

**Town and Country Planning Act 1990
Appeal by Citystyle Fairview VQ LLP
Site Address: Land Formerly Known as British
Gas Works, Albert Road, New Barnet, EN4 9BH**

**Planning Inspectorate reference:
APP/N5090/W/22/3294689**

**PROOF OF EVIDENCE RESIDENT AND COMMUNITY
IMPACT**

**MRS KAREN MILLER NEW BARNET COMMUNITY
ASSOCIATION (NBCA)
(Rule 6 Party)**

21st June 2022

Proof Of Evidence Resident & Community Impact - Land Formerly Known as British Gas Works, EN4 9BH

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1. Executive Summary

1.1. Introduction

- 1.1.1. Planning policies and guidelines are open to interpretation and much has been made of the need for flexibility. However, the cumulative impact of just meeting or failing to meet multiple policies has a major negative impact on both the people who will live in these flats and on the community.
- 1.1.2. Document CD 12.23, Living in a Denser London – How residents see their homes, identified specific problems in schemes where density exceeded the maximum set out in the London Plan Density Matrix. The appeal scheme exceeds the maximum density for schemes in a suburban or urban setting with a PTAL of 2-3. The report (CD 12.23) states on page 13, “*In 2016 consultancy Three Dragons looked at residents’ experience of living in buildings whose design exceeded the maximum densities in the London Plan matrix. Lessons from Higher Density Development focused mainly on the physical experience of living in these buildings and identified five main problems: overheating (especially in single-aspect flats), lack of privacy, insufficient storage, lack of suitable private and public amenity space, and excessive noise.*” All of these problems are evident in the appeal scheme and the impact on residents and the local community will be demonstrated in this document.

1.2. Occupancy Costs

- 1.2.1. The scheme has designed-in problems with noise and overheating in more than 50% of the homes. These issues were not initially addressed in the application submitted on 30 June 2021. Subsequently, in CD1.21 Overheating Assessment active cooling units were proposed, operated in conjunction with mechanical ventilation units.
- 1.2.2. The problem is these very large cooling and ventilation units, as well as taking up valuable floor space, consume up to 1,376 watts in cooling mode and 350 watts the rest of the time, annually consuming over 1,800kWh of electricity. As these units are installed in all the affordable housing, the risk is the poorest residents will not be able to afford to switch them on given an estimated electricity cost of an extra £500+/annum plus replacement filters costing approximately £72/annum.
- 1.2.3. The Appellant says that the system offers a choice to residents and that they are not forced to switch it on. However, if they do not switch on the unit, they will be subjected to excessive noise if they open the windows or overheating if they do not.
- 1.2.4. A change of design and orientation with far fewer single aspect flats, could significantly reduce this impact on some of the poorest residents. We showed the developer how this could be achieved but they have chosen not to reconsider the design, orientation, or the large number of single aspect flats, contrary to London Plan Policy S14.

1.3. Children’s Play Space and Amenity Space Quality

- 1.3.1. The children’s play space fails to meet the minimum requirement, falling short by 109 sqm based on an overall site PTAL of 3-4. However, more than 40% of the units are located at the rear of the site where the PTAL is 1(a). Based on a 60:40 split between PTAL 3 and 1, then the 5-11 year old shortfall increases to approximately 262 sqm or 26%. In addition, the quality of the space included is poor.

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- 1.3.2. 207 sqm of the children's play space includes strips of verge, some less than 2 metres wide adjacent to the Spine Road and some located behind the electricity substation. Two of the three natural/ecological play spaces are impacted by wind with one area only suitable for short periods of sitting and the other suitable only for areas where people are not likely to linger. The scheme does not meet the CD5.1 Policy S4 and in my opinion represents a poor quality of children's play space.
- 1.3.3. The amenity space includes: land immediately adjacent to the railway line; above the basement car park vents; and a significant number of balconies, classified as private amenity space, face noise sources which do not comply with CD 5.4, paragraph 2.3.2, CD 5.1 Table 3.2 page 131 iv and v Policy D6(D) and CD 5.7 page 55. Insufficient and poor quality play and amenity space negatively impacts the lives of the families living there.

1.4. Waste Management

- 1.4.1. Blocks B1, B2, C1, C2, D1 & D2 bin stores are located in the basement car park with one small surface level holding store in Block C1. This contradicts Barnet Council's advice to developers CD6.12.
- 1.4.2. Residents of these 6 blocks will have to go to the basement to drop off their rubbish, potentially off-putting to some tenants and counter to the advice given by Barnet in CD 12.32 which states *"Where residents have to make a special trip to the recycling bins or where the bins are not visible on an everyday basis, we typically experience lower recycling rates. Architects and developers are expected to encourage recycling by making suitable space and locations available for recycling bins"*.
- 1.4.3. The basement bins stores only have capacity for three days storage so, in addition, there is a further large bin store which will hold the remaining bins. The Building Management Team (BMT) will have to regularly monitor the bins within the individual block bin stores and once bins are full, replace them with an empty bin from the central basement bin store.
- 1.4.4. On collection day, the BMT will have to move the 78 bins via service lifts to the ground floor holding room from where the refuse collection staff will access them. However, the holding room accommodates less than half the number of bins so the remaining bins will have to be moved up from the basement via service lifts once collection starts.
- 1.4.5. This overly complex bin system has a cost in BMT time input and these costs will be passed on to residents via service charges, having a negative impact on residents, both financially and on their day to day life.

1.5. Car Parking

- 1.5.1. The basement car park area is already formed. However, moving bin and cycle storage to the basement takes up the equivalent of 47 parking spaces which is, coincidentally, the parking shortfall identified in CD1.13. As such, residents will be forced to seek out on-street parking spaces, precipitating the introduction of a CPZ. In addition, there appears to be no recognition that some of the people living in the development will be self-employed and require parking for both work and domestic vehicles.

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1.6. Schools, Nurseries and GPs

- 1.6.1. Local facilities are already struggling to meet the demand for nursery and school places and GP appointments. The three GP practices closest to the site are already exceeding the benchmark ratio of 1,800 patients per Full Time Equivalent (FTE) GP, with the latest figures showing that the ratio has increased to 1,932 patients per FTE GP.
- 1.6.2. This scheme will impact both site residents and the local community in securing a doctor appointment given there are no plans for any new GP facilities in the local area.
- 1.6.3. Local nurseries and primary schools are fully subscribed yet the new scheme is likely to generate 112-137, 0-4 year olds and 84-99 primary school age children, with no local facilities to accommodate them.
- 1.6.4. The proposed development will only add to the already strained infrastructure in the local area, making life for both the new residents and the existing community significantly worse.

1.7. Family Housing

- 1.7.1. The proportion of 3 and 4 bed homes is 22%. CD6.2 Policy DM08 states that Barnet's housing priorities are for 3 and 4 bedroom homes. This is reinforced in CD6.9 Policy HOU02. Even though Barnet built almost 16,000 new homes between 2011/12 and 2019/20 overcrowding has got worse.
- 1.7.2. Failing to deliver a higher proportion of 3 and 4 bed homes has a direct impact on the community, either forcing more families into overcrowded accommodation or forcing them out of the borough. 22% of 3 and 4 bedroom homes in the appeal scheme exacerbates this problem and breaches Barnet Policy DM08.

