Proposal: Comprehensive redevelopment following demolition of all existing buildings to provide 164 self-contained residential dwellings (Class C3), 763sqm of flexible non-residential use (Class A1, A2, A3, D1, D2), 1093sqm of employment floorspace (Class B1) and 63sqm of community meeting space (Class D1) in buildings ranging from 3 to 7 storeys. New vehicular access from West End Lane and provision of 08 accessible car parking spaces. Provision of new public open space and widening of Potteries Path and associated cycle parking and landscaping.

**Background Papers, Supporting Documents and Drawing Numbers:**


**RECOMMENDATION SUMMARY:** Grant conditional Planning Permission subject to section 106 Legal Agreement and referral to Mayor of London for his direction

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Agent:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A2 Dominion Developments Limited c/o agent</td>
<td>Ian Blacker 4th Floor Craven House 40 Uxbridge Road Ealing W5 2BS</td>
</tr>
</tbody>
</table>

**ANALYSIS INFORMATION**

**Land Use Details:**

<table>
<thead>
<tr>
<th>Use Class and Description</th>
<th>Floorspace</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>GIA(sqm)</td>
</tr>
<tr>
<td><strong>Existing</strong></td>
<td></td>
</tr>
<tr>
<td>B1a - Office</td>
<td>2,401</td>
</tr>
<tr>
<td>Sui Generis - Storage/ Warehouse and Distribution Yard</td>
<td>1,274</td>
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<tr>
<td><strong>Employment Floor Space Total (Including Yard)</strong></td>
<td>2,762</td>
</tr>
<tr>
<td>Retail Showroom</td>
<td>6,437</td>
</tr>
<tr>
<td></td>
<td>344</td>
</tr>
</tbody>
</table>

*GEA Multiplier : x 1.053
OFFICERS’ REPORT

Reason for Referral to Committee:

Major development for more than 10 residential units [clause 3(i)]; is subject to the completion of a Section 106 legal agreement for matters which the Director of Culture and Environment does not have delegated authority [clause 3(vi)].

Referral to the Mayor

The application comprises over 150 units of new housing and is therefore considered a ‘strategic’ application under the Mayor of London Order 2008. The application is thereby referable for his direction, whereby he has power to direct the local authority to refuse the application or call the application in for his own determination.

Environmental Impact Assessment

A screening opinion was provided by the Council in 2015 whereby that development did not constitute an EIA development under the EIA Regulations 2008 (as amended). An EIA is not applicable to the development.
1. SITE

1.1 The 0.64ha site is approximately rectangular in shape, located on the east side of West End Lane and bordered by the Thameslink railway line to the south, Crown Close designated open space to the east, and the rear gardens of properties facing Lymington Road (no.s 2-28) to the north. The site slopes west to east with a fall of approximately 2.5m. West End Lane, a busy high street and the main vehicular and pedestrian route through the designated town centre, forms the western boundary and main frontage of the site, which adjoins Canterbury Mansions, a 5 storey mansion block with residential above ground floor commercial uses to the north.

1.2 The existing site is comprised of buildings ranging from 2-6 storeys concentrated at the western end of the site. These include the vacant 5/6 storey former council office building fronting West End Lane, which houses a showroom on the ground floor, and the purpose built 2 storey builder’s merchant immediately to the rear. A large storage yard area associated with the builder’s merchant occupies the majority of the site to the east. A public footpath, known as Potteries Path, runs along the southern edge of the site linking West End Lane to Lymington Road via Crown Close. The path is enclosed between two high walls of between 2-2.5m in height. The vehicular access and car parking for the builder’s merchant yard runs parallel to this footpath. Crown Close Designated Public Open Space to the east comprises, principally a tarmacked multi-use games area (MUGA) adjacent to the site boundary, and a greenspace with play area further to the east separated from the MUGA by a number of mature trees.

1.3 The site is not within a Conservation Area although the West End Green Conservation Area lies immediately adjacent to the northern boundary. The west of the site falls within the Town Centre of West Hampstead and the frontage of the site forms part of the core retail frontage along West End Lane. The site also lies within an Area of Intensification as identified in the London Plan (2015) and the West Hampstead Growth Area (Camden’s Local Development Framework Core Strategy 2010).

1.4 The site is identified in the Camden Site Allocations Local Development Document (September 2013) as Site 28, 156 West End Lane. The site allocation guidance encourages residential led mixed use development which includes retail and employment use and public open space.

1.5 The site is highly accessible by public transport, with a PTAL rating of 6a (excellent) being a significant interchange with three rail and underground stations and numerous bus routes. The site is also very well connected to the London bus network. There is one bus stop (Stop N) located directly opposite the site on the western side of West End Lane, with another bus stop (Stop W) located approximately 110m to the south. These stops provide access to three different daytime bus routes, including the C11, 139 and 328.

2. THE PROPOSAL

2.1 A complete redevelopment of the site is proposed in the form of two separate blocks of between 3 and 7 storeys in height, surrounding a public open space of
approximately 860sqm with a new service road abutting the northern boundary and enhanced public footpath bordering the south.

2.2 The proposed U shaped western block adjoins Canterbury Mansions on West End Lane, presenting 5 storeys + roof storey along the West End Lane and southern elevations and then returning north and stepping down to 5 and then 3 storeys to enclose an elevated communal courtyard/podium deck at first floor level. The proposed eastern block, is an S shaped building which borders the central public open space on its south and west elevations, then returns east and then north to enclose a communal open space at ground floor level, which also adjoins the new vehicular access route along the northern boundary. The eastern block comprises 5 storeys + roof storey along its southern elevation maintaining the height of the western block, then steps down to be one floor height lower than the western block at the eastern end of the site. Like the western block, the eastern building steps down to 3 storeys along its northern elevation, however accommodating the natural fall of the site, an additional lower ground floor has been included towards the eastern part of the site.

2.3 Public open space is provided in the form of the central courtyard, with private communal courtyards serving each block. An additional communal roof terrace is provided for the eastern building at 5th floor level. A new access/service road is provided along the northern boundary with a new crossover onto West End Lane. Potteries Path to the south of the site is to be widened and improved with landscaping.

2.4 The scheme proposes:
- 164 residential units comprising 79 affordable units (44 affordable rent and 35 intermediate) and 85 market units. A split of 50/50 based on floor space
- 1093sqm of employment floor space at ground and first floor level of the western building. The employment space comprises 500sqm for start-up units and Small and Medium Enterprises (SME’s) on the ground floor and 593sqm of flexible B1 space at first floor level
- 63sqm of community space (D1) in the form of a community meeting room at ground floor level of the western block
- 763 sqm of flexible A1( shop), A2( financial and professional services) A3 (Restaurant), D1(residential institutions) or D2 (assembly and leisure) on the ground floor of the West End Lane frontage
- 860sqm of public open space within the central courtyard
- 274sqm of communal open space at first floor podium of the western block for use of residents of this block
- 254sqm of communal open space at ground floor level of the eastern block for use of residents of this block
- A new service/access road along the northern boundary.
- Widened and improved public path along the southern boundary

Revisions
2.5 The proposal has been amended during the assessment period with revisions received in June and September 2016. The combined revisions have been subject to re-consultation from 20/10/2016 to 10/11/2016. The revisions which make up the revised scheme comprise the following:
• Revisions to the rooftscapes of the east building including the reduction of one storey;
• Revisions to the southern elevation including the integration of projecting, curved balconies;
• Revisions to the treatment of the corner of the western building including additional glazing to the flexible non-residential floorspace at ground floor;
• Incorporation of inset balconies to the flats above first floor of the West End Lane elevation;
• Revisions to the treatment of the top floor of the western building including removal of dormers to the southern elevation of the west building;
• Introduction of a feature dormer to the corner of the west building;
• Changes to southern elevation including introduction of architectural details, including textured brickwork to provide continuity with the West End Lane and south elevations;
• Revisions to the treatment of the north elevation including introduction of porches to entrances of ground floor flats to better establish an active relationship between flat entrances and the northern path;
• Increasing the employment floorspace by reducing the area of retail space and including 2 new starts-up units on the ground floor of the western building;
• Increasing the number of affordable rented units (to 62% of the affordable housing homes);
• Increasing the number of family units within the proposed affordable rented tenure to 17x3 bedroom units and 4x 4-bedroom units, which equates to 48% of the total amount of affordable rented provision;
• Increasing the number of 1-bedroom units within the proposed intermediate tenure to improve affordability of these units;
• Increasing the number of wheelchair units to 18;
• Increasing window widths and reconfiguration of flat layouts throughout the proposed scheme to increase internal daylighting;
• Increasing the non-residential floorspace BREEAM rating from ‘Very Good’ to ‘Excellent’;
• Reconfiguration of lower ground floor east building flats facing Potteries Path to enhance lighting and amenity;
• Introduction of landscaped roof terrace at 5th floor of the east building;
• Removal of four car parking spaces and the introduction of increased landscaping treatment to the north eastern corner of the site;
• Introduction of opaque glazing and angled windows to northern elevation of east building to prevent perceived overlooking.

Further subsequent revised reports and addendums have been submitted in respect of the following:

• Revised Daylight and Sunlight (Within Development) Report
• Revised Sunlight Daylight (Neighbouring) Report
• Further Overshadowing Sun Path Analysis.
• Employment Policy Statement and Employment Space studies
• Revised Sustainability and Energy statements
• Revised Ecology report
3. RELEVANT HISTORY

3.1 The site

TP/19630: The erection of a part five and part two storey building to provide showroom, offices and motor repair and servicing workshops with car parking over, being an extension to the existing petrol filling station, car showroom and garage premises known as Brown's Garage, 156 West End Lane, Hampstead. (Refused 19-12-1962)

G5/3/A/2901: The erection of a service garage, motor showroom, spares store and motor repair workshop with ten floors over of residential accommodation comprising 40 three room flats, and ground floor car park, at 156 West End Lane, Camden, and land at rear. (Outline Consent Granted 22-05-1967)

G5/3/A/10618: The use for a limited period of the land at the rear of 156 West End Lane NW6 for the open parking of motor vehicles. (Refused 13-05-1971)

CTP/G5/3/A/19490: Erection of a five storey building comprising offices, showroom and warehouse and the construction of a means of access to the highway and a retaining wall adjacent to the railway. (Granted 22/11/1974)

CTP/G5/3/A/20663: Erection of single-storey storage shed. (Granted 06/06/1975)

CTP/G5/3/A/23241: Erection of a single storey building for use as a timber store. (Granted 21/09/1976)

PWX0102029: Re-modelling of ground floor and associated external Alterations (Granted 06/03/2001)

2015/5914/P: Request for Environmental Impact Assessment (EIA) Screening Opinion for works comprising demolition of existing buildings on the site through the erection of 170 residential units, new floorspace for town centre use (Use class A1,A2,A3,D1 or D2), community meeting room and employment floorspace together with new landscaping, onsite access, servicing and disabled car parking. (EIA Not Required 02-11-2015)

3.2 Surrounding area
14 Blackburn Road

PWX0202103: Redevelopment of whole site by the erection of a 4 storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground car parking. Granted 08/05/2003 (As works have commenced on site, this permission remains extant)

Former Mercedes Benz Garage, Blackburn Road.

2009/5823/P: Erection of a part five, part seven, part nine storey plus basement building providing 2,110 sqm of flexible B1 employment space at ground floor and 347 beds (39 x cluster flats and 52 x studios) of accommodation for students to upper floors (following demolition of the existing car repair garage). Granted on appeal 30/09/2010

187-189 West End Lane

2011/6129/P: Redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units (Class C3), retail, financial and professional services and food and drink floorspace (Class A1, A2, A3 and A4), flexible employment/healthcare floorspace (Class B1/D1) along with associated energy centre, storage, parking, landscaping and new public open space (existing buildings to be demolished)

Asher House, Blackburn Road

2014/4587/P: Prior Approval Application for the change of use of building from offices(B1a) to 29 residential units(C3), comprising of 15 x studio units, 13 x 1 bed, 1 x 2 bed units. (Granted 24/09/2014)

1-33 Liddle Road

2014/7649/P: Phase 1 of comprehensive, mixed-use redevelopment of the site involving demolition of existing buildings, site clearance and site preparation works. Construction of new school buildings for Kingsgate Primary School for pupils aged 3 to 7 years old, creation of a new access road, associated car parking and implementation of temporary landscaping works. (Granted 31/03/2015)

2014/7651/P: Phase 2 of comprehensive, mixed-use redevelopment involving the construction of three new buildings: Block A (5 storeys) to provide 3,700 sqm (GIA) of mixed commercial use (Class B1), Block B (11 storeys) and Block C (5 storeys) to provide 106 mixed tenure residential units (Class C3) and associated public realm landscaping works. (Granted 31/03/2015)

Hampstead Garden Centre, 163 Iverson Road

2012/0099/P: ‘Erection of a part four and part five storey building plus lower ground floor comprising 33 residential flats (1 x one bed, 20 x two bed, 9 x three bed and 3 x
studio flats) and 3 three-storey townhouses (Class C3), following the demolition of the existing garden centre buildings.’ – Granted 12/12/2012; underway

159-161 Iverson Road
2013/7505/P: ‘Demolition of existing building and erection of two buildings ranging between one and six storeys, comprising 19 residential units (Class C3), 164sqm of employment floorspace (Class B1c).’ – Granted 21/02/2014; underway

4 CONSULTATIONS
Developer Pre-Consultation

4.1 The Applicant has been in pre application discussions with the council since 21/01/2015. There have been lengthy discussions with the developer and their design team in order to identify development opportunities across the site.

4.2 A Development Management Forum was held in 6th October 2015 attended by approximately 80 members of the local community and local groups and businesses. The main issues raised were:
- Height bulk massing and impact on conservation area
- Impact on Neighbouring properties
- Impact on Open Space
- Loss of Builders Merchant on site

4.3 The applicant has also undertaken additional rounds of community consultation prior to submission of the application including public exhibitions held in June, September and October of 2015.

STATUTORY

4.4 Greater London Authority Stage 1 Recommendation: While the application is generally acceptable in strategic planning terms, on balance, the application does not comply with the London Plan. Possible remedies set out could address these deficiencies subject to further clarification on some points before referral back for Stage II. The mains points raised in the GLA response are summarised as follows:

Land use
- Policy direction suggests the site is appropriate for the proposed land uses, however there is a loss of some Class B1 office space and builders merchants retail showroom, trade counter, warehouse and open store with rear open space for parking/storage occupied by Travis Perkins. Council should confirm the proposed mix reflects its own requirements and whether any loss of existing uses can be provided elsewhere in the borough
  Officer comment: See land use section of report

- Applicant should provide a viability report confirming maximum reasonable amount to employment floor space has been included in the scheme
  Officer Comment: the GLA rescinded their request for viability report as not required by policy.

- The provision of 164 units would make a contribution to Camden Council’s housing
target as set out in the London Plan and is welcomed

Affordable Housing

• The 47% provision falls short of the Council's 50% strategic targets. A viability report should be submitted and independently assessed by the council. The results of the viability review, independent assessment and any s106 agreement regarding affordable housing should be shared in full with GLA officers.
  
  Officer Comment: the GLA rescinded their request for viability report. The proposal is for 50% affordable housing by floorspace in accordance with Camden Planning guidance and policy. As the affordable housing provision is policy compliant a viability assessment is not required.

Housing choice/mix

• The overall provision of family units (of three or more bedroom, as defined in the London Plan), is 13% with these being affordable rented housing. The council should confirm that the proposed mix reflects its own housing requirements and understanding of local demand
  
  Office comment: the Housing mix has been revised and is assessed in the housing section of the report.

