

Dear Camden Council,

I am writing from the Fortune Green & West Hampstead Neighbourhood Development Forum (NDF) to comment on the planning application for 156 West End Lane, ref: 2015/6455/P.

1. The NDF response is guided by the policies in our **Neighbourhood Plan**, which has now been formally adopted by Camden Council, in accordance with the Localism Act 2011. We note that the Neighbourhood Plan is a material consideration for this planning application - and that this site is specifically mentioned in the Neighbourhood Plan (see paragraph B7, page 31). We also note that a number of the documents and assessments submitted with the application fail to mention the Neighbourhood Plan as part of the local planning policy for the area, so their conclusions may either be mistaken or incomplete. To be clear, we expect and require that the Vision, Objectives, Policies and Recommendations in the Neighbourhood Plan are applied to all aspects of this planning application.

2. We welcome the **pre-application consultation** offered by the applicant and the fact that aspects of the proposals have been amended during the past few months to reflect our comments and concerns, as well as the policies in the Neighbourhood Plan. While some issues have been addressed, overall the application still falls short of the Vision, Objectives, Policies and Recommendations in the Neighbourhood Plan. We therefore **object** to the planning application as submitted, for the reasons set out below, both individually and in combination together.

3. We acknowledge that some positive work has been done on the **height and design** of the proposed building in terms of its frontage on West End Lane and the relationship with the neighbouring Canterbury Mansions. Overall, we accept that this part of the scheme, although not perfect, could be acceptable.

4. However, we object to the proposals for the height and design of the 'East Building'. We note that there is no history of buildings on this part of the site. We consider that a large and overly tall building on this part of the site will harm the character, appearance and setting of the immediately adjacent **West End Green Conservation Area** - and will be in breach of *Neighbourhood Plan Policy 3* and *Camden Policy CS14*. We believe that that any building on this part of the site should transition from West End Lane to a lower structure, more reflective of the houses on Lymington Road. Such a structure needs to demonstrate that it is sensitive to the existing scale of development in the immediate vicinity and the immediately adjacent Conservation Area. The proposed height of this part of the development, at 7 storeys, is therefore considered to be excessive and in contravention of *Neighbourhood Plan Policy 2vi*. We require that the height of the East Building is reduced to a maximum of 5 storeys (ie lower than the 'West Building') to ensure that this part of the scheme is policy compliant.

5. The proposed development will also have a negative impact on **views** through the site and across the wider area, causing harm to a range of views identified

in Neighbourhood Plan Map 2. In particular the East Building will cause substantial harm to views of, into, and through the West End Green Conservation Area (*also see West End Green Conservation Area Appraisal & Management Strategy, section 5.2, page 15*). There will be a significant impact on the western end of Lymington Road, which will be largely overshadowed, and considerable damage will be done to the view through the Conservation Area on Crediton Hill. The proposed development is therefore in breach of Neighbourhood Plan Policy 2ix - and fails to comply with Neighbourhood Plan Objective 2.

6. We are also concerned that the proposed scheme fails to be policy compliant in terms of its approach to **employment space**. The removal of the Travis Perkins builders yard would be a considerable loss to the local community - including the employment it provides and the wider business community it trades with and supports. We are disappointed that no efforts have been made to include Travis Perkins in the proposed redevelopment, as was the case at their site in St Pancras (as required by Camden Council planning officers). The developer has also rejected requests to bring forward a genuinely mixed-use development, as required by existing planning policy. The application - which proposes reducing the employment floorspace from nearly 6,000 sqm to less than 1,800 sqm - is therefore in clear breach of Neighbourhood Plan Policy 12i & 12ii - as well as Camden Policies CS8 & DP13.

7. While we support the proposals for 50% **affordable housing** (by residential floor space) in this development, we note that this has only occurred due to the woeful lack of affordable housing at Camden Council's Liddell Road development (less than 4%). Across the two sites, the average provision is therefore less than 27% - below what most private developers provide and in clear breach of Neighbourhood Plan Policy 1 and Camden Policy CS6.