1.8. Summary

- 1.8.1. The local community worked extensively with the various developers between 2010 and 2017 to secure the extant scheme which was agreed by all parties; developer, Barnet Planning Officers, the GLA and the community. All agreed that it optimised the density of the site, that it had an appropriate mix of housing, and that it had secured as many affordable family homes as possible given the high cost of site remediation. The community have been expecting the extant scheme of 371 homes to be built since approval in 2017.
- 1.8.2. This appeal scheme represents an identikit creation plonked down without regard to the shape and character of existing community. Barnet's Planning Committee has rightly found that this proposal is unsuitable for this location and has rejected it. This scheme will negatively impact the lives of the people living in these flats and in the local community and runs counter to the aspirations of the Secretary of State to build beautiful homes and communities.

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2. Introduction

- 2.1. My name is Mrs Karen Miller and I am a member of the New Barnet Community Association. I work at the Community Centre in New Barnet with responsibility for children in the afterschool and holiday clubs and have lived in the area for 20 years. I have been involved with the development on the Gasworks site since 2008 and have been committed to delivering decent quality family housing on the site since that time.
- 2.2. I was involved with the negotiations with One Housing to secure planning permission on the site for the 371 homes granted planning permission in 2017. In addition, as part of the NBCA Team, I worked with the developers of the former Tesco site (Spenn Hill) to help deliver: the Sambroke Square development, fronting and behind Victoria Road, (approximately 50m from the appeal site); the two four bedroom homes at 7-11 Victoria Road (part of the appeal site); and the new building at 15 East Barnet Road (immediately opposite the appeal site). I also worked with the developers of the former Alexandra Public House to deliver a new flatted development at 133 East Barnet Road on the corner of Victoria Road (approximately 470m from the appeal site).

Figure 1 Previous Development Site Experience



- 2.3. Through my work at the Community Centre and having been involved with the development of this site since 2008, I understand the issues so feel I am well qualified to speak about the impact of the scheme on families and the local community.
- 2.4. Planning policies and guidelines are open to interpretation and much has been made of the need for flexibility. However, the cumulative impact of failing to meet multiple policies has a major impact on both the people who will live in these flats and on the community. The quality of the living environment and the cost of living in one of these properties is something which can have a major impact on people's lives.
- 2.5. This documents sets out the impact on residents and the community of the appeal scheme based on my analysis of the scheme and my knowledge of the local area.

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- 2.6. Document CD 12.23, Living in a Denser London – How residents see their homes, identified specific problems in schemes where density exceeded the maximum set out in the London Plan Density Matrix. The appeal scheme exceeds the maximum density for schemes in a suburban or urban setting with a PTAL of 2-3. The report (CD 12.23) states on page 13, “ *In 2016 consultancy Three Dragons looked at residents’ experience of living in buildings whose design exceeded the maximum densities in the London Plan matrix. Lessons from Higher Density Development focused mainly on the physical experience of living in these buildings and identified five main problems: overheating (especially in single-aspect flats), lack of privacy, insufficient storage, lack of suitable private and public amenity space, and excessive noise.*” All of these problems are evident in the appeal scheme and the impact on residents and the local community will be demonstrated in this document.

3. Occupancy Costs

- 3.1. The design of the proposed scheme will lead to problems with noise and overheating as acknowledged by the Appellant in the following documents:
- CD 1.8 Noise Impact Assessment Rev E page 42, where the $L_{AF(max)}$ at position MP4 consistently hits 79dB between 7am and 11pm and peaked at 84dB between 4.00am and 5.00am.
 - CD 1.11 Energy Statement Appendices Appendix 3, Early Stage Overheating Risk Tool, which identified 274 of the 544 flats at High Risk of overheating.
 - CD 1.21 Overheating Assessment, page 19, which identified that in apartments with openable and restricted windows and doors but without any enhanced ventilation or cooling systems 601 of the 833 habitable zones assessed for each criteria failed to meet the DSY1 requirement.
- 3.2. These issues were not initially addressed in the application documents submitted on 30 June 2021. However, in CD 1.21, the Appellant proposed that each apartment affected by the noise and/or security issues would have a dedicated Zehnder ComfoCool unit operated in conjunction with a Zehnder ComfoAir mechanical ventilation with heat recovery unit to provide enhanced ventilation rates and enable control of the temperature and dehumidification of the air supply.
- 3.3. The specification document for this unit CD 12.19 (page 5) identifies that the ComfoAir unit consumes up to 350 watts of power and the ComfoCool unit draws 1,026 watts. As such, when operating in cooling mode (which requires both units to be operating) the unit draws up to 1,376 watts and uses up to 350 watts all the rest of the time. My concern is that the use of these units could become prohibitively expensive to switch on for residents, especially as every one of the affordable housing units (shared ownership and London Affordable Rent) will have to be fitted with these units. By way of example, if the cooling is used for 8 hours per day for 6 weeks per year and with air circulation running 12 hours per day, 365 days per year, that would consume over 1,800kWh of electricity per annum, over and above the normal electricity usage. In addition, the specification for these units states that filters (two) should be changed every 6 months which are approximately £36 per set.
- 3.4. The Appellant says in CD 1.19 page 5 that the units offers a choice to residents “*so windows can be opened, but don’t have to be*”. However, if they do not switch on the unit, they will be subjected to excessive noise if they open the windows or overheating if they do not. This

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is highlighted in CD 10.5 Acoustics Ventilation and Overheating Design Guide (page 5) where it identified:

“Of the applications reviewed, 122 had both noise and overheating assessments; 85% of these developments required closed windows for reasonable noise conditions, while the overheating assessment relied on open windows for reasonable thermal conditions. The result is residential accommodation in which the occupants may choose either acoustic comfort or indoor air quality and thermal comfort, but not achieve both simultaneously”.

- 3.5. A clear example of this dilemma is included in CD12.23 report ‘Living in a denser London - How residents see their homes’ March 2020. (page 69)
- Exterior noise was more intrusive if residents had to open windows due to overheating: one resident of Thurston Point said ‘(the) flats are unbearably hot all year particularly in the summer and because our flat faces the Lewisham Station part of the railway we can’t keep our windows open as it’s too noisy.’*
- 3.6. The London Plan Policy SI4 sets out a hierarchy of cooling of which the first step includes: reduce the amount of heat entering a building through **orientation**, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure; and it is only as the very last resort that it suggests providing active cooling systems. This is reinforced in CD 5.7 Housing Design Quality and Standards SPG page 66 where it states *“Active cooling should be avoided due to the additional energy use”* and, by effect, the additional energy cost.
- 3.7. We note that in the Planning Officer’s Committee report at page 64, Environmental Health responded saying:
- “Based on the recommendations in the report, it is proposed that trickle ventilation and non opening windows for these habitable rooms will prevent noise ingress. I would say that especially in a post covid environment, building homes with non opening windows is probably not a very good idea. Not in my remit to advise on the layout but yes, having kitchens and bathrooms facing the railway line, could be a good idea. During a very hot day, trickle vents are not a good enough option for ventilation, keeping windows closed. It will not help prevent overheating during the summer. Then again if they opened the windows of habitable rooms, especially bedrooms at night, it will cause more noise disturbance”.*
- 3.8. By way of context, the current energy cap on electricity prices is at approximately 28p/kWh and is forecast to rise by up to 35% in October according to Ofgem’s Chief Executive, Jonathan Brearley, in response to questions at Parliament’s Business, Energy and Industrial Strategy committee (BEIS) on 24 May 2022. In addition, Mr Michael Lewis, Chief Executive of E.On Energy stated on 22May 2022 that by October 2022, 40% of households could be in fuel poverty. Running these mechanical ventilation and cooling units is an additional, significant cost for tenants and will have a serious impact on their living standards.
- 3.9. In summary, due to the proposed location of the affordable homes on the site, alongside the railway line, the affordable housing tenants are disproportionately affected by the overheating and noise problems which can only be addressed by operating a mechanical ventilation and cooling system. This is expensive to run, potentially in excess of £500 per annum, in addition to the standard electricity usage. A change of design and orientation of the blocks with far fewer single aspect flats, could significantly reduce this impact on some of the poorest residents, something the community has drawn to the attention of the