Density

• Density slightly over the London Plan density matrix guidelines at approximately 714 habitable rooms per hectare and 256 dwellings per hectare. The applicant is asked to provide a density calculation by habitable rooms using net residential density (that discounts commercial uses) as set out in the Draft interim Housing SPG, in order to usefully compare the density of the scheme with surrounding developments. This should be provided to the GLA prior to stage II.
  
  Officer comment: The revised density figures have been provided and discussed in the density section of the report

• The density may be acceptable, subject to satisfying other policy requirements such as residential quality, amenity, and place making for instance. The residential quality of the proposal would need to be exemplary in all regards to justify a higher density proposal. The GLA have concerns about the residential quality as well as public realm and play space provision. These concerns must be addressed in order to justify the density of the proposal.

Children's Play Space

• The applicant should meet the minimum requirements of the place space SPG, based on Child Yield. The applicant should discuss and agree proposed approach to open space and play space with the council, details to be provided to GLA prior to stage II.
  
  Officer comment: child play space has been provided and is discussed in the Open Space section of the report

Design

• Inclusion of start-up units, community meeting room and lower ground and ground floor duplexes with front doors onto courtyards and street and paths to the north east and south of the site is welcomed and will encourage street bases active through passive surveillance and provide residents with a sense of ownership

• Fencing and hedges around ground floor private residences should remain transparent to encourage connectively with the street and passive surveillance
• Frontage along West End Lane and northern edge should be further activated such as through the inclusion of entries into the space from West End Lane and windows along the northern frontage, which is currently shown as a predominantly blank and inactive wall. Plans showing further activated frontages should be provided to GLA prior to stage II.

Officer comment: The norther frontage has been revised to increase activation as discussed in the Design section of the report

Open Space

• Landscaped courtyards and green roof welcomed
• Consideration should be given to making green roofs accessible to residents
• The incorporation of a vehicle access laneway along the northern boundary, enhancement of Potteries Path along the southern boundary, paths and courtyards with landscaping throughout the site at ground level improve amenity across the site and have potential to allow for movement throughout and across the site
• The proposed gates between open spaces as currently proposed will restrict movement and plans should be amended and resubmitted to the GLA prior to stage II, showing the gates removed to allow for permeability throughout the site.

Officer comment: gates have been repositioned to allow movement through publicly accessible areas of the site
• Further information on the impact of the development on access to daylight and sunlight in open spaces and neighbouring properties should be provided to GLA prior to stage II.
• Officer Comment: Additional overshadowing information has been provided and is assessed in the amenity section of the report

Residential Quality

• More information should be provided on the size of balconies of the units in the scheme, showing that these meet minimum size requirements

Officer Comment: All units and balconies meet minimum size requirements
• The design of the single aspect flats will also need to demonstrate that all habitable rooms and the kitchen are provided with adequate ventilation, privacy and that the orientation enhances amenity including views in accordance with paragraph 2.3.43 of the Draft Interim housing SPG.
• Noted that the units in question have been designed to include full floor to ceiling glazing, which is welcomed; however floor to ceiling heights should be a minimum of 2.6m to ensure all units receive acceptable level of daylight and sunlight penetration in line with ADF guidelines. Confirmation of floor to ceiling heights in line with these guidelines should be provided to GLA prior to stage II.
• The residential quality across other areas of the scheme appears high with less than 8 units per core

Height and Massing

• Height is considered appropriate for the site however the current massing is bulky and heavy. Inclusion of more architectural detail and interest through the facade and setting back of the upper stories may aid in addressing this issue

Officer Response: Revised design includes, lowering of east building by one storey and additional articulation to reduce bulk as discussed in design section of report
• Proposed materials and use of brickwork is supported.

**Historic environment**

• Though a Townscape and Visual Impact assessment has been submitted, some of the views show only the outline of the proposed buildings. Further views of the proposed building in full and particularly from streets in the Conservation Area and those directly adjoining the site should be provided prior to stage II

  *Officer response: additional views have been provided and discussed in Urban Design section of the report*

• A more detailed assessment of the impact on access to sunlight and daylight within the West End Green Conservation Area and surrounding area as a result of the development is required prior to stage II. This should show the effect of the development on all windows facing the development, and public and private open space within properties adjoining the site.

  *Officer comment: additional overshadowing images have been provided*

• The profile of the new development will be in the distance above existing dwellings. However many of these views are currently not without other buildings outside the conservation area impacting upon them. The view of the rear of the 19th century Lymington Road properties would be altered as part of the proposed development. The rooftops and rear of these buildings within the conservation area have been somewhat altered from their original from. Furthermore, this view across the southern part of the conservation area does not define the character and appearance of the conservation area and includes only a small part of the conservation area in the view.

• The impact of the proposal on the character of the conservation area is very limited; however access to daylight and sunlight on sites within the West End Green Conservation Area should not be detrimentally affected as a result of the proposed development

  *Officer comment: see section 13 Neighbouring Amenity*

**Inclusive design**

• The development should be conditioned to comply with Building regulations requirements M4(2) ‘accessible and adaptable dwellings’ and M4(3) ‘wheelchair user dwellings’

• The council should confirm that the proposed mix of wheelchair adaptable units reflects its own housing requirements and understanding of local demand or alternatively plans should be amended to include private sale wheelchair user dwellings, covering all tenure types.

• Plans should illustrate wheelchair circulation across the wheelchair adaptable units.

• The layout of the buildings and surrounding areas of public realm do not raise any inclusive design concerns. Entrances circulation routes and other common areas are designed to be fully accessible and there appears to be step free access afforded across the application site

**Sustainability**

• High performances regarding thermal bridging should be confirmed through modelling to confirm achievable in practice
• Active cooling is not acceptable unless clearly demonstrated in line with London Plan Policy 5.9 that all passive measures have been considered. The applicant should also provide evidence to demonstrate the affordable dwellings (without active cooling) are not at risk of overheating.

• The development is estimated to achieve a reduction of 8 tonnes per annum (4%) in regulated CO2 emissions compared to a 2013 Building regulations compliant development. The carbon Emissions should be revised assuming a more realistic boiler efficiency of 89.5% for residential and 91% for non-residential. If this change shows that the development does not meet part L2013 efficiency measures alone, additional fabric or service improvements should be included.

• Sample DER and TER sheets and BRUKL sheets including efficiency measures alone (i.e. excluding CHP and PV) should be provided and support the savings claimed.

• The applicant has provided a commitment to ensuring that the development is designed to allow for future connection to a district heating network should one become available.

• The applicant has confirmed that all apartments and non-domestic buildings will be connected to a site heat network to be installed.

• The applicant states that the CHP system will be designed to run for more than 5000 hours a year however no information is provided to demonstrate how this would be achieved. Further information should be proceed including monthly load profiles and proportion to be met by the CHP, to demonstrate that CHP is a feasible solution for this relatively small development.

• The applicant has stated that electricity generated will be used on site for landlord supply as far as possible, with the excess exported to the grid. It is recommended that discussions with possible operators of the system start as soon as possible as the onerous management and billing arrangement could make CHP at this scale financially unviable in the long term, meaning an alternative approach may be preferable to demonstrate compliance with the 35% carbon reduction target.

• A roof plan showing the proposed solar PV installation should be provided.

• A reduction in regulated CO2 emission of 12 tonnes per annum (6%) will be achieved through this third element of the energy hierarchy.

• A reduction of 78 tonnes of CO2 per year in regulated emissions compared to the 2013 Building regulations compliant development is expected equivalent to a reduction of 35%. The carbon dioxide savings exceed the target set within policy 5.2 of the London Plan however the comments above should be addressed before the carbon savings can be verified.

**Flood Risk**

• The development is acceptable in terms of London plan policy 5:12 Flood risk Management

• The Flood Risk assessment does not provide a drainage strategy, but suggest that a 50% reduction in flows could be achieved through cellular storage within landscaped areas.
• In principle a 50% reduction in surface water drainage would be the minimum reduction necessary for the proposals to meet London Plan Policy 5.13. Prior to any stage II referral, the applicant should provide a strategy/statement as to how this will be achieved.

**Revisions**
Following this initial response, the applicant provided additional information to the GLA.
• GLA officers have confirmed that they welcome the applicant’s proposed increase in employment floorspace from 889 sqm to 1,093 sqm and the high level of affordable housing proposed to be delivered on the site.
• Confirmed satisfied with revised energy and sustainability information
• The GLA also reiterated their requirement for confirmation prior to stage II on points raised in relation to feasibility of CHP, clarification on PV layouts, and evidence of future weather data to justify proposed cooling.
• In the context of delivering a residential-led mixed use scheme in an Area of Intensification, the land use principles for this scheme are acceptable to the GLA

4.5 **Transport for London:**
• While TfL is satisfied that the development proposal are unlikely to have a negative impact on the capacity of either public transport, the SRN/TLRN, there are however, a few issues which need to be addressed as follows:

**Road Network**
• Delivery and Service Plan and Construction Logistic plan to be secured by s106 to appropriately manage any potential adverse effects on the local road network.

**Walking and Cycling**
• The level of cycle parking proposed complies with London Plan (2015) standards. Cyclists’ facilities (showers, locker and changing areas) should be provided for staff of the non-residential uses.
• Due to the high pedestrian footfall in the area generally, it is noted that the existing footway fronting the site on West end Lane will be widened which is supported by TfL. The proposal to enhance potteries path is supported provide it safely facilitates cyclists and pedestrians. The connection should be compliant with the London Cycle Design Guidance (2015) and TFL’s preference is that it is open for use 24/7 secured via s106 agreement

**Public Transport**
• TfL requests that £15,000 is secured via s106 for the installation of a bus shelter at Bus Stop N.

**Car parking**
• The proposed development is car free (except for disabled parking spaces which are supported. Provision for electric vehicle charging points must be in accordance with London Plan Standards. To accompany the car free scheme residents should be exempt from applying for parking permits (except for blue badge holders).
• The applicant and the Council should consider how drop off/pick up by taxi, private vehicle hire and private car can be accommodated
Community Infrastructure Levy (CIL)

- In accordance with London Plan policy 8.3 ‘Community infrastructure Levy’ the mayor commences CIL charging for development on 1st April 2012. Within the London borough of Camden the charge is £50 per square metre. Trip generation analysis has been provided on request, which is satisfactory.
- TFL accepts that the local Highway network and public transport network could accommodate the proposed development.

**Revisions:**
- TFL Accepts reduction in Blue badge parking
- All other matters covered in previous correspondence

4.6 **Thames Water:** No objection subject to conditions requiring SUDS, water supply impact studies, and piling method statement which includes measures to prevent and minimise the potential damage to subsurface water. Reduce runoff to greenfield rates

**Revisions**
Thames Water has no objection to the revised run-off rates

4.7 **Environment Agency:** No comments

4.8 **Network Rail:** No objection. After clarification from the applicant relating to land belonging to Network Rail within the red line plan (part of the western end of the site adjacent to the railway) and the necessary agreement being reached between the applicant and Network Rail, no objection is raised to the proposal, subject to conditions being secured in relation to Drainage, Boundary Fencing, Method Statements, Soundproofing, Lighting and Landscaping.

**Revisions:** Details of drainage should be secured by condition and ensure the sewer can accommodate additional load without flooding Network Rails assets. No requirement for boundary fencing.

4.9 **Historic England:** No objection. English Heritage states that the application should be determined in accordance with national and local policy guidance, and on the basis of Camden’s own specialist conservation advice.

4.10 **Greater London Archaeological Advisory Service:** No objection. Although adjacent to an Archaeological Priority Area, the assessment identifies that the site has a low archaeological potential. Any archaeological remains would most likely comprise the footings of early 20th-century buildings which are considered to be of low significance. No further assessment or conditions are therefore necessary.

4.11 **Natural England:** No comments

4.12 **Designing out Crime (Metropolitan Police):** No objection

**Revisions:** No Objection

**Local Groups**
Fortune Green and West Hampstead Neighbourhood Development Forum: 
Object 
Design
- Acknowledge positive work done to height and design of western block but object to height and design of eastern block
- Will harm character and appearance of Conservation Area in breach of Neighbourhood Planning Policy 3 and Camden policy CS14
- Should transition to be more reflective of houses on Lymington Road
- 7 storeys is excessive
- Height of east building should be reduced to 5 storeys to be lower than the western building
- Would cause harm to a range of views in Neighbourhood Plan Map 2 including views into and through the Conservation Area
- Overshadowing of Lymington Road and harm to views from Crediton Hill in breach of Neighbourhood Plan Policy 2ix and Neighbourhood Plan Objective 2
Employment Space
- Disappointed no efforts were made to include Travis Perkins in proposal
- Developer not brought forward a genuinely mixed use development
- Reduction in employment floor space is contrary to Neighbourhood Plan Policy 12i and 12ii and Camden policies CS8 and DP13
Affordable Housing
- Across this site and Liddell Road redevelopment affordable housing provision is only 27%
- Larger family units would be better located at ground floor on the eastern block for access to ground floor open space and play areas
- Disappointed Council is not bringing forward council homes on the site
Community Space
- Support community space/meeting room but request legal agreement to ensure developer covers costs for the space
Potteries Path
- Excessive height will result in narrower, overlooked, overshadowed path and a security risk
- Object to Camden selling part of path- should remain in Camden ownership and be secured by legal agreement
- Council and developer should improve rest of path and remove dangerous dog leg at western end
- Contrary to Neighbourhood Plan Policy 9
MUGA
- Loss of light and overlooking
- Proposals should include resurfacing, new fencing and second entrance
- Contrary to Neighbourhood Plan Policy 17
General
- Intensive development not appropriate in this sensitive context. Proposal is contrary to Neighbourhood Plan policy 4 parts i, ii, vii and viii
- No masterplan for Area- cumulative impacts of surrounding development
- Fails to consider impact on infrastructure
- No evidence that cumulative impact of all this development have been assessed by Camden Council
Without masterplan council is acting unreasonably and negligently
Developer should undertake pedestrian movement survey for three stations and improvement to be paid for by CIL
NDF would like to specify how CIL form proposal is spent- 100% of CIL money should remain in West Hampstead
75%CIL should fund improvements to West Hampstead underground station 25% on items referred to in neighbourhood plan
Reiterate importance attached to Neighbourhood Plan and will watch how council considers these policies
The Create Streets alternative proposal should be included as part of our response and copied to all members of the Planning committee

Officer comment: The Create Streets proposal includes:
- 2 storey Mews houses with gardens along the northern boundary
- A street of houses and maisonettes up to 5 storeys to the south facing Potteries Path
- Two storeys to the north of the site
- 20% less housing that proposed A2 Scheme and similar quantum of employment and retail

Revisions:
- Disappointed no change to overall height of building
- Unacceptable overshadowing to open space and Lymington Road properties
- East building should be maximum of five storeys
- Corner treatment ugly
- Loss of employment space
- Retail space should be divide into smaller units so as not to breach NPD policy
- Safety of vehicular entrance
- Do not support shared ownership
- Mayor should retain freehold

4.14 West End Green CAAC: Object
- Height and, mass effect on the Conservation Area.
- Makes a mockery of Camden’s conservation guidelines and policies
- Attractive views along both Crediton Hill and Lymington Road obliterated
- Varied roofscapes would be completely overshadowed and proposal would be visible for miles from any elevations in the surrounding areas.
- All views into the Conservation Area would be obliterated through the imposition of an impenetrable wall –of-blocks blight.
- The Site Allocations plan calls for an ‘acceptable relationship in the adjacent residential properties on Lymington Road’ and for the protection and enhancement of the Conservation Area with respect to any development
- Goes beyond what can be deemed as an acceptable relationship when the proposed 6+ storey buildings will sit within metres of the back gardens of the Lymington Road properties and would completely and perpetually overlook these properties and overshadow them for several months of a year.
The neighbourhood development plan is explicit when it states that tall buildings’...will need to have regard to their impact on the setting of the...conservation area in order to avoid any negative impact on it.

