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**Urban Design Rebuttal**

**Land Formerly Known as British  
Gas Works, Albert Road, New  
Barnet, EN4 9SH**

**Appeal ref: PP-09983846**

**Planning application**

**Ref: 21/3676/FUL**

On behalf of

**Citystyle Fairview VQ LLP**

Prepared by

Colin Pullan BA(Hons) DipUD

Head of Urban Design and

Masterplanning

Lambert Smith Hampton

55 Wells Street

London

W1T 3PT

Tel: 0207 198 2000

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## **1. Rebuttal**

1.1. This Rebuttal Proof has been prepared to respond in advance to a number of points raised within the evidence of the NBCA (Ms. Henderson). The points addressed in this rebuttal are set out below:

1. The design led process (target setting).
2. Site boundary discrepancies and effect on statistics.
3. Height width ratio and spatial quality.
4. Microclimate.
5. Single aspect dwellings.
6. Dwelling sizes and space for an air conditioning heating/cooling unit.

### **The design led process (target setting)**

1.2. At section 2, paragraph 2.6.1 of Ms. Henderson's evidence the assertion is made that:

*"It is remarkable that in the hand written notes as well as notes in the DAS covering the 7th April meeting, the first item on the list is the target for numbers of dwellings to be provided, suggesting that the discussion was always led by quantity rather than quality targets."*

1.3. The appellant's reject this assertion. It is evident from reading the DAS, Section 4 (CD 1.3), which follows from an appraisal of the appeal site context at Section 3, that there was first an analysis of previous schemes which included numbers up to 652 units and then a study of eight options (4.4 Design Studies); followed by further testing and review. With reference to the initial testing of eight options the DAS is clear (pages 29 and 30):

*"652 Unit Mix*

*Having worked closely with officers at New Barnet to develop a scheme that we felt fully optimised the site, the scheme was refused planning consent despite support from the GLA and an officers recommendation for approval.*

*Following planning refusal, EPR re-analysed the 652 scheme against the reasons for refusal, identifying areas of concern." (Page 29)*

*"The following sketches summarise the various design options explored by the design team.*

*Each option was assessed against its compatibility against the defined and fixed below ground constraints, planning policy, and the reasons sighted against the previous application ('652' scheme submitted in 2019), whilst achieving a consistent level of accommodation of approximately 550 units." (Page 30)*

- 1.4. The SNB Design Response (Appendix B CD 1.19) of October 2021 also explains that a design led approach was followed and refers to the GLA response (page 10) with my emphasis:

*"44. The overall layout of the proposed development remains broadly similar to the previous application; however, the scale of the buildings has been reduced in response to the reasons for refusal on the previous scheme. The proposal now includes larger outdoor amenity and public realm areas and would maintain a separation distance of 20 metres between building blocks. The height of the buildings has also been reduced and Block A would be the tallest element of the development with a height of 8 storeys. The reduction in scale has consequently reduced the quantum of residential units by circa 100 units."*

## **Site boundary discrepancies and effect on statistics**

- 1.5. Ms. Henderson's proof of evidence at Section 3.4, paragraph 3.4.1 states that the application boundary includes approximately 1,680 sqm of land within the Victoria Recreation Ground.
- 1.6. The Proposed Site Location Plan (CD 2.3) shows in blue the Ownership Boundary and in red the Proposed Planning Application Boundary. As measured the proposed Planning Application Boundary is of circa 3.275 ha. The Ownership Boundary measures circa 3.034 ha. That is to say that a difference of circa 0.241 ha or 2,410sqm.
- 1.7. With reference to the DAS CD 1.3, Page 11, for the purposes of calculating density and measuring areas for open space, the site area has been consistently shown at 3.034 ha (i.e. the smaller area relating to the Ownership Boundary and excluding Victoria Park). Therefore, I do not consider the addition of the park area to the Planning Application Boundary has affected the density and open space calculations of the appeal scheme.

## **Height width ratio and spatial quality**

- 1.8. At paragraph 7.2.2, Ms. Henderson refers to the National Model Design Code (NMDC) and at paragraphs 7.4.2, 7.4.2 and 7.4.3 the NMDC and Manual for Streets with reference to asserting what an appropriate height/width ratio is for a public space or street. The figures of 1:1.5 or 1:3 referred to in paragraph 7.4.3 of Ms. Henderson's Proof of Evidence. Both

documents are guidance. Neither represents adopted planning policy. That guidance is not to be used as a determinant of what is considered to be acceptable spaces in every case. What is acceptable will depend upon the particular context and circumstances of every case.

- 1.9. Below is an example of an award winning scheme at the former Olympic Village area of London. The accolades include: British Homes Award 2020 – Winner; British Homes Awards - Best Garden/Landscaping Design 2020 – Winner; Civic Trust Award 2020 - Regional Finalist; Housing Design Awards - Graham Pye Award 2021 – Winner; Inside Housing Development Awards - Best urban development (outside London) 2021 – Winner.



New Garden Quarter, Chobham Farm Zone 4, Telford Homes and Notting Hill Genesis. A scheme of 6 to 8 storeys. Architects: Pollard Thomas Edwards. Source PTE Website 'Modest does not mean dull'

- 1.10. The height to width ratio across this street space for the award winning scheme is circa 1:1.

- 1.11. The surrounding streets within this regeneration scheme are similar in terms of the height to width ration. See Figure below from Peloton Avenue which is nearby and has a height to width ration of 1.1:1.
- 1.12. It is evidence that good design, indeed multi award winning design, can involve height to width ratios that do not confirm to the “rule” which Ms. Henderson identifies.



Peloton Avenue Olympic Village. Source Google Earth

## **Microclimate**

- 1.13. At Section 7.5 of Ms. Henderson's Proof of Evidence a number of assertions are made with regard to microclimate. Appendix D Microclimate to the SNB response (CD 1.19) addresses matters of microclimate in depth and concludes that communal and public recreational spaces are generally expected to enjoy amenable conditions for planned activities.

## **Single aspect dwellings**

- 1.14. At paragraph 8.2.1 Ms. Henderson quotes from the London Plan (Policy D6 3.6.5). The London Plan also states that:

*"D6 C Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating."*

- 1.15. The appeal scheme has demonstrably been through a design led approach to optimise site capacity as noted at my paragraphs 1.2 to 1.4. The technical evidence on sunlight/daylight and overheating is addressed in evidence presented on behalf of the Appellant and demonstrates that dwellings will achieve appropriate ventilation, daylight and privacy, and will avoid overheating.

## **Dwelling sizes and space for an air conditioning heating/cooling unit**

- 1.16. At paragraph 8.3.8 Ms. Henderson states that the provision of a cooling unit would be floor mounted and reduce the apartment size such that the apartments would no longer meet the required NDSS.
- 1.17. In fact the air management heating/cooling conditioning units can be wall mounted (allowing space below for a unit such as a washing machine or tumble dryer) and would not impact upon the net internal floor area.