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developer through alternative designs as presented to the developer in May 2021 CD 12.16 (pages 7-10). However, the developer has chosen not to reconsider the design, orientation, or the large number of single aspect flats, contrary to CD 5.1 London Plan Policy S14.

4. Children's Play Space and Amenity Space Quality

- 4.1. The children's play space fails to meet the minimum requirement, in breach of CD 5.1 London Plan Policy S4. The Appellant confirms that it does not meet the requirement for 5-11 year old children, falling short by 109 sqm or 13% based on an overall site PTAL of 3-4. However, more than 40% of the units, including all of the 4 bed units, are located at the rear of the site where the PTAL is 1(a). Based on a 60:40 split between PTAL 3 and PTAL 1, then the 5-11 year old shortfall increases to approximately 262 sqm or 26%. In addition, the quality of the space included within the calculation is poor.
- 4.2. 207 sqm of the children's play space is classified 'Play on the Way' and comprises of strips of verge adjacent to the Spine Road set out in Figure 2 below.

Figure 2 Children's Play Space



Source: CD 1.19 Appendix E Play Space 5337753 (November 2021)

- 4.3. Some of these strips of land are less than 2 metres wide and the majority have already been designated for residential mix planting as detailed in CD1.3 DAS page 166 (shown in Figure 3 below), leaving very little space for actual play.

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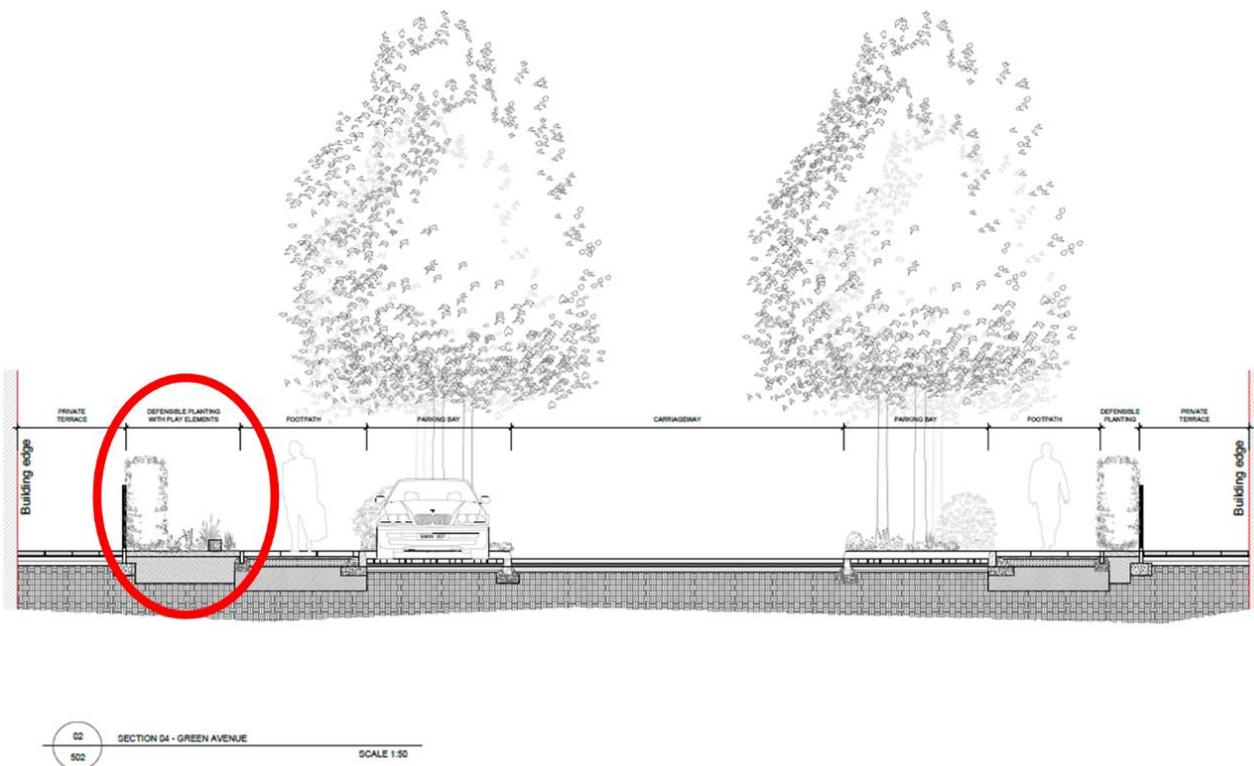
Figure 3 Planting Palette Residential Mix



Source: CD 1.3 DAS page 166

- 4.4. This is highlighted in CD 2.49 section drawing EXA_1961_P_500_SECTIONS_03-5208345 (Figure 4) which demonstrates both the limited width of these spaces and the planting that reduces the usage play space of the strips.

Figure 4 Street Cross Section Play Space

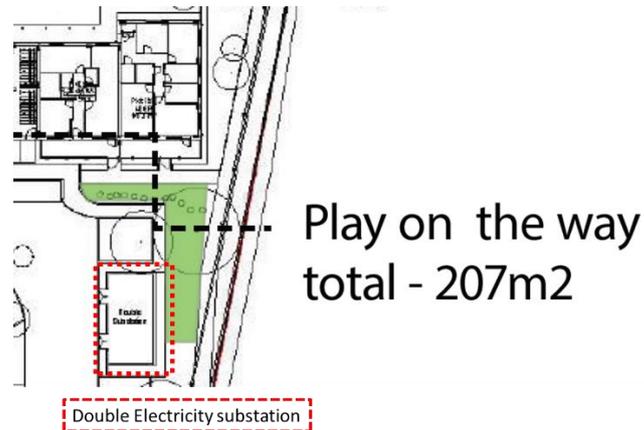


Source: CD 2.49 Section drawing EXA_1961_P_500_SECTIONS_03-5208345

- 4.5. One part of the Play on the Way space is shown as located immediately behind the double electricity substation (Figure 5) which is out of sight of most of the flats and seems an unsuitable area for children's play.