The Neighbourhood Development Plan at A11 states also of importance to the character of the Area are the views across if, which give widely appreciated sense of openness and space...views of from and around the conservation area

Recent application refused at Iverson Road (2014/5341/P) for 7 storeys due to the harm to long views and dominance in the street scene. Proposal is an even greater example of over dominant mass and scale

Overshadowing of gardens on Lymington Road for many months of the year, destroy existing skyline views from Lymington Road and Crediton Hill and disturb the precious quality of the area by the sheer bulk and massing of the buildings.

A development of this nature was never foreseen no intended for this site.

Impact on positive contributors at No’s 1-19 and 2-30 Crediton Hill

The developer has failed to supply image 11 showing the harm the development would cause to views of Crediton Hill.

Officer comment; Three Townscape documents have been submitted over the course of the application: the original with views 1-10, an addendum with additional views 11 and 12, and then a further Addendum 2 for the amended scheme. Only those views where the scheme is visible were re-assessed as part of the revised townscape assessment. View 11 is taken from Lymington Road, and the proposal is not visible at all in this view as such it was not resubmitted with the revised assessment.

Photos taken are all in summer when trees are in full leaf masking full impact of proposal.

Roads within conservation area which lead from West End Lane feature a transition from the high street norm of 5 storeys down to side street/residential street level of no more than three storeys. This is an essential part of the Conservation Areas character.

Transition in height a requirement of the site allocations document (Site 28 p124-127) and should reflect the existing Canterbury Mansions/Lymington Road Transition which the site adjoins.

Take issue with the conclusions of the Heritage Townscape and visual assessment.

West End lane is a designated Archaeological Priority Area.

The damage this development would cause to the Conservation Area and to the lives of residents living in the area is incalculable.

Would set a very dangerous precedent within the Borough regarding developments adjacent to Conservation Areas

The principles which resulted in the rejection of the recent Swiss Cottage proposal also apply in this case, and even more so.

Revisions:

Reiterated all previous points - Development still fails to preserve or enhance the West End Green Conservation area

Height mass and bulk would harm CA
• Village character of West Hampstead has changed over the past five years what is now left is under severe threat
• Development must preserve or enhance the CA in accordance with the NPPF, DP25, the Site allocations plan and Neighbourhood Plan.
• Appraisal Plan (Key views) notes attractive views along Lymington Road and Crediton Hill, tree lined streets gardens and varied roofscapes hinting of the garden suburb movement - What kind of Garden suburb has tower blocks overlooking and overshadowing to any extent like the proposed do? – views from Crediton hill and Lymington Road obliterated
• Houses on Lymington Road are all positive contributors which cannot be anything but greatly diminished by the proposal
• Disagree with the applicants Heritage and Townscape Assessment
• The view from Crediton Hill when viewing the southern aspect through the houses on Lymington Road is almost the entire southern border of the Conservation Area.
• Development would contribute to parking stress and congestion
• Further views of the proposed building in full and from the streets in the Conservation Area and those directly adjoining the site should be provided
• Applicant has failed to provide block modelling diagrams showing the building in context of the surrounding environment including the conservation area.
• Daylight and sunlight to homes in the Conservation Area will be detrimentally affected
• Loss of light and outlook to Lymington Road properties
• Will reduce green and energy efferent solar heating to Lymington Road properties
• Damage this development would cause in particular, to the West End Green Conservation Area and to the lives of residents living the area is incalculable.
• Overriding issues that caused the rejection of the recent Swiss cottage development proposals – primarily conservation area principles apply also in this case, but even more so.

4.15 Crediton Hill Residents Association: Object
• Crediton Hill residents will find themselves at street level facing a massive overbearing mass looming high above the Lymington Road Victorian houses. This will remove significant skyline views and cause considerable overshadowing across the entire bottom half of the road.
• Submissions by the Applicant, dealing with light and overshadowing, fails to address the impact on Crediton Hill and its residents at any point on the Street. We believe specific photographs are missing from these submissions.
• Impact on the views from various parts of Crediton Hill (photographs included in objection letter)
• There is clear outlook over a considerable vista of which will be obscured by the additional 3-5 stories of this proposed development looming over the Lymington Road houses. Every building in the horizon and the vast skyline would be obliterated.
• Would obscure and blot out the skyline views from Crediton Hill, as well cause a significant reduction in light across the entire bottom half of Crediton Hill
• The proposed project is irreconcilable with the Council’s duty to ensure preservation of Conservation Areas
• The project in every respect contravenes the principles of the West End Green Conservation Area Appraisal Plan
• The plans are completely out of step with the existing character of the properties in the West End Green Conservation Area.
• Completely out of character with the surrounding built environment disregarding the architecture around it and the character of other buildings. In particular, the houses in Lymington Road are three storey Victorian.
• The height of the proposed development will overlook other buildings and significantly impact on residents’ right to light and privacy, the impact will be particularly severe over Lymington Road where residents will be overlooked when in their gardens and main living areas of their property.
• The proposed private road is situated immediately behind the garden walls of the Lymington Road properties. The obvious consequence of this will be a substantial increase in dust pollution, noise and damage to the general conservation area. The impact on the Lymington Road residents will be substantial but generally this increase in pollution will also have an impact on the wider population.
• Impact on the environment will have a detrimental effect on the well-being of those in near and surrounding areas including young families and children
• The proposed road between the Lymington properties and the proposed development is an obvious security risk.
• Insufficient infrastructure to support 600 – 800 residents.
• Cumulative impact from surrounding development in West End Lane.
• Will result in a substantial increase in footfall in what are already overcrowded surrounding roads. The footfall on the underground, trains and buses is already at close to maximum level.
• Another new development will shunt public transport levels on the tubes and trains to dangerously high levels, thereby putting public safety at risk.
• Will lead to congestion on pavements
• Impact on school places, GP services has not been properly examined or considered
• Should not threaten or encroach upon football pitch
• Will overshadow and deprive of light to the green space and children’s playground
• The Daylight and Sunlight report completely ignores the reality of loss of light in the context of this development. Camden should carry out its own independent assessment.
• The plans are in direct contravention of the policies outlined in the Neighbourhood Development Plan for this area
• The proposed development would never be permitted within the Conservation Area, so why it is being considered when it sits right on the edge of the Conservation Area.
• If this development were to be permitted it would set a very dangerous precedent within the Borough generally regarding developments adjacent to Conservation Areas.
• We would ask, quite firmly, that the Planners and the Committee should carefully consider all of the objections raised in this letter and also to respect the sanctity and authority of the Conservation Area policies and principles that apply in this case and refuse this application.
4.16 **Redington Frognal Association: Object**
- Negative impact of the bulk and massing on West Hampstead Townscape and streets running off West End Lane
- Will destroy village quality of area
- Urge council to adopt the Create Streets proposal

Updated comments 19/12/2016
- Concerned by excessive height creating sense of oppression and canyon effect.
- Development should be human scale and maximum of five storeys and avoid harming village ambiance and casting West End Lane, Lymington Road and surrounding open space into shade.
- Fails to adhere to polices set out in Fortune Green and West Hampstead Neighbourhood Plan – 2, 3, 4, 12, 13, 16, 17

**Revisions:**
- Mistakes of Ballymore development more should not be repeated
- West Hampstead is in danger of losing its sense of place and being transformed into a sea of soulless high-rise blocks
- The village quality of West Hampstead will be severely compromised by the introduction of high rise blocks which cause
- The alternative Create Streets proposal is supported by Redington Frognal residents

4.17 **West Hampstead Garden Residents Association (WHGARA): Object**
- Bulk height massing and detailed design
- Overshadow and adversely affect conservation area
- Loss of Travis Perkins contradicts DP13
- No masterplanning leading to deficit of services
- Safety of vehicular access route to north compromising servicing and safety

4.18 **Lymington Road Residents Association: Object**
- Blight designated open space of MUGA and Children’s play space
- Bulk mass and height will negatively impact amenity of residents homes on Lymington Road and Crown Close
- Crown Close open space into deep afternoon shade for most if not all of the year
- No hourly daylight and sunlight impact on the MUGA open space play area and homes on Lymington Road have been included.
- Narrowing of Potteries Path would only be usable by pedestrians and dismounted cyclists contrary to Site Allocations Document
- Selling public right of way that is Potteries Path
- Jeopardises safety security and tranquillity of young and vulnerable users of the MUGA and play space
- Will eradicate views into and out of the conservation area to and from Lymington Road homes and from many wider views including Crediton Hill, Fawley Road, Honeybourne Road and the northernmost end of West End Lane.
• No 7 storey mansion blocks within Conservation Area.
• Design is out of keeping with height, design and materials of conservation area and would tower over homes in the conservation Area
• Failure to incorporate Travis Perkins in development which provide local jobs to many residents
• Misleads about amount of employment floorspace on site
• New service road would have limited visibility and likely to result in pedestrian and motor vehicle accidents
• Turning vehicles form service road would require both lanes to be clear causing conflict with north bound vehicles adding to congestion
• Pedestrian cyclist and traffic safety
• Overly intensive proposal as a result of council failures to secure 50% affordable housing on other sites
• Affordable rented units located above shops fronting West End Lane is least suitable place
• No ground floor home with gardens as part of affordable rented family units
• The council should build council homes to replace the countless homes lost under the right to buy scheme
• Reject segregated gated scheme and lack of truly mixed development
• 2 bed 4 person affordable units fail to meet Camden minimum floor space requirements
• Exceeds density of the London Plan proving over intensive overdevelopment negatively impacting affecting residential amenity within and without the development
• Council is failing in its duty to manage development in the area in an incremental way that mitigates damaging impacts on amenity
• Cumulative impact on GP’s Schools and general residential amenity from combined development in the area
• London Plan target date for 800 new homes is 2031, yet target has been almost been achieved 15 years ahead of the target date

4.19 West Hampstead Amenity and Transport (WHAT): Support
• Welcome proposed redevelopment of the site
• Please developer has listened to concern of the community and amended original proposals

Affordable Housing
• Would like assurances rents will be truly affordable no greater than 40% of net income
• Concern over social housing located in west block and private in east block would be preferable for family units to be located closer to open space and play area and smaller units located in west block closer to transport links
• Would like provision for more contribution to affordable housing should private sale units be more profitable than expected.

Density
• Exceeds London plan density guidelines. There is concern that the density may have cumulative effect on local services in relation to other developments
under construction, however DCLG is currently consulting increasing densities around key transport interchanges

**Bulk and Height**
- East block will have a negative impact on views from properties on Lymington Road however site has long been allocated for intensive development. Members have different views on the weight to be given to affordable housing as against the impact on local residents of these houses

**Employment Space**
- Proposed employment space will not replace that lost on site or at 187-189 West End Lane Liddell Road however it is arguable that industrial use has had its day on these sites and welcome removal of heavy lorries from streets
- Welcome removal of lorry exit form Travis Perkins. Some concern over replacement north exit impact on pedestrians
- Controversy over scheme could have been avoided if council had own plan for growth area

**Updated comment 22/09/2016**
- We are pleased to see revised application includes clarification on rents and would like council to push A2D to agree social rents no more than 35% of market rates and for the discounts to be weighed more heavily towards the larger 3 and 4 bedroom flats.

**4.20 CGMS Consulting on behalf of Travis Perkins**
- Direct conflict with DP13 and NDP Policy 12 which seek to protect industrial land suitable for continued business use
- Sui generis use class has same level of protection as uses in B class
- Applicant constructs artificial argument to deal with DP13 criteria
- Travis Perkins currently comprises 4,380m2 including external yard which is crucially important part of the business for sales and storage. Loss has not been accounted for.
- External yard is key part of employment function as recognised by the council in decision 2011/1586/P 11-13 St Pancras Way.
- Council does not allow replacement of employment floorspace with A or D class uses.
- Applicants approach to land use is fundamentally flawed
- Lack of marketing evidence as required by CPG5 para 7.18 to show site not suitable for continued business use
- Site is suitable for continued business use and therefore DP13 Criteria must be applied and floor space suitable for light industrial re-provided
- Replacement floor space deficient in terms of area and only suitable for offices contrary to policy where floorspace suitable for either light industrial, industry or warehousing uses must be re-provided
- Level of employment floor space should be maintained or increased
- 50% affordable housing is simply policy compliant and not exceptional so as to outweigh harm.
- Conflict with NPPF, LDF and NDP
- Will set precedent for erosion of site suitable for continued business use.

**Updated comments received 25/07/2016**
• The site is not industrial as claimed by the applicant but sui generis in planning terms
• Applicant originally claimed the site was suitable for continued employment use and has now changed their case to say it is not
• Flawed argument that DP13 is not up to date
• Optimising housing does not weigh over and above other planning policies. If this were the case there would be no employment sites remaining
• Nothing in policy that states provision of retail floor space should outweigh the need to comply with relevant employment policy
• Despite not being a designated employment site the employment use is still safeguarded by policy
• Argument that existing floorspace is industrial is disingenuous
• DP13 is wholly up to date and emerging policy E2 includes identical policy to protect employment land and buildings
• Site would at worst be Category 2 not Category 3 as claimed by applicant
• At no point in the determination of the application at 11-13 St Pancras Way did Travis Perkins state that residential cannot be delivered at upper level
• Entirely feasible to develop permanent residential accommodation above a builders merchant
• Applicant has failed to demonstrate that the site is not suitable for continued employment use
• Replacement office space is not suitable for light industrial uses as required by DP13
• Contrary to DP13 and NDP and should be refused.

Updated comments received 10/11/2016
• Reiterate above points
• Scheme does not comply with DP13
• Applicant’s arguments flawed - DP 13 is not outdated
• There is a need to protect existing use despite not being in industry area
• Will set dangerous precedent for loss of employment floorspace within the Borough

4.21 Morgan Tucker Consulting Engineers on Behalf of Travis Perkins completed their own Road Safety Audit of the proposal. The recommendations are summarised as follows:
• Access should be amended so that exiting vehicles do not need to cross on to the opposing side of the carriage way to complete manoeuvres
• A degree of deflection should be provided away from southern site boundary to encourage slower cycling’s speeds
• A loading facility should be provided

4.22 M-E-C consulting Engineers on behalf of Travis Perkins commented on the submitted Transport Assessment the key points are summarised below:
• All network traffic count surveys undertaken in the 2nd week of July contrary to DFT’s guidance on transport assessments which recommends neutral months of April, May, June, September and October
• Turning count survey used to assess vehicle movements to and from Travis Perkins operations was also undertaken in July. Travis Perkins has confirmed that July and September are unrepresentative months. This survey should be redone in a month representative of Travis Perkins normal operations.
• The report has inaccurately calculated person trip rate for the extant use. Accordingly the subsequent analysis is inaccurate.
• Several important safety issues have not addressed with the proposed access arrangements.

Officer comment: The representations, applicants responses and the Transport Assessment have been assessed by the Council’s transport planners who are satisfied that the proposal is acceptable in transport terms. See Transport section of report.