8. Furthermore, in terms of the proposed **location of the affordable housing** in the development, we are opposed to the plans to locate this at West End Lane end of the site. We believe that this housing - which will include larger units for families - would be much better located at the eastern end of the site, where it will provide much easier access to the games area and open space. We believe the West End Lane part of the development would be far better suited to smaller flats for private sale, to the type of young professionals who will be commuting from the three West Hampstead stations.

9. We remain extremely disappointed that - as at Liddell Road, despite both these sites both being in Council ownership - the Council has not brought forward any plans for new **council housing** at 156 West End Lane. We believe this is an enormous missed opportunity for current and future generations of local residents in housing need.

10. We support the provision of an **affordable community meeting room/space** in the proposals. However, we are concerned that the applicant is attempting to transfer the costs of running and managing this facility to the local community. We

request that, if the scheme is approved, a legal agreement makes clear that the developer/owner of the site remains responsible for this space and its costs.

11. While we welcome the proposals to enhance part of the **Potteries Path**, we are concerned that the excessive height of the 'East Building' will cause the Path to become narrower, overlooked, overshadowed and a security risk for those using it. In addition, we would like the developer to take a more proactive approach to opening up the railway side of the path with openings and glazed panels. We are also very concerned that Camden Council proposes to sell a section of the Potteries Path (a public right of way) as part of this development. We believe that the Council should retain legal ownership of the Path. A legal agreement could make clear that the developer/owner of the site is responsible for its maintenance and upkeep. We are also concerned that the proposed improvements to the Potteries Path doesn't include the whole Path. The NDF has asked Camden Council and the developer to work together to bring forward plans for improving the rest of the Path - including removing the dangerous 'dog-leg' at the western end of the Path and making this section of the Path more welcoming, more accessible, and with improved sight-lines. To date, we are extremely disappointed that neither party has brought forward any plans for this. Taking all these issues into account, it is clear that the application is in breach of *Neighbourhood Plan Policy 9*.

12. We believe the **games area** (MUGA) to the west of the site, although not being sold by the Council, will be significantly affected by the proposed development - especially in terms of: loss of light, over-looking, and additional use. We believe the developer should pay for improvements to the MUGA. Suggestions include: resurfacing, new fencing around the site, and a second entrance (subject to consultation with residents of Lymington Road and the Lymington Estate). We believe a planning application that fails to even consider this point (or accept the need for a financial contribution to the MUGA) is seriously flawed - and in breach of *Neighbourhood Plan Policy 17*.

13. We note the site is in the **West Hampstead Growth Area** (WHGA) - however, it is clear that this site (to the north of the Thameslink rail line) is somewhat separate from the rest of the WHGA and different criteria apply. In particular, as mentioned in the Camden Site Allocations document (Site 28), the site is on the immediate boundary of a Conservation Area, is in the West Hampstead Town Centre, is adjacent to the Crown Close Open Space and is also close to an archaeological priority area. Therefore, as is set out in the Neighbourhood Plan, we believe that while a redevelopment of this site is acceptable - an intensive development (with accompanying bulk, height and massing) is not appropriate in this highly sensitive context. Assessing the application against *Neighbourhood Plan Policy 4*, we believe the current proposal is in breach of parts i, ii, vii and viii.

14. Despite allocating the WHGA as one of five growth areas in the borough in its 2010 Core Strategy, we remain concerned, disappointed and dismayed that the Council has - more than five years on from this designation - failed to carry out any **masterplanning** of the WHGA (as it has for the other growth areas identified in

the Core Strategy). It is clear to the NDF that the Council has failed to consider the implications of its growth and development plans for the WHGA. In particular, the needs of additional infrastructure have not been assessed in a coherent and up to date way. While the possible requirements of the WHGA may have been assessed by planners in the years before 2010, it is clear that these assessments (particularly in areas such as health, education, transport and other public/community facilities) have been overtaken by the recent scale of development and planning approvals. In recent years development has been approved at 187-199 West End Lane, the student block on Blackburn Road, two schemes on Iverson Road, a large development at Liddell Road and another on Maygrove Road. Add in this proposal at 156 West End Lane, and this amounts to around an extra 1,000 homes in and close to the WHGA in just a few years. In addition, there will be more development in the years ahead - around the West Hampstead stations, on Blackburn Road and on the O2 Centre car park area. We have seen no evidence that the cumulative impact of all this development in such a short space of time has been assessed by Camden Council. Given these facts - and the developer's failure to offer to contribute to any public facilities in the area - we believe this planning application fails to consider its impact on the WHGA and the wider area. Therefore, without any masterplanning of the WHGA, Camden Council would be acting unreasonably, as well as being negligent in its role as the LPA, to approve this scheme in its current form and at this time.