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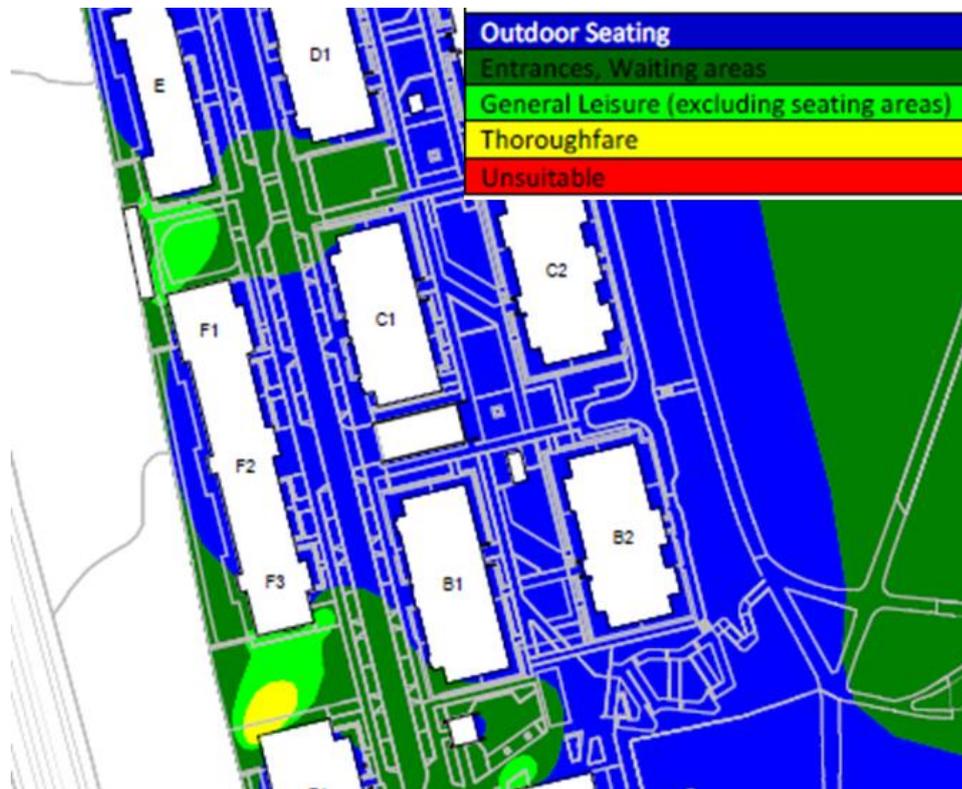
Figure 5 Play Space Behind Sub Station



Source: CD 1.19 Application Document Appendix E Play Space 5337753.pdf

- 4.6. In addition, two of the three natural/ecological play spaces (between blocks E and F1 and F3 and F4) are impacted by wind. Whilst the space between E and F1 is classified as being suitable for general leisure it fails to recognise that parents often wish to sit and watch while their children play and this area is suitable for short periods of sitting only, classified on the Lawson Criteria for Pedestrian Comfort (LCPC) as being appropriate for bus stops, window shopping and building entrances. Part of the space between Blocks F3 and F4 is subjected to wind speeds of between 8 and 10m/s which LCPC notes, at the upper scale it is suitable for areas where people are not likely to linger, and which does not seem suitable for a children's play area. This is illustrated in Figure 6 below.

Figure 6 Wind Impact on Children's Play Area



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Source: CD 1.25 Wind Microclimate report 5209105

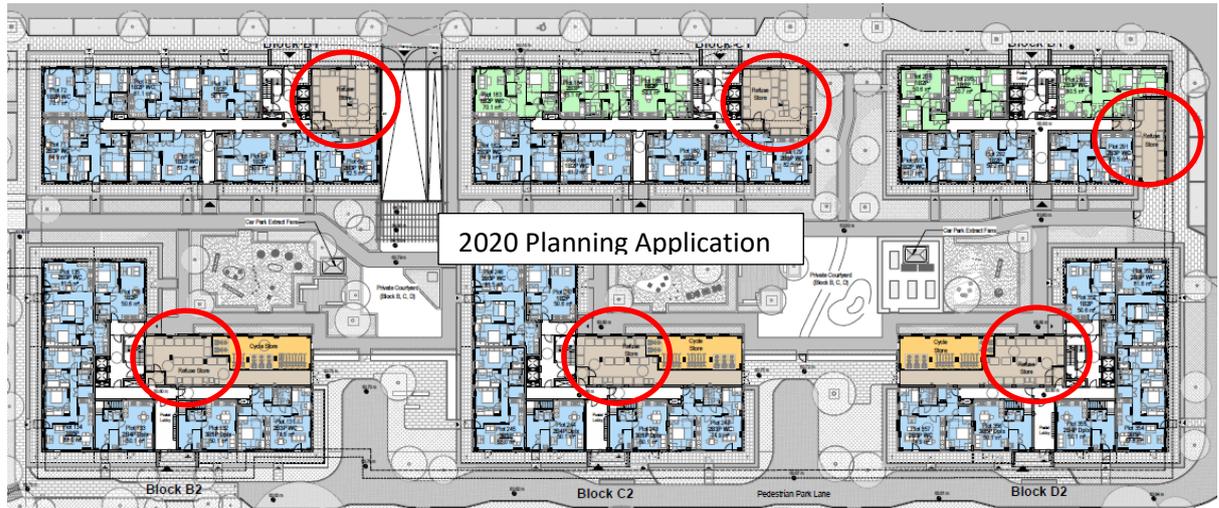
- 4.7. CD 12.21, Place Alliance – A Housing Design Audit for England, (page 43) notes under ‘Pervasive Problematic’ that “Public, open and play spaces were often poorly located and designed and failed to create a social focus”. This issue appears to be replicated on this proposal.
- 4.8. The scheme does not meet CD5.1 London Plan Policy S4 and in my opinion represents a poor quality of children’s play space.
- 4.9. The amenity space calculations CD12.30, which we only received on 17 June 2022, appear to have included areas which are of poor quality. For example, the amenity space includes the two large ventilation units from the basement car park. It also includes the space directly next to the railway embankment which is hidden behind Blocks E, F1, F2 and F3 which has already been established as areas of high noise from the railway. The private amenity space includes balconies which directly face a noise source. CD 5.4, The Housing SPG states at paragraph 2.3.2 *“outdoor amenity space which does not have a reasonable level of privacy or good acoustic environment will not be considered to be usable”*. That is reinforced in CD 5.1 London Plan Table 3.2 page 131 iv and v Policy D6(D) and CD 5.7 The London Housing Design and Quality Standards (page 55) where it 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”*. All of the balconies facing the railway line and all the balconies facing the Spine Road will be exposed to high levels of noise according to the Appellant’s consultants.
- 4.10. If such a high density development is to be built, then it is essential that both the quantum and the quality of the amenity space is sufficient to meet the needs of those residents. Currently the quality of the amenity space and the quantum and quality of the children’s play space falls short of what could reasonably be expected by the future residents of this scheme.

5. Waste Management

- 5.1. 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 litre 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.
- 5.2. In the 2020 scheme, Blocks B1, B2, C1, C2, D1 & D2 all had surface level refuse stores in close proximity to refuse collection points shown in CD 12.31 (Figure 7 below). This required minimal day to day management and was straightforward for bin collection.