4.23 Freeholders of Canterbury Mansions - Comment
The development should take into account:

• Impact of the proposed levels of Daylight and sunlight received by Canterbury Mansions
• Impact of new archway for the servicing route upon the amenity of residential units within Canterbury mansions

4.24 Save West Hampstead (Stop the Blocks!): Object
General
• Application fails on all criteria outlined in Site Allocations Document and, would cause significant harm to the amenity of neighbouring buildings and residents, designated open space, children’s play area, public path and the wider community with a dangerously located, concealed access road
• Exceeds the maximum density guidelines recommended in the London Plan
• Fails to transition in massing towards the south and the east of the site in accordance with the Site Allocations Document
• Segregated, gated private scheme and the lack of a truly mixed development.
• Inequality and segregation of people according to their means is built by design. It cannot be considered a truly “mixed development”. Gated developments should have no place on public land
• No ground floor homes with gardens as part of the “affordable rented” family units.
• Proposed “affordable rented” units are situated on the western end of the Site above retail premises and fronting West End Lane. contravening CPG 2.41 which states, “The layout of the development should optimise residential amenity for all tenures, and avoid concentrating affordable housing close to potential sources of disturbance such as service yards, traffic and railways”
• 2 bed 4 person units fail to meet Camden’s minimum standards.
• “Community space” is minimal and the developer expects a local group to pay service charges for and run the space.
• ‘Public’ open space is mean, unexciting and overshadowed and likely to be used more by occupiers of the development itself than members of the general public.
• Limited cycle access around the site, and no through access across the site
Amenity

- Council failing in duty to manage development in area in an incremental way which mitigates damaging impacts on amenity
- Cumulative impacts on local services such as GPs, school places and general residential amenity is nowhere near being fully understood while simultaneously set to be irrevocably damaged by many hundreds of new residents.
- The London Plan target date for 800 new homes is 2031, yet that target is almost achieved some 15 years ahead of the target date
- Cumulative impact assessment of this application considered alongside recently consented schemes yet to be populated is absent.
- Camden Council and TfL have no plans to upgrade West Hampstead underground station. The station is already overcrowded and packed to capacity
- Surrounding narrow pavements already overcrowded
- No thought given to the needs of residents of the 16 wheelchair-accessible units beyond the provision of parking spaces.
- Local area does not have the infrastructure to support the additional volume of residents.
- No impact assessment has been conducted for health, education, transport or public and community facilities which take into account the large populations of the many big developments already underway, let alone the application under consideration and the many others scheduled for the foreseeable future.
- Failure to make provision for or incorporate Travis Perkins into proposal – this has repercussions beyond the site.
- Failure to re provide employment floorspace
- Harm to neighbouring amenity in terms of loss of sunlight, daylight and overshadowing
- Unclear what methods measurements or accuracy thereof were used to create the daylight and sunlight reports
- Light levels to a great number of neighbouring windows are below or very nearly below the BRE guidelines
- Many of the windows listed by the applicant as being of secondary importance are instead habitable rooms, meaning that the impact of light loss on neighbouring properties has been understated. In some cases, the affected windows are the sole light sources to studio flats.
- Sunlight to a large number of gardens would be reduced substantially, depriving residents of amenity and enjoyment of their gardens.
- Overshadowing diagrams required for tall buildings as regards to the negative impact on the homes in Lymington Road, West End Lane, Crown Close and Canterbury Mansions not included
- Light and noise pollution caused by 7 storey blocks on Lymington Road residents
- Council should commission independent sunlight daylight report
- Sunlight daylight discrepancies between Nov 2015 and June 2016 sunlight daylight reports including before development figures
- Failure to provide modelling information used in Sunlight Daylight report

Access

- New road has limited visibility and likely to result in accidents
• Would result in increased congestion due to proximity to junctions of Lymington Road and Sumatra Road
• Turning vehicles from service road would require both lanes to be clear causing conflict with northbound vehicles
• Would block pedestrians on pavement
• Waste collection from West End Lane
• No provision for pick up/drop off points/everyday deliveries
• Varying width for access road given between 5.2 and 5.8m wide- Minimum carriage way should be 6.0m in accordance with CPG7
• Segregation between private sale units by gated road
• Refuse stores situated close to Lymington Road back gardens.

Open Space
• Would overshadow overlook and negatively impact residents amenity and use of MUGA and children play area
• Contrary to CS15 and NPPF s76
• Crown Close Open Space is designated for protection in the neighbourhood plan
• CPG on Building Design, section 2.10, states that, “Good design should... ensure buildings do not significantly overshadow existing/proposed outdoor spaces (especially designated open spaces), amenity areas. Development fails these requirements and lacks proper shadow exercise for Crown Close which will be impacted.
• No sunlight would be available to MUGA, play space and designate open space in the afternoons and evenings for most of the year
• Proposal jeopardises the safety security and tranquillity of young and vulnerable users of this space
• Two open spaces within development are in almost constant shade
• Proposed public open space is nothing more than a space to distance private blocks from affordable housing in the form of paths to each other and will be in shade most of the year to the block heights
• No impact on open space assessment within the application.

Conservation area
• There are no 7 storey mansions blocks anywhere within the adjoining conservation area where mansion blocks are no more than 5 storeys in height.
• Views from north and east within conservation area will be incongruous and out of keeping with the conservation area
• Height bulk and mass would harm the conservation area
• Rejected 7 storey scheme at Iverson Road should mean a 7 storey block adjacent the Conservation area is not acceptable either
• Will eradicate views into and out of the conservation area to and from Lymington Road homes and from many wider views including Crediton Hill, Fawley Road, Honeybourne Road and the northernmost end of West End Lane.
• Image 11 showing view form Crediton Hill missing from townscape assessment
• Proposal fails to preserve the unique local and historic context of and character of West End Lane

Potteries Path
• Object to selling Public Right of Way.
New path widths vary from 2.4 to 2.8 m and could only be used by pedestrians and dismounted cyclists.

Cyclist would be forced to dismount for approximately half the width of the potteries path in contravention to Site Allocations Document which requires a legible and improved cycle pedestrian like.

Path should be minimum of 4m wide.

Removal of service road and remodelling of path increases potential conflict between cyclists and pedestrians due to lack of visibility over high wall of railway boundary.

Path will be gloomy and unpleasant with overhanging balconies and channel prevailing winds.

Crime and safety

Northern access road contrary to Secure by Design principles.

Revisions

Reiterate all points with additional points as follows:

Sunlight Daylight

Significant discrepancies in the daylight and sunlight figures produced by the Applicant in the two revisions of the Planning Application.

Discrepancies in ‘before’ results for light to windows for 14, 16 and 20 Lymington Road between 2015 and 2016 Sunlight/daylight reports.

Despite the request of residents hourly overshadowing images are still not available.

Consideration of the ‘overall loss of daylight’ needs to factor in that existing homes and gardens would be deprived of light in afternoons and evenings.

Appendix 3 diagrams ‘overshadowing to Gardens and Open spaces’ is incorrect and grossly misleading. For example gardens G7 and G8 appear to receive almost no sunlight across approximately 50% of the garden area for two hours in March. Whereas by overlaying the Appendix 4 images, approximately 80% of both gardens receive in excess of four hours sunlight as a minimum, on 21st March before the development.

The diagram of the Development Site shown in Appendix 3 of the Revised Daylight and Sunlight Report (Neighbouring Properties) June report is misleading insofar as it is not a complete representation of the proposed development and a substantial section has been removed. This gives the appearance of an open space in between the West and East buildings which is not the case.

In 2016 report some gardens have increased and some decreased in size in case where the available sunlight ‘before development’ has been decreased for reasons unknown (see for example gardens at no. 2, 14, 16, 20, 24, 26 and 28 Lymington Road) a substantial improvement in the figures showing loss of light after development has been achieved.

The net effect of all this numerical manipulation is to give the appearance that the impact of the proposed development is far less than it would actually be.

No satisfactory explanation has been provided by the applicant of the councils independent assessor Anstey Horne.

Appears Anstey Horne’s views were provided on the basis of taking information from the applicant at face value. This is insufficient to allay documented
concerns and continue to request a full and fully independent Daylight and sunlight report e commissioned by the council.
• Again request Camden commission a fully independent sunlight/daylight assessment for the development
Officer comment: See sunlight/daylight section within Neighbouring Amenity section of report.
• No effort made by applicant to respect size and form of Crown Close open space or sought to not cause harm to the wholeness appearance or setting and has chosen to proactively harm public enjoyment of the space contrary to CS15 NDP objective 6 and NDP policy 17i
• Only immediately apparent distinction between application revisions appears to be addition of seventh floor private roof terrace. The sunny as aspect comprises sunlight blocked from neighbouring homes gardens and public amenity spaces and views south and east over London.
• The public amenity open space is too small and in shade and is nothing more than a path between blocks
• New access road will be within metres of junction with Lymington Road and Sumatra Road on a narrow bend with limited visibility
• Lack of drop off/pick up lay by will cause significant problems for vehicles existing Sumatra road and Lymington road contrary to DP16
• Vehicle turning left would add to existing congestion
• Access road is a series of potentially life threatening accidents waiting to happen
• New access road will allow access to Lymington road properties. The secure by design officer has not commented in writing on this issue
• Given many damaging impacts of the proposed development on its immediate environment, including public and private indoor outdoor spaces, the proposal fails to take into account its context and would not make a positive contribution to local character.

Councillors
4.25 Councillor Angela Pober raised the following concerns (in addition to points raised by residents)
• Separate block for non-private homes is abhorrent to the concept of integrated community.
• No reason why units should not be mixed within blocks and until the design accommodates this design is should be rejected on political social and community grounds

Adjoining Occupiers
4.26 A site notice was displayed from 04/12/25/12 to 25/12/2015 and the application was advertised in the local press on 04/12/2015 for three weeks.
4.27 As the scheme was revised during the application period a second period of consultation was undertaken. A site notice displayed from 20/10/2016 to 07/11/2016 and the revised application was advertised in the local press on
20/10/2016 for three weeks.

A third period of consultation was undertaken from 08/12/2016 for three weeks including a site notice and press advert, to allow residents to comment on additional sunlight/daylight information provided by the applicant and the council’s independent review of the sunlight/daylight report.

Consultation

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4.28 No new issues were raised in the subsequent rounds of consultation with most objections reiterating existing points. The issues raised are considered in the relevant section of this report. A summary of the received objections is provided below:

4.29 Sunlight daylight
- 2015 and 2016 reports contain conflicting sets of data including differences in the before development scenario
- No methodology outlined to determine how figures were calculated
- No faith in revised figures
- Camden should commission independent sunlight/daylight study and comprehensive sunrise to sunset overshadowing diagrams should be made available.
- Study does not provide for all day all year round and does not reflect the true situation
- Have not been given detailed informative photos of overshadowing
- Information is insufficient and open to legal challenge
- Sunlight/daylight envelope was prepared for commercial proposes for Camden prior to sale and is not appropriate for proper technical assessment
- D&A statement offers no analysis of the daylight sunlight envelope
- Sunlight/daylight report claims acceptability based on proposal matching existing building heights but it is much taller than building heights of Lymington road properties
- Point 2 surveyors on behalf of occupier of occupier of 22b Lymington Road (Dec 2015 sunlight/daylight report)

Neighbouring properties
- VSC loss shown as a percentage point rather than percentage value
- Not clear whether report can be easily interpreted
- Report excludes drawings therefore uncertain if been interpreted correctly
Within development
- No kitchens have minimum expectation of daylight – should be 2%
- Not possible to determine legitimacy of assessment

Officer Comment: issues were raised by officers with the original sunlight daylight report and this was revised by the applicant in Dec 2015. The Dec 2015 report was then superseded by the June 2016 report which assesses the final proposal. The final 2016 report has been independently verified by the council’s consultant Anstey Home. Objections have been received from occupiers of Lymington Road properties adjoining the northern boundary of the site regarding loss of light to windows and gardens below recommended BRE Guidelines. These properties are assessed in the Amenity section of the report.

4.30 Residential Amenity
- Loss of light to habitable rooms on Lymington Road below BRE guidelines
- Overlooking of Lymington Road properties
- Overshadow gardens of Lymington Road
- Loss of winter sun
- Overshadowing of conservation area
- Proposed units do not meet minimum size requirements
- Cumulative impacts from surrounding development
- Loss of views and overbearing development to Lymington Road Properties
- The proposed roof terrace is for the privileged few

4.31 Affordable housing
- Affordability of shared ownership – developer explicitly instructed that it was not a viable option.
- Require more affordable housing in the area shared ownership is not affordable
- Segregated from private units results in gates development for the rich
- Location of affordable units in Western Block away from green space and next to West End Lane
- Wont be affordable
- Should build for families
- Freehold should remain with council
- Housing should be affordable to people on below average wages

4.32 Transport and Highways
- Car free development will lead to on street parking pressure
- Car parking is provide on-site when development is supposed to be car free
- No consideration as to how transport interchange should be managed to handle increased number of residents
- Unclear what contribution development will make to interchange or what contribution has been made by Blackburn Road, Liddle Road Iverson Road or Maygrove Road developments
- Cumulative impacts of new developments including site and 02 carpark have not been assessed. Decisions should be out on hold until proper impact assessment has been carried out.
• Severe problems with supermarket deliveries and traffic congestion in West End Lane
• Noise and disturbance from lorries to Lymington Road residents from new service road
• Service road will give access to rear gardens of Lymington Road risking safety
• Unsafe place for new road access due to proximity to Sumatra Road and Lymington Road junction
• Transport assessment does not take into account other projected effects of other developments in the area- Kingsgate school, Ballymore, Iverson Road, Liddle Road
• Pedestrian comfort survey is inadequate and does not take into account pedestrian traffic between Iverson Road and the two stations further south which are dangerously overcrowded at peak times
• Growth in number of people using pavement will lead to increase in accident, slow down traffic and add to air pollution, and proposed development will make things worse
• No plans to improve the interchange
• Until effects of ongoing new development are not known, until Camden and TFL have produce a properly evidenced plan to deal with pedestrian overcrowding at the interchange, the development should not go ahead
• Included access road is dangerous
• Emergency services struggle to get through as it is 8am is gridlocked.

4.33 Crime and Safety
• Northern service road will give access to Lymington Road rear gardens
• Designing in crime with planters next to fencing

4.34 Design
• Poor design and quality, Cheap second rate 60’s renaissance of a building, Building will date
• Not the right architects for West Hampstead
• Overbearing too high and bulky - 7 storeys is too high with no precedent for height in area
• East building is still 3 storeys too high
• Scale should be halved
• Poor design on visible corner site
• Poor layout
• Difference in amenity between private and affordable units
• Failure to transition between high street and east end of site
• Overbearing and looming over Lymington Road properties
• Views from south facing windows on Lymington Road obliterated
• Development would be more appropriate on the 02 Site
• Will obliterate view to the south for residents be of the Conservation Area in Lymington Road, Crediton Hill and Fawley Road
• Wrong scheme wrong place wrong time
• Fortress like design
• Repeat Save west Hampstead’s objections
• Will damage area and change for worst - Will destroy village character
• Will block view from Lymington Road properties
• Potteries path will be gloomy windy and overshadowed by blocks

4.35 Conservation
• Closes off views into and out of Conservation Area
• Does not reflect material pallet, colour, or scale of Conservation Area
• Too High too bulky design out of keeping with conservation area
• Will harm views from Crediton Hill and Lymington Road
• Will harm views from within the Conservation Area
• The fact that the land belongs to Camden does not entitle the council to override the normal planning considerations and principles that apply to development proposals

4.36 Infrastructure
• Increased pressure GP’s, Dentists, schools and public transport infrastructure which is already stretched beyond capacity
• Cumulative impact of development in surrounding area has not been planned for
• Increase in number of residents approx. 800 is not sustainable
• Impact on drainage and water systems
• Impact on Schools GP’s and other services
• Thameslink bridge should be widened and part of redevelopment
• Thames water says there is insufficient water and drainage infrastructure to support the development
• Dangerous congestion of West End Lane form not upgrading transport interchange
• West End Square contributed to over ground improvements this development should also contribute
• Linking of stations underground should not be ruled out by allowing the proposal before this has been properly considered.