15. One of the key issues for the West Hampstead Growth Area is the existing, and worsening, problem of **pedestrian movement** around the three West Hampstead stations on West End Lane. The developments referred to above are likely to make this problem much worse - as is any approved scheme at 156 West End Lane. We note that the pedestrian survey submitted with the application only assessed pedestrian movement on West End Lane in front of the site, where there is not a significant problem. We therefore request that before any development goes ahead on this site, the developer pays for a survey of pedestrian movement on the part of West End Lane around the three stations (see *Neighbourhood Plan Recommendation Hiii*), which will set out possible improvements. Any proposals could be paid for by CIL funding (see below).

16. The NDF would like specify how the **Community Infrastructure Levy** from this (or any) proposed development is spent - and we would like the Council to set out its approach to the CIL spending for this site, before the planning application is decided on. As a major site in the West Hampstead Growth Area, we believe this development will have a significant impact on the area surrounding the site and its infrastructure. We therefore believe that 100% of the CIL money from this site should remain in West Hampstead (and not be taken away to be spent in other parts of the borough). The most pressing infrastructure need in the area is an upgrade of West Hampstead Underground Station, to expand capacity and make it fully accessible. TfL has indicated to us that it will only be able to fund this work with CIL and other funding. We therefore request that 75% of the CIL money from this development is allocated to a fund for improvements at West Hampstead Underground Station (we also note that the station is included in the borough-wide

CIL infrastructure spending list + see *Neighbourhood Plan Policy 6*). The remaining 25% of the CIL money (allocated to council wards) should be spent on the items referred to the Neighbourhood Plan (see *Delivery Plan, Table 3: Priorities for CIL spending, p70-1*) - in consultation with the NDF and the local community (also see *Neighbourhood Plan Policy 19*).

17. While the NDF has engaged with the developer in considering these proposals, we have also sought advice on the possibilities of an **alternative scheme**. We were pleased to work with the widely-praised organisation *Create Streets* in bringing forward a different approach to the site. These proposals were discussed at a Workshop and public meeting held by the NDF on Saturday 7th November. The presentation given by Create Streets - including their assessment of the developer's proposal and their alternative scheme - is attached to this email. In many respects this scheme, although at an early stage of development, provides a more realistic and welcome approach to the site - and has already received considerable local support. It also demonstrates that the approach taken by the applicant is not the only way to bring forward a scheme for the site. We request that the presentation is included as part of our response to the planning application - and copied to all members of the Development Control committee, before they decide on this application.

18. Finally, on behalf of all members of the **Neighbourhood Development Forum**, I would reiterate the importance we attach to the application of the Policies in our Neighbourhood Plan - which was approved with a 93% YES vote in July - to this planning application. Members of the NDF, and the local community in Fortune Green & West Hampstead, will be watching closely to see how the Council considers these Policies in assessing and deciding on this hugely important planning application. We believe an approval of the submitted scheme would be a justifiable cause of very great public concern within the local community, whose opinions and concerns - as expressed through the Neighbourhood Plan - cannot be ignored by the LPA. We would also stress that neighbourhood planning has been introduced as part of a statutory government policy to give rights, and devolve powers, to local communities so as to ensure that their views are properly and fully taken into account in planning decisions by the LPA.

If you need any further information from the NDF on any of these points, please let me know. I would like to be informed when the officer's report on the application is published. I would also like to be informed when the application is listed for consideration at the Development Control Committee.

Yours sincerely,

James Earl
(Chair, Fortune Green & West Hampstead NDF)
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