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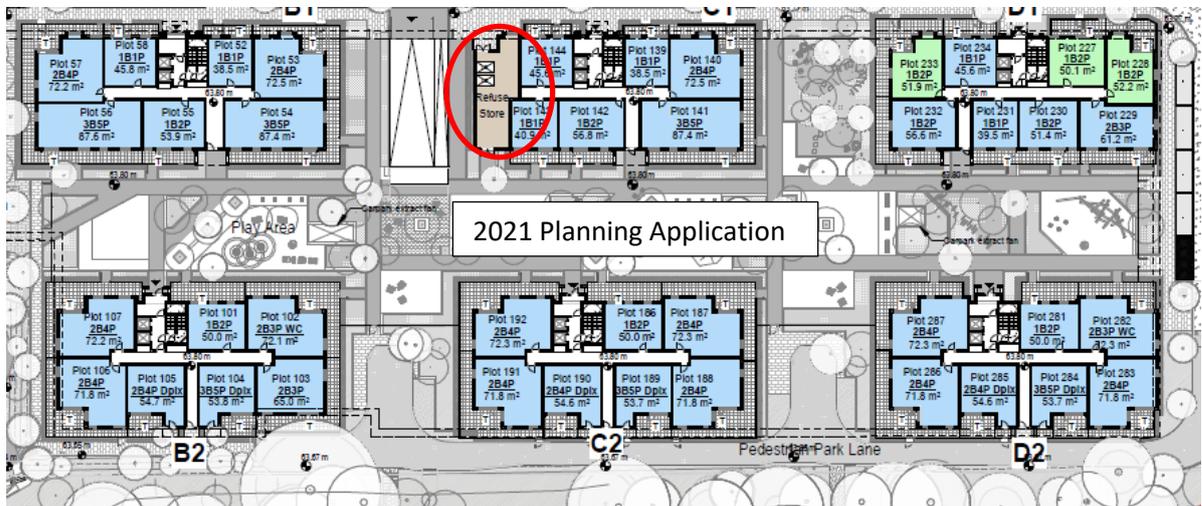
Figure 7 Bin Stores 2020 Planning Application



Source: CD 12.31 20_1719_FUL-GROUND_FLOOR_PLAN_PART_2_2-4746686

5.3. 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. (Figure 8 below). This contradicts document CD 12.32 Barnet Council’s advice to developers on the Provision of Household Recycling and Waste Service (page 6) which states that *“It is recommended that bins are not stored underground, but are stored at street level, to enable efficient collections”*.

Figure 8 Surface Level Bin Store Appeal Scheme



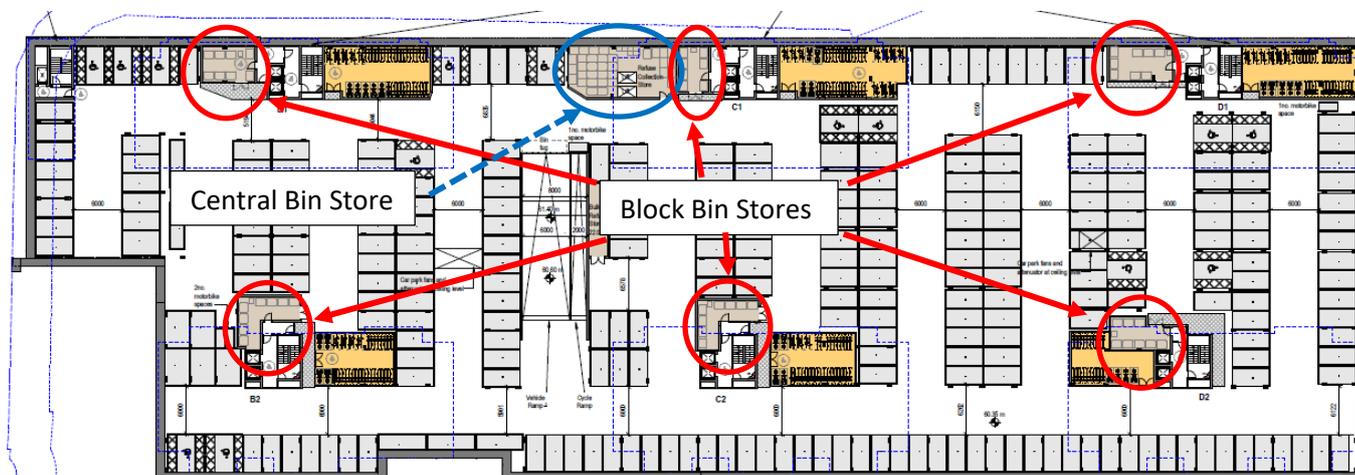
Source: CD 2.7 GROUND_FLOOR_PLAN_PT_2-5208036

5.4. 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. This runs counter to the advice given by Barnet in CD 12.32 which states *“Where residents have to make a special trip to the recycling bins or where the bins are not visible on an everyday basis, we typically experience lower recycling rates. Architects and developers are expected to encourage recycling by making suitable space and locations available for recycling bins”*. Bin stores located adjacent to the entrance would be convenient for people dropping off their rubbish on the way out. Having to make a special trip down to the basement to drop off rubbish is not convenient.

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- 5.5. However, these basement bins stores only have capacity for three days storage so, in addition, there is a further large bin store which will hold the remaining bins. This is shown in Figure 9.

Figure 9 Basement Level Bin Stores



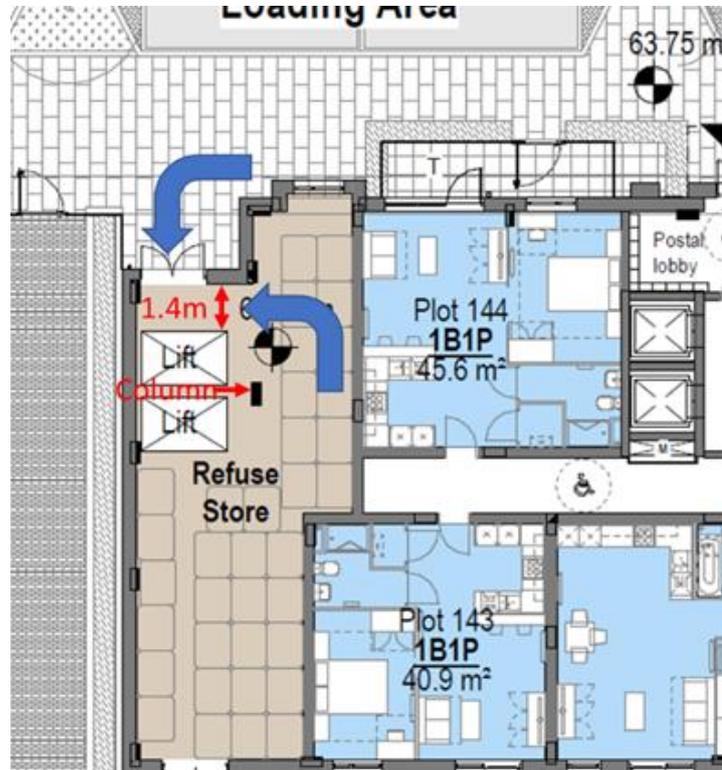
Source: CD 2.5 BASEMENT_FLOOR_PLAN_PT_2-5208072