4.37 Sustainability
• Existing office building should be refurbished.

4.38 Open Space
• Will overshadow and overlook MUGA and Crown Close open space particularly after school when most in use
• Overshadowing diagrams don’t show impact on Crown close open space
• No hourly overshadowing information as required for tall buildings
• Does not provided enough green amenity space
• Area deficient in open space
• On site open space too small and overshadowed
• Don’t take the park and football pitch away
• Crown Close play space will be cold

4.39 Subsidence
• Area cannot be suitable for major excavation and building works

4.40 Land use
• Loss of Travis Perkins important local business which provides local jobs
• Loss of employment floor space
• New employment will be minimum wage and zero hours contracts
• Potential new supermarket on ground floor will increase congestion from deliveries and be out of character with surrounding area
• Will result in local job losses
• Housing development not needed
• Don’t want to lose job or be placed somewhere else
• Do not want Travis Perkins Branch to close
• Save local jobs

4.41 Application Process
• Query impartiality of the council to decide the application on fair grounds
• Query admissibility of adding documents after application has been made and published
• All about money and nothing to do with representing your people
• Most people of West Hampstead are against the proposal and are being ignored.
• Developers are refusing to talk to or consult with residents of Lymington Road on progress or changes to design
• Planning department have track record of putting money before people’s lives

4.42 As part of their objection a local architect submitted sketches of an alternative scheme. The proposal includes:
• 163 units and commercial and office floor space
• Taller buildings stories along the a southern elevation
• Open space behind adjacent to the northern boundary

4.43 Other
• Impact on property prices
• GLA object to proposal
• Thames Water object to the proposal
• Storage is need for workmen in the area
• Should wait for Corbyn’s Public investment funds
• Development panders to the rich
• Cost of housing is driving existing residents our of west Hampstead
• Increase tension between residents
• Already excessively populated area – as regular Sunday visitors
• Amendments have not taking into account comments raised by residents
• Very upset that big ugly buildings approved all the time in West Hampstead
• Destruction of social structures for the community
• Should build for families
• If you continue to ruin the village feel of West Hampstead, provide no infrastructure in relation to population growth such as schools GP surgeries and space of the
streets and public transport there could be an embargo on council tax.

- Storage is need for workmen in the area
- Do not want Travis Perkins Branch to close
- Save local jobs
- No more supermarkets needed
- Development panders to the rich
- Cost of housing is driving existing residents our of West Hampstead
- Too much development is affecting small local businesses
- Increase tension between residents
- People will grow to hate the development
- Amendments have not taking into account comments raised by residents
- Destruction of social structures for the community
- Should build for families
- Do not know any local residents who support this
- Need houses that are affordable for teachers
- Need to ensure sales to UK based first time buyers
- Voted or the local plan because it said the development would be in keeping
- West End Lane becoming Oxford Street

4.44 Positive responses

- The proposal will result in much needed housing
- The proposal will result in fewer HGVs in the town centre
- Benefit to taxpayers and community
- Should not close down source of housing where prices of housing are high and homelessness rising.

5. POLICIES

5.1 Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan consists of the policy documents summarised below. The proposed development is assessed and determined in accordance with this framework.

5.2 National Planning Policy Framework 2012

5.3 The London Plan (Further Alterations to the London Plan 2015)

5.4 LDF Core Strategy and Development Policies 2010

LDF Core Strategy
CS1 Distribution of growth
CS2 Growth Areas
CS5 Managing the impact of growth and development
CS6 providing quality homes
CS8 Promoting a successful and inclusive economy
CS10 Supporting community facilities and services
CS11 Promoting Sustainable and efficient travel
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high Quality Places and Conserving Our Heritage
CS15 Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity
CS16 Improving Camden’s health and well-being
CS17 Safer Places
CS18 Dealing with waste and encouraging recycling
CS19 Delivering and monitoring the Core Strategy

LDF Development Policies
DP1 Mixed use development
DP2 Making full use of Camden’s capacity for housing
DP3 Contributions to the supply of affordable housing
DP5 Homes of different sizes
DP6 Lifetimes Homes and Wheelchair Housing
DP13 Employment sites and premises
DP15 Community and Leisure Uses
DP16 the transport implications of development
DP17 Walking, Cycling and public transport
DP18 Parking standards and limiting the availability of car parking
DP19 Managing the impact of parking
DP20 Movement of Goods and Materials
DP21 Development connecting to the highway network
DP22 Promoting Sustainable Design and Construction
DP23 Water
DP24 Securing High Quality Design
DP25 Conserving Camden’s Heritage
DP26 Managing the impact of development on occupiers and neighbours
DP27 Basements and light wells
DP28 Noise and vibration
DP29 improving access
DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities
DP32 Air quality and Camden’s Clear Zone

5.5 Supplementary Planning Guidance
Camden Planning Guidance (2011 (as amended 2013))
CPG1 Design
CPG2 Housing
CPG3 Sustainability
CPG5 Town centres, retail and employment
CPG6 Amenity
CPG7 Transport
CPG8 Planning obligations

West End Green Conservation Area Appraisal and Management Strategy (2011)
South Hampstead Conservation Character Appraisal and Management Strategy (2011)

5.6 Camden Site Allocations Local Development Document
Site 28: 156 West End Lane

5.7 **Fortune Green West Hampstead Neighbourhood Plan (2015)**
Policy 1: Housing
Policy 2: Design and Character
Policy 3: Safeguarding and enhancing Conservation Areas and heritage assets
Policy 4: West Hampstead Growth Area
Policy 5: Public Transport
Policy 6: Public Transport Facilities
Policy 7: Sustainable Transport
Policy 8: Cycling
Policy 9: Pavements & Pedestrians
Policy 10: New and improved community facilities
Policy 11: West Hampstead Town Centre
Policy 12: Business, Commercial and Employment Premises and Sites
Policy 13: Local Green Space
Policy 14: Green/Open space
Policy 15: Trees
Policy 16: Community Infrastructure Levy Priorities

6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application are summarised as follows:

- Land use Principles
- Urban Design and Conservation
- Quality of Proposed Accommodation
- Affordable housing
- Impact on Designated Open Space
- Neighbouring amenity
- Accessibility
- Transport
- Trees Landscaping and Biodiversity
- Sustainability
- Air quality
- Security
- Waste and recycling
- Land contamination
- Archaeology
- Local employment and procurement
- Impact on infrastructure and Services
- Community Infrastructure Levey
- S016 obligation

7. **SITE SPECIFIC POLICY OVERVIEW**
7.1 The site is within the identified Growth Area of West Hampstead (Policy CS1) where the council expects mixed use development to maximise site opportunities in line with the identified objectives for West Hampstead Interchange (Policy CS2), whilst protecting and encouraging the provision of a range of employment facilities (Policy CS8 and DP13), retail (Policy CS7) and protecting and enhancing adjacent open spaces and providing on site open space (Policy CS15 and DP31). Housing is the priority land use and will be sought as part of more efficient use of the site (Policy CS6 and DP2). In accordance with policies CS14 and DP25 the Council will ensure that new development will preserve and enhance nearby built heritage assets.

7.2 CS1 (Distribution of growth) of the Core Strategy outlines that Camden will focus growth in the most suitable locations, primarily in Growth Areas such as West Hampstead. The Growth Areas will make the most significant contribution towards meeting the borough’s housing needs.

7.3 As set out in policy CS2 the Council’s aspiration for the West Hampstead Growth Area is to secure improvements to West Hampstead Interchange and supporting infrastructure to include:
   • A mix of uses, including substantial new housing, town centre, employment and community uses, and open space;
   • Improved transport interchange accessibility and capacity and improved pedestrian bicycle movements and routes;
   • A substantially improved street environment around transport facilities, including improved crossings and wider pavements;
   • Sustainable and safe design of the highest quality that respects the character and heritage value of West Hampstead.

7.4 The Fortune Green and West Hampstead Neighbourhood Development Plan (FGWHNP)’s aspiration for the West Hampstead Growth Area is for a mix of uses, including new housing, employment, town centre and public/community uses. The plan outlines where appropriate and viable, development in the Growth Area shall:
   • Be in keeping with and enhance the character of the wider area - including the two adjacent conservation areas and their settings.
   • Have regard to local views of and across the area
   • Provide new homes - including affordable homes and homes suitable for families.
   • Provide space for new business and new employment uses.
   • Provide new community facilities or contribute towards improving existing community facilities.
   • Increase space for pedestrians and provide an improved street environment in the area.
   • Provide or contribute to improvements to the Growth Area’s public transport, especially the Underground and Overground stations.
   • Provide or contribute to improvements to public facilities, including health and education uses.
   • Provide new green/open/public space, new trees, and new green corridors.
   • Incorporate climate change mitigation measures.
• Provide improved pedestrian and cycle routes between West End Lane and Finchley Road. Contribute to new north-south pedestrian routes over the railway lines.

7.5 The Fortune Green and West Hampstead Neighbourhood Development Plan’s specific aspirations for the site (site B7 in the Plan) include:
• Housing, including a significant amount of affordable homes and 3 or 4 bedroom homes
• Offices for small, micro and start-up businesses - including the possibility of serviced offices and studio space.
• Flexible commercial and retail space that can be used for a range of employment uses.
• Retail space on the ground floor along West End Lane which is fitting of the character of the Town Centre
• Good design to reflect neighbouring buildings and conservation area
• Improved design relationship between the site and Canterbury mansions and appropriate relationship with neighbouring properties
• New green space
• Improvements to Potteries path for cyclists and pedestrians
• Protection for viable existing employment uses

7.6 This site is an allocated site (site 28) that forms part of the Camden Site Allocations Local Development Document (SAD) of the Local Development Framework. The document sets out the Council’s approach to development on significant sites which are likely to be subject to development proposals.

7.7 The Site Allocation Plan allocates the site for a mixed use development to include residential alongside retail and employment uses. Other appropriate town centre uses could include community and cultural uses (including education). The plan states that development on the site will be expected to:

• Provide appropriate town centre uses along the frontage with residential including affordable housing above and to the rear of site
• Provide flexible employment floorspace (subject to relevant criteria)
• Maintain or enhance the existing building line to retain adequate pavement widths to assist pedestrian movement and interchange between stations
• Provide an improved design relationship to adjoining Canterbury Mansions and West End Green Conservation Area to protect and enhance the character and appearance of this area
• Provide a legible and improved pedestrian / cycle link from West End Lane towards Crown Close through new landscaping and good design
• Incorporate new publicly accessible open space (potentially suitable for temporary market use) and enhance the function of the adjacent open space
• Ensure an acceptable relationship to the adjacent residential properties on Lymington Road
• Incorporate public realm improvements that positively contribute to and integrate with streetscape and interchange improvements along West End Lane
- Provide infrastructure for supporting local energy generation on site and/or connections to existing or future networks where feasible

8. LAND USE PRINCIPLES

8.1 Camden’s Core Strategy sets the agenda for growth within the Borough for the plan period 2010-2025. Camden Core Strategy Policy CS1 and Policy CS2 (and paragraphs 1.7, 1.11 and 1.21) stress the importance of Intensification Areas/Growth Areas such as West Hampstead to meeting the Council’s objectives.

8.2 Therefore in terms of Camden’s Core Strategy approach, the principle of significant growth in West Hampstead and the redevelopment of the site is in accordance with the Council’s growth strategy outlined under policies CS1 and CS2. The acceptability of the proposal will therefore depend on its detailed content in terms of the design and mix of uses.

Principle of housing

8.3 London Plan Policy 2.7 and Policy 3.3; Policy 2.13 and Annex 1 (Intensification Areas and West Hampstead Interchange), Policy 3.11 and Policy 3.13 (affordable housing); Policy 3.8 and Policy 3.9 (mix of housing); Camden Core Strategy Policy CS2 and Development Policies Policy DP2 (and paragraphs 1.8, 1.9, 1.12 and 6.18 of the Core Strategy) on priority land uses; Core Strategy Policy CS6 and Camden Planning Guidance 2 paragraph 1.4 (maximising new housing supply); Development Policies DP3 and Camden Planning Guidance 2 paragraph 2.31 (affordable housing); FGWHNP Policy 1 (range of housing types) and FGWHNP Policy 4 (Growth Area) all address housing delivery and its importance.

8.4 The site is in an identified Area of Intensification (London Plan) and a designated Growth Area (West Hampstead Interchange). Policies CS1, CS6 and DP2, identify housing as the priority land use in the development plan and highlight the need to maximise the supply of housing. Policy CS6 seeks to meet or exceed a target of 8,925 new homes across the Borough between 2010 and 2025, with a reliance on Growth Areas to provide the majority of these homes. Policy DP2 further expects the maximum appropriate contribution to the supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the site.

8.5 CS2 seeks just over 60% of the 12,250 additional homes in the borough to be provided within Growth Areas with 1000 new homes expected within West Hampstead Interchange by 2031.

8.6 The site lies partially within the West Hampstead town centre on the West End Lane frontage. The town centre is a highly accessible area and a suitable location for uses that are likely to significantly increase the demand for travel in accordance with CS2. The site itself is in a sustainable location, with an excellent PTAL level and access to local services and amenities. The development proposes the re-use of an existing underutilised, brownfield site, seeking to make the best use of the Borough’s limited land. This approach accords with the core principles of the NPPF,
which encourages the re-use of previously developed land, and Policy CS1 (Distribution of Growth) which seeks to concentrate growth in Growth Areas.

8.7 Policy DP2 justification states: “2.11. Where possible, we have identified underused sites that are suitable for additional housing in our Site Allocations Local Development Framework document, and will resist an alternative use of allocated sites.” The Site Allocation acknowledges that a more efficient use of the site needs to be found and that housing is the priority land use on the site.

8.8 The FGWHNP also strongly supports development for a range of housing in the West Hampstead Growth Area. Paragraph B7 of The FGWHNP confirms that the site is expected to provide a significant number of new homes and should be satisfying or making an appropriate contribution to housing, including a significant amount of affordable homes and 3 or 4 bedroom homes.

8.9 The proposal involves the provision of 164 new residential units (69 x 1 Bedroom, 74 x 2 bedroom, 17 x 3 bedroom and 4 x 4 bedroom). The principle of additional residential floor space is strongly supported as the priority land use under National, local and site specific policies and is considered to be in full accordance with the Development Plan.

Employment floorspace.

8.10 The site currently comprises:
- Former Council offices (B1a) - 2401sqm GIA.
- Storage Warehouse and Distribution use (Sui Generis) comprising:
  - Retail show room - 344sqm GIA (located under the vacant offices)
  - Trade Counter/Warehouse/Store - 1274sqm GIA
  - External Storage and Parking/Servicing Yard - 2762sqm total area

8.11 It is proposed to provide 1093sqm of employment floorspace within the new development, comprising space for start-up businesses and small and medium enterprises.

8.12 There is a policy presumption carried in CS8 and DP13 for existing employment sites and premises to be safeguarded where they meet the needs of modern industry and other employers and are considered suitable for continued business use. These policies are reflected in the FGWHNP Policy 12 which seeks to retain existing employment sites subject to the requirement that their retention is ‘viable and appropriate’.

8.13 Policy DP13 states that:

The Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:

a) it can be demonstrated to the Council’s satisfaction that a site or building is no longer suitable for its existing business use; and

b) there is evidence that the possibility of retaining, reusing or
redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

Where a change of use has been justified to the Council’s satisfaction, we will seek to maintain some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses.

When it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses, except in Hatton Garden where we will expect mixed use developments that include light industrial premises suitable for use as jewellery workshops.

