainly in comparison to the current site which has been allowed to become blighted by the developer's inactivity over the last few years. Greater footfall is a good argument in support of the extant proposals for 371 units. However, it does not follow that even greater footfall from over-development will make the park safer or that the much taller buildings overlooking the park as proposed in this scheme will make the park even more attractive than the extant scheme.
- 4.4. Item 2.11 "The principle of regeneration and for a high-density scheme of tall buildings (relative to the surrounding context) has been accepted by the Council". This statement is not correct. We believe that LSH may be referring to the fact that the extant scheme contains one tall building (singular). The developer's previous scheme from 2020 contained a range of tall buildings (plural) but was unanimously rejected by the Council at the planning committee. The one tall building in the extant scheme of 371 homes was accepted as an accent or marker building within a high-quality masterplan with generally lower buildings. It is not an indicator that more tall buildings are or will be acceptable in any kind of masterplan, no matter what the implications on design quality.
- 4.5. Item 4.2: "The number of homes and supporting uses are considered to represent an optimum use of land in a sustainable town centre location". No evidence is provided to support this assertion. For evidence as to why this proposal is a significant over-development of this site, refer to Save New Barnet's Official Response (SNBOR) and SNBADP. In his report for the extant 2017 proposal, the planning officer stated that the scheme already "optimized" development on the site. If it was already optimized, then surely adding a further 173 homes (47% extra) would indicate over-development.
- 4.6. Item 4.3: "matters of design that usually imply overdevelopment have demonstrably been addressed in the submission material. Such matters include qualitative considerations such as dwelling sizes, amenity, privacy and outlook, refuse and parking." No evidence is provided to support this statement and the developers' own assertions have been taken at face value. For a detailed analysis of all of these aspects and other aspects of poor and non-compliant design demonstrated by this scheme, refer to SNBOR and SNBADP.



- 4.7. Item 4.3.4: “There are no north facing dwellings and all dwellings have an outlook over public street and open spaces or private communal spaces”. This is incorrect. Whilst there are no north facing dwellings, the scheme comprises 29% single aspect flats in other orientations. 13% of the flats are single aspect west facing flats which only overlook the railway line (neither public street, open space or private communal space). Refer to SNBADP for more details.
- 4.8. Item 4.11: “this flat led approach has been consistent through previous schemes for the site”. In fact, the extant scheme of 371 homes contains a mix of typologies including houses and maisonettes as well as flats. The current proposal omits all of the family houses altogether and replaces the remaining maisonettes in the courtyard buildings with flats. This has been done purely in the interests of maximizing the number of units provided and is contrary to comments on typologies given to the developer by the GLA in May 2021. Refer to SNBADP for more details.
- 4.9. Item 4.14: “The reduced footprint subsequently reduces the long horizontal building form of the refused scheme and achieves a building footprint pattern which provides additional benefits in terms of orientation, improved separation, sunlight/daylight benefits and greater visual permeability”. In fact, the proposed orientation is exactly the wrong thing to do in terms of sunlight, overheating and passive energy design. Passivhaus principles recommend that main facades face north and south, as was the extant scheme for 371 units. As a result of this clumsy replanning, the current proposals are blighted by overheating from low level sun through large unshaded west facing windows. (Refer to diagrams on next page.)
- 4.10. This is further exacerbated by noise emanating from the railway on the western edge of the site which mean that windows cannot be opened. Around 50% of all dwellings in the scheme require active cooling. This was pointed out to the developer at the time of their previously refused application but they have chosen to take no action. For more details refer to SNBOR and SNBADP.