- 5.6. As a result, the building management team will have to regularly monitor the bins within the individual block 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 block bin stores, to the central bin store, the building management team will use electric tugs.
- 5.7. 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 only has a capacity to accommodate 35 x 1,100 litre bins, not the forecast 78 x 1,100 litre bins and 12 x 240 litre food waste bins that will need to be collected on the same day.
- 5.8. All of the floor space is required to house the 35 x 1,100 litre bins with no circulation space that would allow bins to be moved in and out without rearranging the other bins. This is in contradiction of CD 12.32 which states "All bin sheds must have adequate storage capacity and space for manoeuvrability". As currently designed there is no space for manoeuvrability.
- 5.9. CD 1.19 Appendix H notes that on the day of collection, whilst the collection operatives are emptying the bins present within the Ground Floor Waste and Recycling Holding Room, the building management team will be simultaneously moving those empty bins back to the basement block bin stores or the 'Central Basement Bin Store' and bringing the remaining full bins on the way back to the Ground Floor via a service lift."
- 5.10. However, the location of the service lifts means that the gap between the lift and wall closest to the exit is only approximately 1.4 metres, yet a 1,100 litre bin is 1.1 metres deep and 1.38 metres wide. This means that it will be impossible for full bins to move out of the bin store and empty bins to move back into the bin store lift at the same time. There is also

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a structural column adjacent to the lifts which means that all bins from the front of the bin store will need to be cleared before bins from the rear of the store can be moved to the exit door. Forty seven bins will need to be moved up from the basement via the service lift and this is illustrated on the sketch below (Figure 10):

Figure 10 Bin Store Lift Access



Source: CD 2.7 GROUND_FLOOR_PLAN_PT_2-5208036

- 5.11. Critically, the level of building maintenance staff time input required on a daily basis to monitor the basement bin capacities, to move bins between the central bin store and the core bin stores and vice versa and, on collection day, to move the 78 bins to ground level and back down again will be very significant and expensive. This will unnecessarily add to the service charges for residents when standard ground level bins stores for each block would minimise building maintenance staff time input and be more convenient and less off putting for residents.
- 5.12. In addition, three of the surface level cycle stores have been moved to the basement since the 2020 scheme, meaning that residents will either have to use the vehicle entrance to the car park or take their bicycles down to the basement in the passenger lift, adding to the inconvenience to cyclists. The other consequence of moving the bin and cycle stores to the basement is that it reduces the number of car parking spaces in the basement by 47 compared to the refused 2020 scheme and forcing those vehicles to park on the local streets.
- 5.13. Overall, the impact of increasing the density of the scheme by moving the bin and cycle stores to fit more flats in at ground level will have a negative impact on residents, both financially and on their day to day life.

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6. Car Parking

- 6.1. The basement car park area has already been formed and is a clearly defined area. However, moving bin and cycle storage to the basement takes up the equivalent of 47 parking spaces. CD 1.13 Transport Assessment identifies (at page 18 paragraph 3.69) that *“The current car parking standards set by LBB identify much higher levels of car parking as a maximum standard setting lower levels at a ratio of at least one space per dwelling. Equally the new London Plan identifies maximum parking standards again with higher proportions than are proposed”*.
- 6.2. The same report, CD 1.13 also calculates at Table 3.4 page 20 that based on the census figures the likely number of vehicles will exceed the on-site provision by 47 spaces and that those people will be forced to seek out on-street parking spaces.
- 6.3. One solution identified to address the shortfall of spaces is car clubs and the site will include 4 car club parking spaces. However, this assumes that these clubs will be sustainable and commercially viable. Drive Now, a joint venture with BMW/Mini which previously operated in Barnet has now closed down its operation (29 February 2020 – before Covid). Drive Now state that *“The number of customers in London and their demand for our car sharing service was below our expectations and lower than in other SHARE NOW cities. Furthermore, we had to face local factors, like high costs of operation and the different circumstances in the single boroughs”*. While car clubs may be more attractive in Central London, there is no clear evidence that a car club with four spaces on this site would be economically viable and sustainable.
- 6.4. CD1.13 fails to recognise the number of self-employed tradespeople in Barnet (builders, plumbers, electricians, delivery drivers etc). With 15% of all people classified as self-employed in Barnet this is significantly higher than the average for London at 11.2% and 9.3% for Great Britain as set out in CD12.32 and shown in Figure 11 below.

Figure 11 Self-Employed in Barnet

Labour Supply				
Employment and unemployment (Jan 2021-Dec 2021)				
	Barnet (Numbers)	Barnet (%)	London (%)	Great Britain (%)
All People				
Economically Active†	207,900	75.4	79.4	78.4
In Employment†	192,500	69.5	74.8	74.8
Employees†	146,000	53.9	63.4	65.3
Self Employed†	44,400	15.0	11.2	9.3
Unemployed (Model-Based)§	13,200	6.4	5.6	4.4

Source: CD 12.32 ONS Population estimates - local authority based by five year age band

- 6.5. As community representatives, we know many tradespeople locally who have both a car and a work van. There appears to be no recognition that some of the people living in this proposed development will be self-employed and require parking for a work vehicle as well as a domestic vehicle.

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- 6.6. In summary, the impact on both scheme residents and, more particularly, on the local community will be significant given there is already very little on street parking availability. The 47 parking spaces removed from the basement to house bin and cycle stores could have made a significant difference to resolving the problem.

7. Schools, Nurseries and GPs

- 7.1. The local community is already struggling to meet the demand for nursery and primary school places and to get a doctor's appointment. The former office block, Kingmaker House, currently being converted to 137 flats, will add significant demand for local services being located just 220 metres from the appeal site. The extant scheme for 371 houses and flats was already likely to place services under extreme pressure but by adding a further 168 flats it is not clear how the local nurseries, schools and GPs will cope.
- 7.2. CD1.24 Health Impact Assessment and reiterated in CD 1.19 Appendix A , state that there are more than enough GPs locally to accommodate the additional population of this scheme. We have provided detailed evidence in our responses CD 12.10 and CD 12.17 that the three GP practices closest to the site are already exceeding the benchmark ratio of 1,800 patients per Full Time Equivalent (FTE) GP, with the latest figures in CD12.33 showing that the ratio has increased to 1,932 patients per FTE GP as shown in Figure 12 below.

Figure 12 Ratio of Patients to FTE GPs March 2022

PRACTICE CODE	PRACTICE NAME	TOTAL PATIENTS	TOTAL GP HEADCOUNT	TOTAL GP FTE
E83031	THE VILLAGE SURGERY	5,216	4	2.81
E83044	ADDINGTON MEDICAL CENTRE	9,361	4	3.50
E83613	EAST BARNET HEALTH CENTRE	11,429	11	7.15
	Total	26,006	19	13.46
	Patients per FTE GP	1,932		

Source: CD 12.33 The General Practice Workforce series of Official Statistics

- 7.3. The Kingmaker House development of 137 flats will bring in an additional 300 people to the area and, when combined with the appeal site, will increase the population by approximately 1,500 people. No consideration seems to have been given to how this will impact both residents of the site and the local community in securing a doctor appointment.
- 7.4. CD 6.10, Barnet's Draft Infrastructure Delivery Plan page 27 does include the provision of two new Primary and Community Healthcare facilities but both are in regeneration zones in the west of the Borough at Colindale and Brent Cross, specifically to accommodate the large population growth in those areas. They would provide no benefit to the new residents of this scheme.
- 7.5. We spoke with the local nurseries who all seem to be fully subscribed, as are local primary schools. St Margaret's Nursery, which the Health Impact Assessment report said had 40 spare places have confirmed via email (Appendix 1) that they have no spare places. Danegrove School was identified in the same report as having 31 spare places, yet they have confirmed by letter (Appendix 2) that the school has no spare places and waiting lists

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for every year group, with the numbers on the waiting list ranging from 2 (Y3) to 34 (Reception).