Where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that:

- c) the level of employment floorspace is maintained or increased;
- d) they include other priority uses, such as housing and affordable housing;
- e) premises suitable for new, small or medium enterprises are provided;
- f) floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses;
- g) the proposed non-employment uses will not prejudice continued industrial use in the surrounding area.

8.14 The FGWHMP policy 12 states:

Development in Fortune Green and West Hampstead shall promote economic growth and employment. Developments that provide sites and premises for business, commercial and employment use will be supported. Development of commercial and mixed use premises and sites shall promote economic growth and employment, where viable and appropriate by:

- i) A presumption in favour of retaining existing employment sites.
- ii) Ensuring that where the redevelopment of existing employment sites takes place, the level of employment floorspace is maintained or increased.
- iii) The provision of additional and/or new business space.
- iv) The provision of space for light industrial uses in appropriate locations.
v) The provision of flexible business and commercial space suited to a range of uses.

vi) The provision of a range of different sized units, particularly smaller spaces for micro-businesses and studio space.

vii) The provision of affordable or subsidised business space, where appropriate.

8.15 The various elements of existing floor space on the site are considered separately below:

Former council offices – 2401sqm

8.16 The loss of the council offices, for either residential or community uses is supported by DP13. Criteria contained in paragraph 7.4 of CPG5 outline factors to be taken into account when considering change of use from offices to a non-business use. These are as follows:

- The age of the premises – some premises may be more suitable to conversion;
- Whether the premises include features required by tenants seeking modern office accommodation;
- The quality of the premises and whether it is purpose built accommodation. Poor quality premises that require significant investment to bring up to modern standards may be suitable for conversion;
- Whether there are existing tenants in the building, and whether these tenants intend to relocate;
- The location of the premises and evidence of demand for office space in this location; and
- Whether the premises currently provide accommodation for small and medium businesses

8.17 The existing office building was purpose built to deliver Council services in the mid-1970’s. It was declared surplus to council requirements and disposal was authorised as part of the Council’s Accommodation Strategy in 2012. The building was vacated in November 2012 and its services and plant decommissioned. In addition to the significant investment to bring the plant up to modern standards, the provision of the features likely to be required by modern office tenants in this kind of area, such as high quality IT, shared spaces and meeting rooms, and facilities to accommodate small and medium business on the site would be required were an attempt made to reuse the building as offices.

8.18 The functions previously provided by the premises were relocated and the offices remain vacant. The Council functions were public facing and sensitive services operating out of the building. The office space is considered fairly atypical to the general office stock and did not provide accommodation for small and medium enterprises. As such, the contribution to the area’s general office market and local employment opportunities are considered to have been fairly limited.

8.19 The Council’s Employment Land Study (2014) states that in the outer Camden office market, which includes West Hampstead, there is more supply than demand and
there currently appears to be a surplus of general needs office premises. West Hampstead is not recognised as a general needs office market in its own right and the Council’s spatial strategy looks to concentrate office use within the Central London Area.

8.20 Further Paragraph 51 of the NPPF states:
“They [local planning authorities] should normally approve planning applications for change of use to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”

8.21 In summary, the existing offices would only be suitable as B1a office space and significant investment is required to make them fit for purpose and suitable for modern office accommodation. Furthermore even if the offices were brought up to modern standards there is little evidence of demand for larger scale general needs offices in the outer Camden market and the Council’s desire is to concentrate large scale office uses in the Central London area.

8.22 The loss of the office space floorspace is acceptable in full accordance with Policy DP13.

Storage Warehouse and Distribution Use

Showroom

8.23 The ground floor bathroom/kitchen showroom (344sqm) element of the site is considered to be a Class A1 use. Although A1 uses do generate employment, they are not classed as an employment use in the Development Plan and therefore this element is excluded from existing employment floorspace calculations on site.

Yard

8.24 The Yard (2762sqm) is used for various purposes including storage of materials, for collection and deliveries and car parking. Although uncovered and not floorspace itself, the yard is land and does form part of the sui generis land use and supports the functioning of the existing use.

Trade counter/rehouse and store building

8.25 The trade counter/warehouse/store building (1274 sqm) is considered to constitute existing employment floorspace on site, although it too offers a quasi-retail function to the passing public and DIY/ building trade.

8.26 As an allocated site, the site is suitable for redevelopment. As such, in accordance with DP 13 c) the amount of existing floor spaces should be maintained or increased and in accordance with Dp13 f) existing floorspace suitable for warehousing uses should re-provided where the site, unless the site or building is no longer suitable for continued business use.
8.27 There is no policy protection for an existing occupier and it is the land use which is sought to be protected by policy. The test is against paragraph 13.3 of DP13 and is considered as follows:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A) Is the site located or adjacent to the Industry Area, or other locations for large scale industry and warehousing?</td>
<td>No, whilst the site as a whole is partly in the town centre, the builders merchants component is outside and adjacent to a predominately residential area</td>
</tr>
<tr>
<td>B) Is in a location suitable for a mix of uses including light industry and local distribution warehousing?</td>
<td>Yes &amp; No – the location is suitable for a mix of uses that could be compatible with the proximity to residential, but the existing building and yard may limit itself to only a few types of activity (without redevelopment or adaptation) and the location would constrain the type, scale and hours of operation of some uses.</td>
</tr>
<tr>
<td>C) Is the site easily accessible to the Transport for London Road Network (TLRN)</td>
<td>Yes- Finchley Road (A41) forms part of the TLRN and can be accessed by local roads. West End Lane however is designated as a local road which should only be used by heavy goods vehicle for essential deliveries. Land uses that rely heavily on HGVs would be inappropriate for the site</td>
</tr>
<tr>
<td>D) Is, or will be, accessible by means other than the car and has potential to be serviced by rail or water?</td>
<td>No- Whilst in a highly accessible location where car use would generally be deterred, storage warehouse and distribution uses are reliant on collection/distribution of building materials and trade customers using vehicles such as lorries and vans. Adjacent to railway but unlikely to be viable for potential rail servicing.</td>
</tr>
<tr>
<td>E) Has adequate on-site vehicle space for servicing?</td>
<td>Yes, however the current arrangement compromises the legibility and quality of east-west public routes and opportunities to improve them</td>
</tr>
<tr>
<td>F) Is well related to nearby land uses?</td>
<td>Yes - in respect of retail/showroom/trade counter and ancillary storage elements are compatible with town centre functions and adjacent residential uses. No - Other activities such as deliveries/distribution could potentially be incompatible with other town centre functions and proximity of residential (e.g. traffic congestion, unloading/delivery times).</td>
</tr>
<tr>
<td>G) Is in a reasonable condition to allow the business use to continue?</td>
<td>The space is currently occupied so condition is reasonable for current use.</td>
</tr>
<tr>
<td>I) Is near to other industry and warehousing, noise/vibration generating uses?</td>
<td>No, but next to railway and the area is predominantly residential</td>
</tr>
<tr>
<td>J) Provides a range of unit sizes for small businesses (under 100sqm)?</td>
<td>No - the premises are occupied by one business and comprise mainly dedicated spaces for a specific use, e.g. trade counter, display area(s), servicing/ storage yard.</td>
</tr>
</tbody>
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8.28 Further to the above criteria, CPG5 defines 3 categories for industrial, and storage and distribution uses to determine the level of protection to be afforded to individual sites.
Category 1: purpose built, predominantly single storey units with high ceiling heights and loading bays/doors of minimum 5.5m height; access for large service vehicles and unrestricted 24 hour operation, with minimal likelihood of complaint from neighbouring residential occupiers. CPG5 notes that Category 1 sites are rare in Camden and will always be protected.

Category 2: Good access for servicing and delivery, roller shutter doors and clear, floor to ceiling heights of 3-5m. This category may be subject to some degree of restriction due to the presence of neighbouring residential occupiers but should offer level access (normally ground floor), lots of natural light and at least some off street parking ability. These sites will usually be protected unless there is very strong marketing evidence to show they are no longer suitable.

Category 3: Small, isolated units with poor access via narrow streets or small doors, steps, lower ground or basement level; little or no space for servicing and no goods lift; incompatible neighbouring uses (often residential). Category 3 sites are heavily compromised and although they may continue to be occupied in the short term, may not be suitable for continued industrial use when they become empty, or will need significant investment due to the inherent constraints of their location.

8.29 The site is not located within an industrial area or co-located with similar uses. There is also the on-going potential for conflict and complaints with the residential occupiers in the vicinity. Therefore having regard to these constraints in particular, the site could not be fully regarded as falling into Category 1. The site is certainly not “heavily compromised” relative to most other employment sites in Camden and therefore Category 3 would not apply. In overall terms therefore, the existing estate could be best described as a Category 2 site.

8.30 Acknowledging the shortcomings of the site, as noted by its failure to meet several of the criteria in paragraph 13.3 and sharing characteristics of Category 2 and 3 sites, in this instance the site is still occupied by a viable and ongoing business which appears to co-exist relatively harmoniously with neighbouring residential uses. As such, it is considered reasonable to conclude that the site is suitable for continued use, and the implications for the redevelopment of the site are considered on this basis.

8.31 DP 13 makes clear that the council will consider schemes for mixed use redevelopment on sites suitable for continued business use. As an allocated site, the site must eventually be brought forward for housing led mixed use redevelopment. Housing is the priority land use of the development framework in accordance with CS1 and CS6 and Growth Areas are expected to accommodate the majority of housing in accordance with CS2. DP13 is to be read in this context.

Reprovision of existing use and floorspace.

8.32 DP13 states that where a premises or site is suitable for continued business use the council will consider proposals for mixed use redevelopment schemes provided that:

- c) The level of employment floorspace is maintained or increased
a) They include other priority uses, such as housing and affordable housing

e) Premises suitable for new, small or medium enterprises are provided, floorspace suitable for light industrial industry or warehousing uses is provided where the site has been used for these uses, or for offices in premises that are suitable for other business uses

f) Floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses.

8.33 FGWHNP policy 12 ii) replicates Dp13c) in seeking the maintenance or increase employment floorspace in redevelopment schemes and contains similar requirements for the provision of flexible new floorspace for small and medium enterprises and start-up businesses. This is reflected in the Site Allocation which requires any redevelopment of the site to include flexible employment floorspace.

8.34 Currently the builders merchant is comprised of 1274sqm of employment floorspace or 4036sqm including the yard. The yard forms part of the existing sui generis land use, and in the context of compliance with DP13c) the yard, or at least some portion of it, would be expected to be re-provided within a redevelopment scheme as it contributes to the function of the existing use.

8.35 It is acknowledged that the proposal, which seeks to optimise housing on the site, will result in the loss of the existing employer and a reduction of the amount of employment floorspace. In considering the appropriateness of re-provision of the existing land use, it must be acknowledged that the present builder’s merchant and storage yard represents a significant underutilisation of a site which is within a Growth Area and prominently located, adjacent to the town centre and public transport interchange. Housing is the priority use of the Local Development Framework and this priority needs to be considered alongside the need to protect non-residential uses (such as warehousing) within the borough.

Reprovision of existing use

8.36 CGMS planning consultants on behalf the current occupier have objected to the proposal on the basis that the scheme fails to reprovide the existing type and quantum of floorspace in accordance with DP13c) and f). The objection contends that a scheme inclusive of housing and reprovision of the existing use and floorspace could be achievable on the site with several letters from developers attesting to their willingness to develop residential schemes above warehouse uses.

8.37 The applicant explored the option of re-providing the existing builders merchant on site, in order to illustrate some of the difficulties of accommodating the existing use within a mixed use redevelopment in the context of site specific priorities. This option included residential uses located above the existing builder’s merchant on a raised podium, with a retained yard area incorporated into new covered floorspace. Separate access would need to be provided for the residential component with residential, amenity spaces, and community uses having to be located at podium
level above the builder’s merchant. Open space would have to be located at podium level and would not be publicly accessible.

8.38 Due to the double height ceilings required at ground floor level and the need to maintain existing heights to protect against sunlight/daylight impacts for neighbours, this arrangement resulted in the loss of at least 86 residential units from the current scheme with additional implications for the site wide environment, routes through the site and its relationship to neighbouring properties.

8.39 Whilst acknowledging the possibility of locating residential uses above a builder merchant use, officers also considered that it would be extremely difficult for a redevelopment retaining the existing use in its current form not only to avoid a significantly reduced quality of residential environment and interface with the public realm, but to accommodate the requirements of other development plan polices with respect to residential amenity, publicly accessible open space, as well as the site specific policy requirements of the Site Allocation and the FGWHNP, including the provision of new publicly accessible open space and enhancing the relationship with the public realm and improving connectivity and routes through the site.

8.40 Reproviding the existing use would also fail to comply with DP13 e) which requires employment floorspace within redevelopment schemes to accommodate a range of business types and sizes (e.g. new businesses, small and medium sized enterprises (SMEs) and creative businesses); this is also a key priority of the Site Allocation and reflected in FGWHNP policy 12.

8.41 Objections have also been received on the basis that the proposed non-employment uses on site will prejudice continued industrial use on other sites.

8.42 DP13 g) states the council will consider redevelopment schemes where the proposed non-employment uses will not prejudice continued industrial use in the surrounding area. The part of the policy seeks to avoid colocating incompatible non-employment uses next to industrial uses within redevelopment schemes where issues relating to noise and nuisance may threaten the continued operation if the industrial uses in the area.

8.43 The site is not within a designated industry area or adjacent to industrial land uses. The site is adjacent to residential uses and public open space. As such it is not considered that the proposed non-employment uses would prejudice continued industrial use in the surrounding area.

8.44 The allocation of the site for housing led mixed used redevelopment requires a balance to be struck not only with the competing objectives within DP13 e) and f) but also the implications for the reprovision of the employment use against other borough and site specific polices which have competing objectives and implications for any redevelopment.
8.45 It is acknowledged that failure to reprovide the sui generis storage warehouse and distribution floorspace use within the redevelopment scheme does not accord with part f) of DP13 or part i) of FGWHNP 12. The existing use however, is considered to be a significant underutilisation and inefficient use of the site within the Growth Area. Policy CS1 requires the council to resist inefficient use of land and concentrate growth particularly housing within Growth Areas. CS2 requires development in Growth Areas to maximise site opportunities.

8.46 The reprovision of the existing use, inclusive of the yard/storage area, would result in business floorspace restricted to a particular use and user, unsuitable for small and medium businesses and restrict the ability of the site to provide onsite open space and an improved pedestrian environment and public realm enhancements with respect to routes through the site. There would also likely be issues with locating amenity spaces and community uses at raised podium level in terms of accessibility and their contribution to the wider public realm, which are both key priorities for the site allocation. This is in addition to the potential conflicts with and the relationship to, neighbouring residential uses.

Proposed Floorspace

8.47 The proposed employment floor space totalling 1093 sqm includes small units for start-up businesses on the ground floor of the western building as well as larger flexible B1 floorspace at first floor level. The proposed accommodation has been designed flexibly to enable subdivision or expansion as required and to be capable of responding to the bespoke needs of individual occupier(s). Camden’s Economic Development Team have engaged with the applicant in working up the proposals and are supportive of the space to be provided.

8.48 DP13 f), FGWHNP policies 12 i) and 4 and the Site Allocations Document all support the provision of flexible business and commercial space suited to a range of uses suitable for start-up business and SME’s.

8.49 The Council's 2014 Employment Land study notes that start up and small businesses are an important component of Camden’s economy and the real issue is ensuring that the type of property is provided what will appeal to start-ups and Small and Medium Enterprises in terms of scale from and location (paragraph 6.9) there is a demand for ‘incubator, accelerator and co-working spaces.