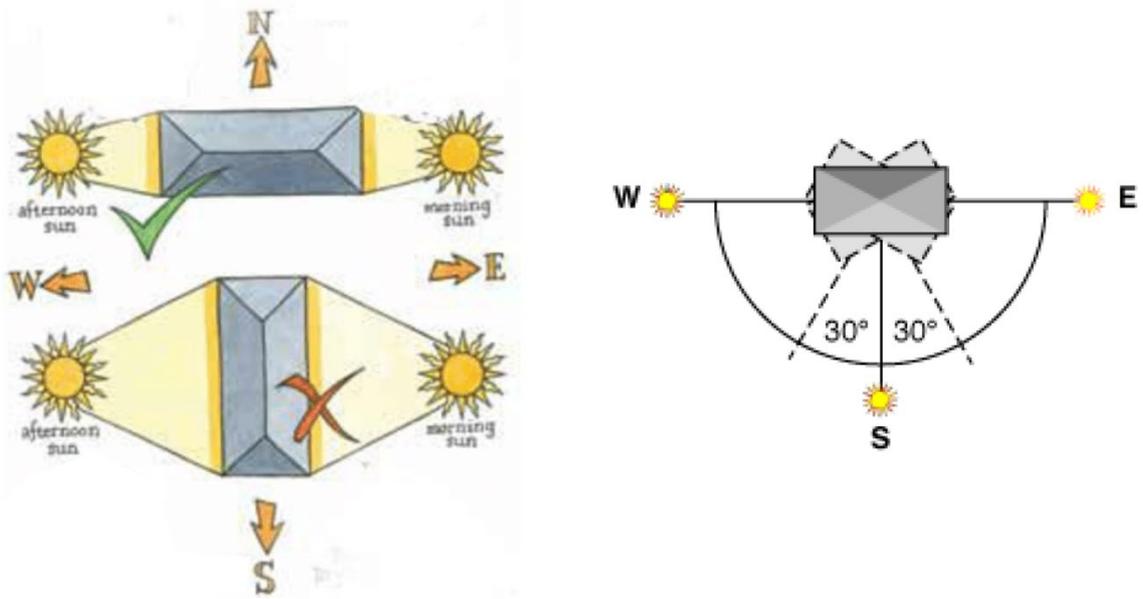


Fig 2 (above): Two diagrams readily available on the internet showing the best orientation for passive solar design. The developers proposals have exactly the wrong orientation (as the red cross lower left) and consequently around 50% of the apartments require active cooling as a result of overheating. By contrast, apartments in the extant scheme of 371 units have a favourable orientation (top left with the green tick), making them inherently more sustainable

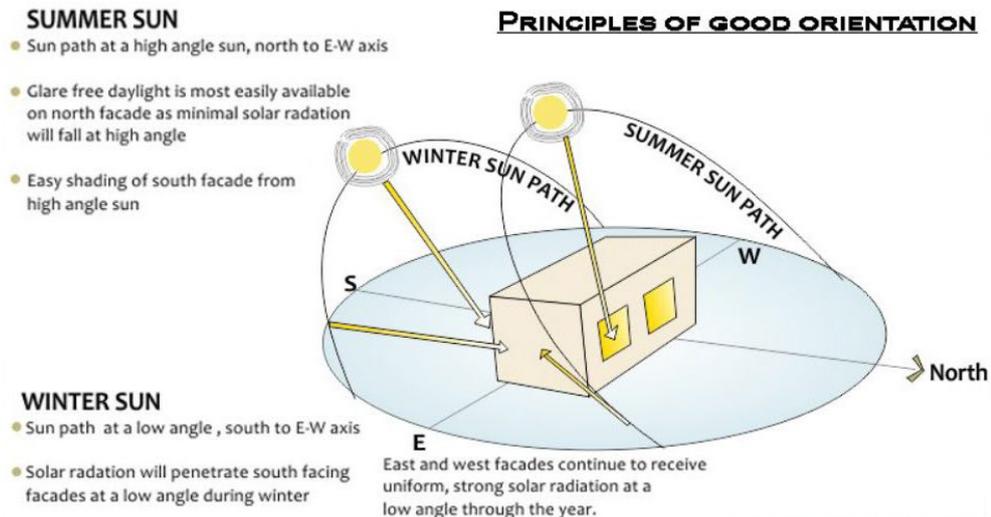


Fig 3 (above): Further diagram from the internet explaining why designing residential buildings with main elevations facing east and west are not a good thing as they will “continue to receive uniform strong solar radiation at a low angle through the year”