- 7.6. The new scheme is likely to generate between 112 and 137, 0-4 year olds and between 84 and 99 primary school age children, yet there are no local facilities to accommodate them. The extant scheme already posed serious challenges to the community; the appeal scheme will only increase those challenges. Set out in Figure 13 is a comparison between the extant scheme and the appeal scheme.

Figure 13 Population Comparison Extant & Appeal Schemes

	Extant Scheme		Appeal Scheme		Difference	
	PTAL 0-2	PTAL 3-4	PTAL 0-2	PTAL 3-4	PTAL 0-2	PTAL 3-4
Total Residents	892	828	1253	1170	361	342
Children 0-4 years	99	70	137	112	38	42
Children 5-11 years	70	50	99	84	29	34
Children 12-17 years	35	27	57	56	22	29

Source: GLA Population Yield Calculator v3.2

- 7.7. CD 6.11 Barnet Council Authorities Monitoring Report, sets out performance against planning criteria. One performance indicator is the number of new primary school places (DM13A) which sets the target of increasing the number of primary school places. However, in 2019/20 the number of places actually fell by 45 (set out in Figure 14 below). This demonstrates that Barnet are failing to deliver sufficient school places for new developments and local communities bear the impact.

Figure 14 Performance Indicators Primary School Places in Barnet

Policy DM 13 – Community and education uses			
Indicator Number	Indicator	Targets	Progress
DM 13A	New primary schools provision	Increase in primary school places	As of 2019/20 Barnet has 4,505 primary school places. A decrease of 45 primary school places on 2018/19 total of 4,550 places. Further detail on schools can be found in CS10B .

Source : CD 6.11 Barnet's Local Plan Authorities Monitoring Report

- 7.8. The proposed development will add to the already strained infrastructure in the local area, making life for both the new residents and the existing community, significantly worse.

8. Family Housing

- 8.1. In the original 2015 consented scheme, B/04834/14, the proportion of 3 and 4 bed family homes was 34%. In the 2017 amended consented scheme the proportion of 3 and 4 bed family homes reduced to 30%. In the appeal scheme the proportion has been eroded further to 22%.
- 8.2. CD 6.2 Policy DM08 makes it clear that Barnet's housing priorities are for 3 and 4 bedroom homes. This is reinforced in CD 6.9 Barnet's Draft Local Plan in Policy HOU02. It is also important to clarify that Barnet specified the number of bedrooms in homes rather than

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using the more general term ‘Family Housing’ which can mean different things to different people.

- 8.3. CD 6.11 identified that between 2011/12 and 2019/20, 15,984 homes were completed of which 78% were studio, one and two bed homes (Figure 15). However, CD 6.13 The Strategic Housing Market Assessment, recognised that there was still a shortage of 3 bed properties and that these should be the top priority for open market housing. It states at 4.23 that “The percentage of overcrowded households in the private rented sector has also had the biggest increase from 25.1% to 35.7%”. As this was based on the last census in 2011 the situation is likely to have worsened when the 2021 census figures are disclosed.

Figure 15 Residential Completions by Housing Type 2011/12 - 2019/20

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

Source: CD 6.11 Authorities Monitoring Report 2019/20¹

- 8.4. Apart from three mews houses in the gateway area and 6 duplexes overlooking the park, the current proposal is an entirely flatted scheme. Housing typologies best suited to family living are discussed in CD12.27 ‘Super Density - the Sequel’ which recommended at page 27 that some houses should be included even in schemes which are ‘superdensity’ because, *‘the house is the successful and proven type of home for families.’* Maisonettes (or duplexes) are regarded as a ‘family friendly’ alternative to the flat, because they *‘feel more like a house’*.
- 8.5. It also stated at page 27 that, *“Notwithstanding the complexities of stacking different dwelling types, two- and three-storey duplexes work well at the base of flat blocks and, with individual street entrances and small gardens, function much as houses. As duplexes, they are also useful at the top; the roof can be articulated to create more interesting homes as well as a more interesting street, and there is obvious potential for an outdoor terrace rather than just a balcony”*. These ideas were discussed with the Appellant to introduce more, larger family homes onto the development alongside the railway embankment, and set out in our alternative proposal CD12.14.
- 8.6. CD 5.8 Housing Design Standards LPG states at 3.1.1 that “Two storey family maisonettes often work well on the ground and first floor; providing many of the attributes of a house including a private garden, and naturally suited to a double height plinth where that is appropriate for the building”.
- 8.7. In CD 12.7 GLA Pre App advice at paragraph 45 the GLA also recommended the introduction of maisonettes. *“The block layout and architectural typologies appear regimental in character and the proposed courtyards lack definition between public and private spaces. The scale of the courtyard buildings could create windy outdoor spaces. While it is clear the*

¹ Please note the figures in the report are incorrect. They were subsequently amended by Barnet Council to the figures stated above but the report was not reissued.

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*design team have given thought to the developing architecture, officers consider that there is scope for greater ambition in the architecture and urban design, and greater variety in typologies, particularly for the central courtyard buildings. It is critical that design interventions respond to the built environment context, including the character and materiality of existing surroundings. The design team should explore introducing mews type buildings to create **maisonettes** or perimeter blocks to better define the courtyard buildings, outdoor amenity spaces and east and west links of the site. Such an approach would help create a stronger sense of place, weaving together the different elements of the scheme in a convincing spatial narrative".* This advice was ignored.

- 8.8. In CD 12.25, Andrew Boff MLA issued a letter in September 2021 to all London Councillors. It noted that *"During the investigation, Matthew Carmona said that "... in general families are disadvantaged if they are living in tall buildings. The sociability that children are able to gain in terms of opportunities for play, for meeting others and so forth within tall buildings is often not great."* Furthermore, Jo McCafferty expressed that *"direct access to external space for families is absolutely crucial to the successful and healthy functioning of that household and that becomes incredibly difficult with tall buildings."* She explained that a **high-density, medium- to low-rise model** can work more easily for families, enabling communal or individual gardens at lower storeys that are closer to individual family homes than tall buildings allow". We would note that the London Plan deems tall buildings as those over 6 storeys. In the appeal scheme 11 of the blocks are 6 storeys and 8 blocks are 7 storeys.
- 8.9. Failing to deliver more appropriate and a higher proportion of 3 and 4 bed homes, including the use of maisonettes, has a direct impact on the community, either forcing families into overcrowded accommodation or forcing them out of the borough to areas where good quality 3 and 4 bed homes are available at an affordable price. It will also impact the residents living on the site. The erosion of 3 and 4 bedroom homes from 30% in the extant scheme to 22% in the appeal scheme exacerbates this problem and is in breach of Barnet Policy DM08.