8.50 As part of the terms of the s106 legal agreement the proposed employment floor space would be secured to provide for a range of office facilities and arrangements to encourage occupation by SME’s as follows:
- A range of space sizes or flexible spaces that can be expanded or contracted to suit the changing needs of occupiers;
- Access to common areas and informal meeting spaces;
- Access to small meeting rooms;
- Access to shared kitchens;
- ICT Infrastructure: voice and data services;
- Secure cycle storage; and
• Offered on a range of tenancy/licence terms (including flexible and short term occupancy).

8.51 The applicant has submitted evidence of dialogue with workspace providers which confirm several providers of managed workspace interested in the proposed floorspace. Additionally the space would be secured as affordable with at least 20% of the floorspace to be leased at 50% below market value.

8.52 The economic assessment provided by the applicant from Turley Associates indicates the proposed employment uses would significantly increase jobs when compared with the existing sui generis use. The report states that the proposal would result in an additional 108 Jobs supported on site; 110 additional full time jobs within the wider area of which 5 extra Full time Jobs would be within the local area. The Turley study also found that there is significant potential for a proportion of the jobs in the proposed uses to be local and in a sector that is a growing market in the Borough.

8.53 This of course is not an argument in itself for over-riding the Council’s normal approach for protecting sui generis storage and distribution uses, or requiring like of like employment floorspace provision, as there are implications for the wider economy, diversity of the employment base and sustainable communities to consider. Nevertheless the increase in job numbers is in line with the priorities of CS2 which expects West Hampstead to provide an increase 500 new jobs to 2026 and the development plan priority for increasing jobs in Growth Areas.

8.54 The proposed employment floorspace of 1093 sqm represents a shortfall of 181sqm (discounting the yard) or 2943sqm (including the storage yard) and therefore does not comply with DP13 c) in terms of quantum. However despite this shortfall, the proposed 1093sqm of floorspace is considered to be high quality flexible and affordable space, is suitable for small and medium businesses in line with Dp13 e) and with priority of the Site Allocation and site specific employment requirements of the FGWHNP. The increase in jobs is in accordance CS2 and in line with the development plan priority for Growth Areas.

8.55 In line with CPG 8 – Obligations, where the council accepts the loss of employment floor space developers can be required to contribute towards measures which create or promote opportunities for employment or training of local people. A contribution for the shortfall in floorspace would be secured via s106 legal agreement (amount to be agreed)

Summary

8.56 In terms of relevant planning policy, whilst the employment provision to be provided is not ‘like for like’ and does not fit with the policy presumption of DP13 for replacement of the existing type of use, it does cater for the needs of new, small or medium enterprises which are supported by policies CS8/DP13 and FGWHNP 12. Considering also, that this would be delivered as part of a mixed use scheme which makes an important contribution towards the Council's priorities of affordable
It is considered that the like for like reprovision of the existing use, as well as being an underutilisation of the site within the Growth Area would likely compromise the ability of the site to deliver an improved relationship of the site to its surroundings and to deliver many of the site specific priorities for the site in the Site Allocations Document and FGWHNP, including publicly open space, public realm improvements and flexible employment space suitable for small and medium businesses, (also required by DP13 e).

The shortfall of 181sqm or 2943sqm (including the yard), is acknowledged as not being in accordance with DP13 c) and FGWHNP 12 i). The type of floor space provided however would be suitable for small and medium enterprises, start-up businesses and affordable workspace, responding to an identified need in the borough, resulting in an intensification of employment use on site and additional jobs, and as such is considered to outweigh the reduction in overall floorspace.

CS6 states that the council will require housing as the priority use of the Local Development Framework and further at paragraph 6.18 that this priority will need to be considered alongside the need to protect some non-residential uses (such as warehousing) within the borough. Spatially in the context of the proposed mixed use development, the proposal is considered to represent a reasonable critical mass of employment floorspace on the site whilst enabling the redevelopment to meet the objectives of the Development Plan including maximising housing (including affordable housing), and the site specific objectives of the Site Allocation and FGWHNP including the provision of flexible employment floorspace suitable for small and medium business, provision of public open space, town centre uses, and improving the interface and connectivity with the public realm, and public routes through the site.

Proposed community centre

The provision of the proposed community meeting room reflects the aspirations of the Site Allocation and FGWHNP and is in accordance with DP15.

A head of term is included in the s106 ensuring that the site owner is responsible for funding and managing the space. Should the community room become unviable then the Owner may apply to the Council to vary the terms of the Section 106 Agreement so that the community meeting room may be used for the provision of employment floor space but for no other purpose.

Proposed Flexible town centre uses (Classes A1, A2, A3, D1 & D2)

The site is located in West Hampstead Town Centre with its eastern edge within the core retail frontage. The Council’s retail policies encourage the provision of new retail floorspace in appropriate locations. Policy CS7 adopts a sequential approach, and states that priority should be given to locating retail uses within Central London
Frontages, and Town or Neighbourhood Centres. A key aim of the Site Allocations Plan is the provision of retail and appropriate town centre uses (particularly to create active frontages at ground floor level). Camden Planning Guidance 5 (Town centres, retail and employment) is also relevant as is FGWHNP policy 13 (West Hampstead Town Centre)

8.63 The applicant has applied for flexible uses inclusive of Class A1, A2 and A3 as well as D1 and D2, which if granted would remove the council’s ability to control the exact use within these classes. Class A1(retail) use is the most appropriate use within the core retail frontage and CPG requires a minimum of 75% of parades remain in A1 use along the West End Hampstead Town Centre core frontage.

8.64 Camden officers along with the GLA and a number of objectors have raised concerns about the use of this space a single floorplate given the flexible permission sought. The concerns relate to:

- the impact of such a large unit, potentially not in A1 use to contribute the vitality and function of the core retail frontage;
- The potential for a single unit to result in inactive frontages owing to a single entrance; and
- Impact on the character and appearance of the West Hampstead Town Centre which is typified by small shop units.

8.65 It is acknowledged that Policy DP10 does not require the provision of small shop units where the proposed floor space is less than 1000sqm. However in this case, given the flexible use proposed, it is considered appropriate to secure the subdivision of this floor space into three separate units, in order to enable the council to control the proportion A1 use within the frontage. A condition is recommended that secures at least two of the three units remain in A1 use at all times in order to ensure the site contributes sufficiently the character, function and vitality of the core retail frontage and the parade.

8.66 Furthermore, the subdivision of the space into separate units will ensure activation of each individual frontage whilst at the same time respecting the existing character of the town centre, which is typified by smaller individual shop units.

Proposed A3 (restaurant) use

8.67 A3 use is considered to be an appropriate town centre use which would add to the character function and vitality of the Town Centre in accordance with the relevant policies of the Local Development Framework and supplementary planning guidance. It is considered that any activity associated with a small scale A3 use occupying one of the three individual shop units (secured by condition), would not result in any additional harm by way of noise or general disturbance.

8.68 Being located below residential uses, however conditions are recommended to ensure control hours of operation and the use of music from any A3 use on site. Hours of 07.00 to 20.00 (Monday to Friday), 08:00 to 20:00 (Saturday) and 08:00 to 18:00 (Sunday and Bank Holidays) are considered appropriate as they would be compatible with other food, drink and entertainment activities within the locality.
Proposed D1 (Community use) and D2 (leisure) uses

8.69 These uses are considered appropriate town centre uses. Their restriction to occupying one of the three units at any one time is considered sufficient to ensure they would not result in any harm to the character function or vitality of the retail frontage. A condition is recommended restricting uses within this class to education and training centres, public halls or clinics/health centres only, to ensure the end use is appropriate for this town centre location. The aforementioned condition relating to music audible from the premises would apply to all proposed uses on site.

Public open spaces and play space

8.70 Core Strategy policy CS15 outlines the strategic need to ensure that the growth in the numbers of residents and visitors in Camden will be supported by increases in public open space provision. Development Policy DP31 sets the strategy on how this open space should be provided, stating that the provision of public open space within a development site is the priority, with off-site provision second, and in circumstances where it’s not practically possible to provide public open spaces on or off-site that the Council would accept the least preferred third option of a financial contribution towards other public open spaces in an area. CPG6 section 11 provides detail on this hierarchy and the formula for calculating contributions. Based upon the CPG6 formula the development would require 2,605.3sqm of public open space.

8.71 2,360 of sqm of communal space would be provided onsite in the form of two courtyards and the roof-top terrace on the eastern building, in addition to the 803sqm of publicly accessible space in the central courtyard. The proposal also includes significant areas of private garden and balcony space for each unit and overall the proposal is considered to providing excellent levels of outdoor amenity and open space on site. Striking the correct balance between open space provision and built footprint is particularly important if the optimum density of new housing is to be achieved. Officers are satisfied that this balance has been met. Any significant reduction in built footprint, in order to create more open space, would not make a sustainable use of the site.

8.72 Although providing valuable amenity space and reducing some pressure on open spaces in the local area, only publicly accessible open space can be counted towards the open space provision made by the development. As such a financial contribution towards off-site public open spaces is also justified. Based on the CPG6 formula this equates to £48,036.22 to be secured in the s106 and would be invested into improving and upgrading Crown Close designated open space to the east of the proposal. The combination of public open space on site and financial contributions to public open space off-site is in full accordance with policy CS15 and DP31.

Play Space

8.73 London Plan Policy 3.6 seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor’s Shaping Neighbourhoods: Play and Informal Recreation SPG. Using the methodology within the Mayor’s SPG, the development is expected to be home to approximately 62
children, 27 of which are expected to be under-five years old. In accordance with the Mayor’s SPG, the development is therefore required to provide, as a minimum, 250sqm of door-stop play provision for the under-five’s.

8.74 The applicant has provided 270sqm of play space with separate areas within the central public open space, the east and west courtyards and the communal roof terrace on the east building.

8.75 Camden’s requirement for play space differs from the mayors SPG requiring 108sqm of publicly accessible play space. The proposal includes 120sqm of play space within the central public opens space and exceeds this requirement. It is recommended full details of the proposed play space including detailed design are secured by condition.

Residential Density

8.76 Policy CS1 of the LDF Core Strategy seeks to focus growth in the most accessible parts of the borough. In order to make the most efficient use of land, higher density development is encouraged in those locations which are well served by public transport and there is an expectation that densities will be towards the higher end of the density ranges set out in the London Plan.

8.77 The proposal would provide 164 units and approximately 2068 sqm of commercial floorspace on a 0.64 hectare site. The density matrix (table 3.2) of the London Plan recommends, for a site located within an urban area with a high PTAL, a density of up to 200-700 habitable rooms per hectare. The London Housing SPG (p. 42) provides a formula for calculating densities of mixed use developments (the site area is discounted by the proportion of commercial/residential floor space). Based on the formula the proposal would result in an ‘effective’ density of approximately 786 habitable rooms per hectare, which exceeds the London Plan density standard.

8.78 The London plan is clear that the density matrix should not be applied mechanistically, without being qualified by consideration of other factors and planning policy requirements. The Mayors Supplementary Planning Guidance March 2016 states that table 3.2 should be used as a starting point and guide rather than an absolute rule so as to also take proper account of other objectives, especially for dwelling mix.

8.79 Although marginally higher than the London Plan target the proposed density is considered appropriate for the following reasons;

- The proposal will provide high quality residential accommodation for future occupants, including private amenity space for all units, and large areas of public and private amenity space, which is often difficult to achieve on urban sites.
- The proposal would have an acceptable relationship to neighbouring occupiers and open spaces with respect to sunlight/daylight outlook and privacy considerations.
• The site would provide flexible employment space, town centre uses and community space in a highly accessible location

• The site would provide 50% affordable housing

8.80 The density matrix’s density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure, open space and play space. Given the site’s excellent PTAL rating, and Town Centre location within an Area of Intensification and Growth Area it is considered that the proposed density is acceptable

Conclusion: land use principles

8.81 The site is an under-utilised brownfield site in a highly accessible location in a designated Growth Area. The site is allocated for a housing led mixed use redevelopment optimising housing potential, with retail space supporting the West End Lane core retail frontage, flexible commercial and employment space focussed on small/start-up businesses, publicly accessible open space and a community meeting room with improvements and enhancement to the public realm and routes through the site.

8.82 The proposals seek to optimise the site’s potential to deliver identified priority uses through its redevelopment to provide new homes (with half of the housing land used to deliver affordable housing), new Town Centre Core Frontage uses, new modern, flexible employment space (focussed on local small and medium and start-up businesses) and a community meeting room, together with a new public open space, and enhanced streetscape and relationship to the public realm.

8.83 Notwithstanding the above, any favourable determination of this application would on the face of it necessitate an exception to a strict approach in land use policy terms. There key policies relating to land use for this site require an on-balance approach, taking into consideration all the relevant aspects of the proposal.

8.84 The primary target for growth in West Hampstead is through new housing which is also the Local Plan priority. This is set out in CS1 and CS2. CS1 seeks development to make full use of its site, resists inefficient use of land and expects high density development within town centres. CS2 expects Growth areas to deliver the majority of new housing in the borough (60% of the 12,250 target) and for West Hampstead interchange Growth Area to accommodate 1,000 new homes by 2026. The site is allocated for a mixed use development and Policy DP2 justification states: “2.11. Where possible, we have identified underused sites that are suitable for additional housing in our Site Allocations Local Development Framework document, and will resist an alternative use of allocated sites.”

8.85 The Site Allocation promotes redevelopment with a housing led scheme and requires provision of flexible employment space subject to relevant criteria, but it does not specify retention or provision of space for existing uses or users. Comprehensive redevelopment of this site to deliver an appropriate mixed use scheme with a substantial amount of new housing and delivering the other
requirements of these site specific policies precludes retention of the existing use in its current form.

8.86 To deliver a housing led scheme with 50% affordable housing unfortunately means that other uses, which may otherwise be acceptable or compatible will (and should) receive lesser priority. The retention of employment floorspace needs to be considered against other policies such as the priority for housing, open space, residential amenity and town centres, and alongside the benefits of the scheme including 50% affordable housing, modern workspace to meet local needs, community space, public open space and urban design/environmental improvements.

8.87 CS8 DP13 and FGWHNP 12 have a presumption in favour of maintaining or increasing existing employment floorspace in redevelopment schemes. The loss of employment floorspace needs to be weighed up against the Core Strategy and Development Plan policies (particularly CS1, CS2, CS6 and DP2) which recognise housing as the priority use and which seek to optimise housing and particularly affordable housing. In addition the redevelopment needs to be assessed against all other relevant policies which include those relating to open space, community and town centre uses, and the site specific priorities for the site. This means balancing the relative priorities given to housing in the Local Plan; the location of the site in a defined Growth Area with an ambitious target for homes; and the promotion and allocation of the site for redevelopment for an appropriate mix of uses including housing.

8.88 CS8 DP13 and FGWHNP 12 identify the need to provide flexible employment floorspace for start-up and smaller businesses in redevelopment schemes. The proposed land use mix incorporates flexible employment uses, in line these policies, and site specific policies albeit with less floorspace. The reprovision of the existing use would preclude compliance with this part of DP13 and the site specific aspirations of the Site Allocation and the FGWHNP. Importantly it would also result in a significantly reduced housing and affordable housing offer which forms a major planning benefit of the proposed scheme.

8.89 In summary, although not in compliance with all parts of Policy DP13 or FGWHNP Policy 12 the reduction of employment floorspace, and the provision of affordable flexible employment space, at the expense of re-providing the existing builder’s merchant use, is on balance, considered acceptable for the following reasons:

- The scheme replaces an existing inefficient use with a high density mixed use scheme which makes full use of its site within the Growth Area in accordance with CS1 and CS2, and maximises housing on an allocated site in accordance with CS6 and DP2.