- 4.11. Item 4.25: “The layout ensures that there are no single aspect north facing apartments and maximizes sunlight for the properties” Whilst there are no single aspect north facing apartments, the layout provides a large number of single aspect facing properties on other orientations. See item 4.7 above. For more details refer to SNBOR and SNBADP.
- 4.12. Apartments overlooking the central spine road are also compromised by noise and cannot open their windows, which we believe is the consequence of the chosen orientation, uniformity and height of the proposed buildings which creates a “noise canyon” effect.
- 4.13. Item 4.26: “These proposals will undoubtedly improve the site and the wider area, encouraging pedestrians into this underutilized part of the town centre and edge of the park, to appreciate that it is cared for, overlooked and therefore safe.” This is pure jargon and conjecture on the part of LSH. See SNBADP for a more thorough analysis of the proposed landscape.
- 4.14. Item 4.27: “...all of which will create a green framework within the site which connects east into the park. However, many of these spaces are principally private areas with the exception of the Plaza and streets.” This highlights the inherent flaw in this scheme which the developer suggests links east and west, whereas most of the suggested links are actually private gardens or landscape spaces blighted by vehicle turning heads. For more details refer to SNBADP.
- 4.15. Links east to west in this scheme are much poorer than in the extant proposal, due again to the clumsy change in orientation of the buildings instigated by the developer. This also means that views of the park which were previously available to the majority of homes within the development, are now reserved only for the few, as for most apartments flats now face the wrong way or views are blocked by other buildings.
- 4.16. Item 4.28: “The geometry in the plaza space that integrates levels creates an interesting and dynamic space that contrasts well with the simplicity of the park.” This is again LSH jargon and conjecture. See SNBADP for a more rigorous analysis of the landscape and problems of the plaza space design in particular, which is narrower than the extant proposal and affected by an adverse wind microclimate, making it an unattractive place to be.
- 4.17. Item 4.38: “The single architectural approach and in particular the uniformity of Buildings B1/2, C1/2 and 4.38D1/2 tie in all the buildings except for those at Victoria Road (Buildings J and H) creates a strong, coherent sense of place within the site and at the edge of the park”. This is again just expression of LSH’s opinion. In our view, the buildings are overbearing and dominate the edge of the park. The uniformity creates a sense of blandness and there is general lack of visual interest compared to the extant proposal. Refer to SNBADP for a detailed comparison between this proposal and the extant proposal, which due to its lower density is much more varied and has a sense of place that is attractive rather than one that is overbearing.



- 4.18. Item 4.40: “The flank elevations of B1/2, D1 and D2 would benefit from refinement, (elevation drawings 11); particularly Block B2 which terminates views north into the scheme and provides a backstop to an interesting visual stop for views into the Plaza from Victoria Road.” This item is remarkable as being the first of only four in the entire document which offer any kind of criticism of the design (the others being items 4.4.1, 4.42 & 4.43). Without drawings or diagrams it is difficult to know precisely which aspects of the design these items refer to, or if the comments have been addressed within the application. However, it seems clear that they refer only to cosmetic issues that even if changed would not resolve the fundamental difficulties with this scheme caused by excessive density.
- 4.19. Page 13 to 22: An extensive table is provided giving extracts from policy on the left-hand side with a brief statement on the right by LSH stating that the scheme complies, usually without saying why it complies. On closer inspection, it is evident that much of the contents of the table is formulaic and some appears to be literally cut and pasted from other reports. It would be extremely tedious for anyone reading to go through every point. However, a few examples on the following page with our response might suffice to set the tone:



National Planning Policy Framework	LSH Response	Save New Barnet Community Group Response
<p>Paragraph 124: Appropriate densities, development to make the efficient use of land.</p>	<p>The scheme has a proposed density which is considered appropriate to its context.</p>	<p>This is merely an expression of LSH's opinion with no evidence provided to back it up. Refer to SNBOR for a full appraisal of the scheme and its impacts on local infrastructure and services.</p>
<p>Paragraph 126: Which underlines that the creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve, being clear about design expectations.</p>	<p>This is a high-quality building informed by the local context. The architectural response of the appeal scheme in terms of a new character area that relates to the site and park is considered to be appropriate.</p>	<p>This is merely an expression of LSH's opinion with no evidence provided to back it up. This particular statement appears to have been copied from another document. It refers to "building" singular whereas the proposal includes a range of buildings. It refers to "the appeal scheme" whereas this scheme is not at appeal.</p>
<p>Para 127: Engagement and vision</p>	<p>Planning groups have played an important role in identifying the special qualities of the site and explaining how this should be reflected in development through support of the initial plans. The underlying principles are consistent with the application.</p>	<p>The Save New Barnet Group did provide an important role in the extant scheme which was based on an indicative initial masterplan provided by SNBG. However, the current developer has ignored this and ignored comments provided by SNBG whilst the current scheme was being developed. The underlying principles are definitely not consistent with this application. SNBG drew up an alternative, sustainable masterplan for the site which would have increased the number of homes whilst retaining the underlying principles and merits of the previous scheme. The developer chose not to follow this suggestion.</p>
<p>Paragraph 132: Design quality and engagement</p>	<p>The site has a history of engagement to resolve the proposed scheme.</p>	<p>The site does have a history of engagement with the local community which resulted in the extant scheme. However, this engagement stopped once the current developer took over. The current proposal does not result from engagement or design quality but purely from a desire to maximize the number of homes crammed on to the site.</p>



## 5. Aspects of design not examined

- 5.1. There are many aspects that need to be considered in good design that have not been addressed in LSH's report or have been given only cursory attention. LSH have taken many of the developers reports at face value and have not checked them for accuracy.
- 5.2. The question of what is the appropriate density for this site is critically related to the capacity of the existing infrastructure. The developer asserts that this is adequate to support this scheme, but this is based on flawed data: When the developer states that one of our local primary schools, Danegrove, has 31 available spaces, we have found that it has only one at present and this is usually the case. When the developer states that local doctors have spare capacity, this is only because the data has been manipulated by counting all part time doctors as full time. When the developer states that the site has a PTAL rating of 3, in fact only half the site has a rating of 3 and the rest has a rating of 1a. Refer to SNBOR and SNBADP for further details of these and other flawed data used by the developer to justify this application.
- 5.3. As an Urban Designer we might have expected LSH to be more enquiring about refuse and the effect of refuse on the street scene. The fact that there are no visible binstores in the current proposal does not mean that refuse does not need to be collected each week. The only way it can be collected in this scheme is by a building management company manually transferring eurobins from the basement and lining both sides of spine road for collection, regardless of cars that might be parked in the way and the difficulties for wheelchair access that would ensue. There is not enough space for the collection of refuse bins for the number of apartments and management companies are unlikely to be able to deliver. Refer to SNBOR for further details.
- 5.4. As an Urban Designer, we would have expected LSH to be more robust in its investigation of building height, orientation, sunlight & daylight, overheating, noise, energy strategy and carbon footprint. The developer suggests that all of these matters are resolved, but they aren't. These matters are all inter-related and a lack of coordination between the various specialist design reports has led to a series of errors and contradictory assumptions with a net result that the reports are inaccurate and misleading.
- 5.5. Due to the height of the buildings and overshadowing, windows need to be large to even attempt to meet requirements for adequate daylight levels. However, the larger the windows, the greater the risk of overheating by solar gain. This is of particular risk to west and east facing windows as they get low level sun in spring, summer and autumn, which is difficult to shade. The orientation of this scheme (North South) exacerbates the problem as most of the windows are aligned with the worst orientation. (See previous items 4.9 & 4.10)
- 5.6. The problem of solar gain is becoming more acute with global warming. However, the developer has used out of date weather data for modelling purposes choosing more favorable historic data upon which to base their calculations rather than data which takes into account global warming. (See SNBOR for more details)