9. Community Engagement and Trust

- 9.1. The local community worked extensively with the various developers between 2010 and 2017 to secure a scheme (17/5522/FUL) which was agreed by all parties; the developer, Barnet Planning Officers, the GLA and the community. All agreed that it optimised the density of the site, that it had an appropriate mix of housing, and that it had secured as many affordable family homes as possible given the high cost of site remediation.
- 9.2. Indeed, the developer of the 2015 scheme (B/0834/14) stated in CD12.29 Planning Statement paragraph 4.58 that *"The final design has been significantly influenced by local level and strategic level pre-application discussions and local community opinions gathered through the consultation process. In addition the design has developed at each stage in partnership with the well-informed and committed New Barnet Community Association"*.
- 9.3. The community have been expecting the extant scheme of 371 homes to be built since the planning committee decision in 2017. There was no consultation with the community until January 2020 when the current developer launched a consultation on the refused scheme (20/1719/FUL) for 652 homes. Local MP Theresa Villiers said of the proposal, *"It's hugely disappointing that One Housing and Fairview are trying to depart from the previous*

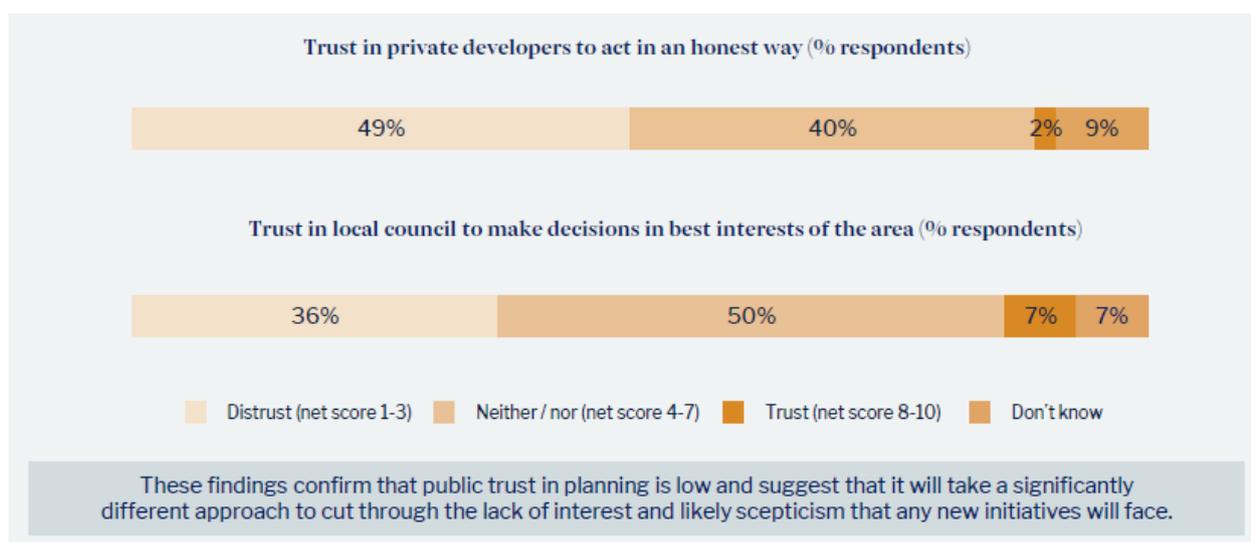
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planning permission that reflected local concerns about the development. This was a carefully agreed compromise and the decision by One Housing to rip that up is a betrayal of the trust and I and others placed in them when we backed their previous application for planning permission”.

- 9.4. CD12.28 contains research from a YouGov poll in 2019 conducted on behalf of Grosvenor Britain & Ireland which found that just 2 per cent of the public trust developers and only 7 per cent have faith in local authorities when it comes to planning for large-scale development. The public believes that developers only care about making or saving money – with 75 per cent of respondents citing this as a reason for their lack of trust. Of the respondents, 2 per cent say they trust developers to act honestly, see Figure 16 below

Figure 16 Rebuilding Trust Survey 2019

Trust in planning is very low; apathy and distrust in both developers and councils is widespread



Q3. On a scale of 1 to 10, where 1 is "don't trust at all" and 10 is "trust completely", to what extent, if at all, do you trust your local council to make decisions about a large scale development that are in the best interests of the area? Q6. On a scale of 1 to 10, where 1 is "don't trust at all" and 10 is "trust completely", to what extent, if at all, do you trust private developers to act in an honest way when it comes to large-scale development? Base: all 2,183 respondents

Source: CD12.28 Rebuilding Trust

- 9.5. Craig McWilliam, Chief Executive of Grosvenor Britain & Ireland said in his report CD 12.28, "Public trust in the planning system and developers matters. It matters because great places improve quality of life in cities where population growth is bringing new pressures. It matters because great places – mixed urban neighbourhoods with new homes or commercial districts with new jobs – help attract and retain the talent our towns and cities need to thrive”.
- 9.6. CD 5.6 Delivering Quality Homes Handbook sets out the importance of community consultation at the outset of the project, in particular in developing the project brief (2.9) where it states, "Local involvement in brief-making (not just co-design) is critical to achieving quality outcomes. Briefs are likely to be created in at least two steps. Community engagement usually happens at the start or just after an initial baseline brief has been drawn up. Local input and insights are fundamental to brief-making, including

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understanding local needs, connections, barriers and sensitivities". The Handbook, CD5.6, also states at 4.3 that engaging local communities in co-design is critical.

- 9.7. This is reinforced by the Secretary of State who said on 14 May 2022, "*We will ensure the planning system prioritises neighbourhood wishes and sympathetic development by involving local people more intimately in choices about how their communities grow*".
- 9.8. This scheme has been imposed on a community who were open to development and keen to be active in the design process and represents an identikit creation plonked down without regard to the shape and character of existing community. This scheme will negatively impact the lives of the people living in these flats and in the local community and runs counter to the aspirations of the Secretary of State to build beautiful homes and communities. Barnet's Planning Committee has rightly found that this proposal is unsuitable for this location and has rejected it. I urge the Planning Inspector to support that decision in order to reinforce the faith of the community that the planning system is supportive of good quality development and will not encourage development that is inappropriate.

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Appendix 1 St Margaret's Nursery Email

From: [REDACTED] <admissions@beya.org.uk>

Sent: 19 May 2022 10:28

To: John Dix <john@johndix.co.uk>

Subject: RE: Nursery Capacity

Hi John

Thank you for your email.

I can confirm that St Margaret's Nursery School is currently full, with no available spaces. We will have places available in September 2022, but it is too early to say how many.

Kind regards

[REDACTED]

Business Manager

Barnet Early Years Alliance

Brookhill, Hampden Way and St Margaret's Nursery schools

www.beya.org.uk

0208 449 5466 - Option 1

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Appendix 2 Letter from Danegrove School

Danegrove Primary School
Years 2 – 6
Windsor Drive Site
East Barnet Herts
EN4 8UD
Tel 020 8449 4024
Fax 020 8441 9270
www.danegroveschool.co.uk



Danegrove Primary School
Foundation Stage & Year 1
Ridgeway Avenue Site
East Barnet Herts
EN4 8TN
Tel 020 8449 7832
Fax 020 8441 9270
www.danegroveschool.co.uk

Monday 13th June 2022

To whom it may concern,

Danegrove Primary school is a three form entry school catering for children aged 5 – 11 years.

As of the date of this letter all our year groups are full, with some being over the recommended intake of 90 pupils.

We have waiting lists for every year group, with the numbers on the waiting list ranging from 2 (Y3) to 34 (Reception).

Yours faithfully,

Lorita Oliver
Head teacher.