- 5.7. The developers report states that balconies will help to shade windows but the shading effect from balconies is minimal to the east and west orientations because the sun is low in the sky. (See previous items 4.9 & 4.10)
- 5.8. The type of glazing used can help to offset the effect of solar gain. However, the better the performance of the glazing in terms of reducing solar gain the worse the performance in terms of daylight. The developers' consultants tackle this problem by each using the type of glass that is favorable to their calculations. The overheating report assumes glass that reduces solar gain, whereas the daylight report assumes glass that lets in a good level of light.
- 5.9. Unfortunately, only one type of glass can be installed in a window and so the reports give an inaccurate picture of what is achievable. Yet despite the use of incorrect data, the buildings in this scheme still fail in terms of both daylight levels and overheating (See SNBADP).
- 5.10. Noise is a major issue for this proposal. The overheating report indicates that windows must be opened for purge ventilation, yet the noise report indicates that many residents cannot open their windows due to noise. The solution to this problem proposed in the overheating report is to introduce active cooling into the affected flats. According to the detailed overheating report, which has only recently released, it is not only the flats adjacent to the railway, but roughly 50% of flats within the scheme are estimated to need active cooling. This is a direct result of the poor design and inappropriate density of this scheme and runs entirely contrary to the London Plan Energy Hierarchy and GLA and LBB sustainability principles.
- 5.11. We do not believe that the additional energy required for the cooling units (around 1KW each) has been properly accounted for in the energy statement as the detailed overheating report has only just been provided.
- 5.12. We have investigated the type of cooling unit that is recommended in the recently issued overheating report (Zehnder Comfocool – illustrated on next page). It is a large floor standing unit which will need to be enclosed in a cupboard. We cannot see that space has been allowed for it in the plans. This means that around 50% of the plans will overstate either the useable floor area or the available storage space. This affects the design of all apartments as these are already at minimal space standards.



*Fig 4: Illustration of Zehnder Comfocool units. This illustration shows the unit in what seems to be a generously sized home with minimal furniture. In this scheme, the homes are designed to minimum space standards and this cooling unit has not been designed in as the noise report was prepared after the design of the apartments was completed and the planning application submitted.*

- 5.13. This scheme proposes a district air source heating system (ASHP), which is located on the top of an affordable flat block situated on the western side of the site adjacent to the railway. ASHP's are notoriously noisy. The developer's report's do not give any details of the proposed system, but we noted that the plans appear to show a typical Mitsubishi system with a sound pressure level of 59dBA, which is the sound level for a human voice. One of these alone might not be a problem, if it were remote from people's homes. However, there are 18 of these units drawn on the roof of Block G, which suggests the sound of 18 people on the roof talking all the time.



*Fig 5: Photo of pair of typical district ASHP units of the type illustrated on a layout by services engineers Hurley Palmer Flatt. 18 units are indicated on the top of Block G. These will run all the time, day and night, to provide heating for all the apartments.*



- 5.14. Block G also contains a second part of the district heating system at ground floor level. It is impossible to say how much noise will be generated from this component. However, what is clear is that the residents of the affordable homes in this block sandwiched between these two noise sources and the railway line will bear the brunt.
- 5.15. The district heating system is potentially a major source of noise nuisance for the entire life of this scheme. We would therefore have expected this aspect of the design to have been fully examined in the noise report and for these details also to have been demanded by the planning department.
- 5.16. It is noted in the noise report that the ASHP system has not been examined because details “were not available”, and yet plans of a system are clearly shown on extracts of plans provided by Hurley Palmer Flatt. Due to concerns over noise, district ASHP units are often located in dedicated acoustically treated energy centres, remote from people’s homes.
- 5.17. The above examples are not exhaustive. For further examples of the poor design of these proposals not interrogated in the LSH audit, refer to SNBOR and SNBADP.