- A significant amount of high quality affordable, flexible employment floorspace is provided in response to an identified need and in accordance with the Site Allocation Plan, DP13 b) and FGWHNP Policy 12.

- The existing use represents a significant underutilisation of an allocated site within the Growth Area. The reprovision of that existing use within the
redevelopment would result in a significant reduction in the provision of housing and affordable housing, and restrict the ability of the site to meet the requirements of the Site Allocations Document and site specific aspirations within the FGWHNP v), vi) and vii).

- The proposed employment floorspace will increase employment density on the site, is flexibly designed and would have leasing terms and affordable provision secured via s106. The type and quality of the proposed floorspace is considered to make up for the shortfall in quantum.

8.90 It is considered that an exception to the normal policy approach towards protecting employment sites is in accordance with the wider Core Strategy considered as a whole. This is without prejudicing the Council’s position with regard to its approach on future employment sites that may be considered in future for redevelopment, perhaps without the same exceptional benefits that would accrue in this case.

8.91 The provision of 164 dwellings (50% affordable); provision of onsite public open space; high quality residential environment and interface with the public realm; community meeting room; retail and town centre uses on the core frontage; and the significant offer of flexible and affordable employment floorspace is considered to offer sufficient planning benefits to outweigh the shortfall in employment floorspace provided and the loss of the existing builders merchant.

8.92 On balance, officers consider the proposed land use mix is suitable for this highly accessible location within the Growth Area, and is acceptable.

9. URBAN DESIGN AND CONSERVATION

9.1 Policies CS14, DP24, DP25, CPG1 (Design) and Policies 2 and 3 and 4 of the Fortune Green & West Hampstead Neighbourhood Plan are relevant to the design of the proposals and impacts on the conservation area.

Urban Design

The Site and Local Character

9.2 The site is not in a conservation area but immediately abuts the West End Green conservation area on its boundary with Canterbury Mansions on West End Lane and properties along Lymington Road which back onto the site to the north. The existing building fronting onto West End Lane comprises a part 5, part 6 storey block built in the 1970s with a 2 storey extension to the rear and a builders yard covering the remainder of the site to the east. The West End Green Conservation Area Appraisal and Management Strategy identifies the view north along West End Lane approaching from the Thameslink station as being ‘blighted’ by the poor appearance of the existing building in relation to its local context.

9.3 Potteries Path runs along the southern edge of the site from West End Lane to Crown Close. The path is currently enclosed by high brick walls on either side creating an
unwelcoming and potentially threatening character. The site drops in level west to east, along the path by approximately 2.5m.

9.4 To the east, the site immediately abuts Crown Close Public Open Space which comprises, principally, of a tarmacked sports court adjacent to the site boundary, a play area and a number of trees.

9.5 The Fortune Green and West End Lane Neighbourhood Development Plan states ‘the main architectural feature of the area is the notable red brick Victorian and Edwardian terraces and Mansion blocks’ which provide the area with ‘its distinctive and attractive appearance’ and its local character.

9.6 The scale of local buildings are varied through the area with 2 storey terraces, 2 and 3 storey semi-detached and detached houses along with 5-6 storey mansion blocks. To the south of the railway, the Growth Area has seen the introduction of larger buildings with the student building on Blackburn Rd being up to 9 storeys, 187 West End Lane up to 12 storeys and Liddell Rd up to 11 storeys.

Proposed Site Layout

9.7 The site is arranged around two U shaped blocks which provide frontages onto West End Lane, a newly proposed public open space between the two U shaped blocks, along Potteries Path and also the Crown Close Public Open Space to the east. The newly proposed public open space is also framed by a 3 storey terrace along the northern edge, therefore providing the new open space with active frontages on three sides, contributing to the overall security and safety in the use of this space. Potteries Path is widened from circa 2.5m to 3m with the current vehicular access adjacent No 156 from West End Lane becoming a new public open space. General and service access is provided via an arch on West End Lane frontage and a route along the rear boundaries of gardens on Lymington Rd.

9.8 A gate separates the public route beneath the arch on West End Lane and the path between the Western Building into the central public space, and the eastern section of the northern access route. Beyond the gate the northern route only serves the eastern end of the site and affords privacy and security to this part of the site.

9.9 Objections have been received on the basis that the gate will restrict permeability and create a ‘gating’ of the private units within the development. Originally the gate was located to the west of the link path from the central public open space, preventing access to and from the public open space from the northern route. The location of the gate has been revised to be positioned to the east of this entrance, which will allow pedestrian permeability through this area, whilst preventing access to the secluded, dead end space at the eastern end of the site, which would give rise to opportunities for anti-social behaviour.

9.10 It is not considered to result in the ‘gating’ of the development, or segregation of users within the site. The provision of safe and secure communal open space, providing privacy and respite is supported, especially where the lack of through routes or surveillance could compromise safety. The affordable western block likewise has access to a secure communal courtyard space located at podium level. The units in
the eastern block will also have active frontages onto the central public open space and entrances from Potteries Path.

9.11 The provision of active frontages onto Potteries Path will improve the safety and security Crown Close open space and the entry/exit of Potteries Path onto Crown Close/Lymington Road which do not currently benefit from casual surveillance.

Height and Massing

9.12 Following comments from Council Officer's and objections from local residents, the height and scale of the proposed buildings have been progressively reduced through the pre-app and application process to a predominant ridge height that is commensurate with neighbouring site at Canterbury Mansions on West End Lane and immediate return on Lymington Gardens.

9.13 The westernmost block comprises 5 storeys + a roof storey on West End Lane and Potteries Path. In terms of height and mass there is a reduction in height to 3 storeys to the north of the public open space. The eastern most block steps up to 5 storeys + a roof storey at the western edge of the public open space i.e. the same height as the western most block. At the eastern end of the eastern block the equivalent of a roof storey has been removed to reduce negative impacts on views out of the conservation area.

9.14 Due to the change in levels across the site by circa 2.5m a lower ground floor has been added along Potteries Path to the eastern building. This strategy is consistent with maximising the opportunities of the site to deliver a mixed use develop identified in the Site Allocations Document. This is a strategy which is not without historic precedent in the locality.

9.15 The site allocation document also states there should be a “transition in scale towards the more sensitive residential interface to the north (Lymington Rd) and east”. This is achieved by the proposals, stepping the northern elevation, facing Lymington Gardens, down from a set-back 6th roof storey to 5 storeys and 3 storeys (and 4 storeys where a lower ground floor has been added) along the access road at the rear of the site. The effect of which is to create a mews like character along the rear boundary of the Lymington Rd properties commensurate with the scale of these properties.

Architectural Appearance and Detailing

9.16 Following comments from Council Officer’s and objections from local residents a number of amendments have been made to the elevations to bring the appearance of the buildings into close correspondence with the local architectural character.

9.17 The horizontal banding on the elevation facing West End Lane has been refined to improve the relationship of this elevation with the neighbouring Canterbury Mansions elevation. The proportions of the dormer windows have also been redesigned to reduce their overall bulk and to reflect the size and proportions of the dormers on Canterbury Mansions. Texture and decoration is provided by vertical bands of ‘dog toothed’ patterned brickwork which adds visual interest and richness to the elevation.
9.18 Brick columns along ground floor are detailed with projecting brick bands to the West End Lane frontage which aids in emphasising the individuality of each of the bays at ground floor level and provides added texture and visual interest.

9.19 Throughout the design development of the scheme particular attention has been given to the corner treatment facing West End Lane and the railway line due to its prominence in the townscape. Whilst a number of approaches have been explored the current proposal provides a more understated expression compared to other corner treatments along West End Lane. The corner is marked by a larger dormer window with inset balconies below set within vertical bands of ‘dog tooth’ brickwork.

9.20 As the building turns the corner the character of the West End Lane elevation is continued to the southern elevations of the western and eastern buildings by repeating the vertical bands of ‘dog tooth’ brickwork between the bays. Dormer windows have been removed to provide a simpler roof profile along the southern elevation. Along with the detailing of the brickwork the southern elevation gains its character from a series of angled projecting balconies providing modulation and movement across the surfaces of the southern elevations to both the western and eastern blocks in a similar way that the bay windows of mansion blocks in the area provide visual interest and movement to these elevations.

9.21 The balconies are accentuated by the use of a lighter coloured brick to the base of the balcony which echo the lighter coloured stone banding prevalent in the design of local mansion blocks.

9.22 On the western block the base of the building is marked by a colonnade and blue ceramic tile work demarcating the entrances to the business units and the community meeting room adjacent to the public open space.

9.23 The elevations facing the proposed public open space of the western and eastern buildings change in their expression from the part recessed and part projecting balconies on the southern elevation to fully projecting balconies comprising of metal balustrades or part metal, part brick balustrades. The overall effect of these elevations is to provide a more visually dynamic relationship with the public open space.

9.24 The eastern most elevation facing the MUGA and Crown Close is reverts to a more regular pattern of fenestration and balconies. Balconies are fully projecting however the balustrade is either wholly brick or part brick and part metal. Added visual interest is provided by the 5 storey element constructed with a darker brick colour and the 3 storey element in a lighter coloured brick. The brick colours on the balconies for both elements are reversed with a lighter coloured brick used on the balconies where the main façade is in a darker coloured brick and a darker coloured brick used on the balconies where the main façade is in a lighter coloured brick.

9.25 The northern elevations of the 3 and 4 storey buildings facing the rear boundary of Lymington Rd comprise of projecting and recessed profiles to the built form. The surfaces of these buildings are enriched with panels of ‘dog toothed’ brickwork, recessed panels of brick work with contrasting tones of lighter and darker brickwork.
Design Conclusions

9.26 Given the poor relationship of the existing building with the local architectural character there is no objection to its demolition. By aligning with the front elevation of Canterbury Mansions, and respecting its overall height, scale, façade modelling and articulation and use of materials and finishes, the proposal a very significant improvement on the existing building.

9.27 In general the proposed layout is considered to provide an improved relationship with the existing and proposed public realm in terms of providing active frontages and better overlooking which will enhance the safety and security of these spaces.

9.28 The disposition of the 5 storeys with a 6th roof storey along Potteries Path is considered consistent with the guidance set out in the Site Allocations Document which states that “The site offers greatest potential for higher scaled development to the front of the site (West End Lane) and to the south towards railway lines”

9.29 The height and scale of the western and eastern buildings matches that of the neighbouring building on West End Lane, Canterbury Mansions and is also commensurate with the height and scale of other mansion blocks in the locality. The detailed architectural design is considered to provide a successful contextual response to the neighbouring Canterbury Mansions, local architectural character and, in particular, the character of local mansion blocks.

9.30 The proposal is considered to conform to Core Strategy policy 14, Development Plan policies DP24 and Fortune Green and West Hampstead Neighbourhood Plan policies 2, 3 and 4.

9.31 Full details of all facing materials, including balconies doors windows and gates will be secured by condition.

Conservation and Heritage

9.32 Camden Core Strategy policy CS14 (Promoting high quality places and conserving our heritage) seeks to ensure that Camden’s places and buildings are attractive, safe and easy to use by a) requiring development of the highest standard of design that respects local context and character; b) preserving and enhancing Camden’s rich and diverse heritage assets and their settings, including conservation areas. Camden Development Plan policy DP24 (Securing high quality design) requires all developments to be of the highest standard of design and will expect developments to consider: a) character, setting, context and the form and scale of neighbouring buildings. Policy DP25 (Conserving Camden’s heritage) seeks to maintain the character of Camden’s conservation areas by a) only permitting development within conservation areas that preserves and enhances the character and appearance of the area and; d) not permitting development outside of a conservation area that it considers would cause harm to the character and appearance of that conservation area.
9.33 Policy 2vi of the FGWHNP states that tall buildings within the Growth Area will need to have regard to their impact on the setting adjacent conservation areas in order to avoid having any negative impact on them; and Policy 3ii states that proposals which detract from the special character and setting of Conservation Areas in the area will not be supported. Policy 4i requires development within the Growth Area to be in keeping with and enhance the character of the wider area - including the two adjacent conservation areas and their settings and Policy 4ii requires proposals to have regard to local views of and across the area.

9.34 Paragraphs 126-141 of the NPPF deals with conserving and enhancing the historic environment. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

9.32 West End Green Conservation Area can be characterised as a London village running along the spine of West End Lane. The Conservation Area Appraisal and Management Strategy (adopted February 2011) describe the Lane as rising and linking Kilburn to Hampstead. The village character has been absorbed but not erased by the expansion of central London from the south, and by Hampstead from the north and east during the late nineteenth and early twentieth centuries. The growth from tiny village to metropolitan suburb has resulted in a very homogeneous piece of Victorian and Edwardian domestic architecture and planning. The character of the area is still defined by the village with the busy commercial ‘spine’ street, the Green, the street trees, the monumental mansion blocks, the variety of substantial semi-detached houses and more modest terraced housing in the streets leading off into the residential hinterland of principally two and three storeys, often set in generous gardens. The public buildings support the community and provide landmarks.

9.35 South Hampstead Conservation Area is described in its Conservation Area Appraisal and Management Strategy (adopted February 2011) as a well-preserved example of a leafy Victorian suburb almost exclusively residential in nature, and largely homogenous in scale and character. The area is characterised by large, semi-detached and terraced late-Victorian properties, in red or gault brick, with a particularly distinctive and attractive roofscape including turrets, gable, and tall chimneys. Houses are characterised by a variety of decorative treatments. One of the most prominent features of the area is vegetation, including mature street trees and gardens both to the front and rear of properties.

9.36 During the pre-application process officers worked closely with the applicant’s design team to identify verified views where the proposed development would be visible, so through the comparison of existing and proposed views it would be possible to identify the visual impact of the scheme and its effect upon the two adjacent conservation areas.

9.37 Objections have been received that View 11 was omitted from the final townscape analysis. View 11 is taken from a point on Lymington Road where the proposal is
completely obscured by the existing houses. As the proposal is not visible at all in this view it was not included in the final assessment.

9.38 The following paragraphs analyse the identified views.

**Verified Views**

**View 1**

9.39 Existing: This view is taken from the junction of Iverson Rd and West End Lane looking north towards the site. The existing 1970s building is prominent. The view point is not in a conservation area however looks towards the West End Green Conservation Area the boundaries of which encompass 217 West End Lane opposite the existing site, Canterbury Mansions to the north of the site and the rear of properties along Lymington Rd, the roofs of which are partially visible above the 2 storey warehouse at the rear of the main building along Potteries Path.

9.40 Proposed: This view shows the improved relationship, to that of the existing building, of the proposed building with Canterbury Mansions with the parapet running through at the same height as Canterbury Mansions, the unbroken building line and continuity of architectural detailing in terms of the horizontal banding and rhythms of vertical features. The treatment of the corner with the enlarged dormer window and vertical bands of ‘dog toothed’ textured brickwork and fenestration provides a clear articulation of this corner element and a transition to the southern elevation of the western and eastern buildings.

9.41 Heritage Assessment: As viewed from the south, the height, bulk, mass, layout, footprint, form, scale and detailed design of the south-western section of the proposed development is judged to be in keeping with late 19th century and early 20th century development in the West End Green Conservation Area. The proposed West End Lane frontage abuts and aligns with Canterbury Mansions, a positive contributor to the conservation area which is situated in its southernmost part, and is of a larger scale than many buildings further north along West End Lane. The proposed scheme is in keeping with the established form of development of this part of the conservation area. Furthermore, the proposals carefully consider matters of urban grain, façade articulation, architectural modelling, and use of materials and finishes, so as improve on the architectural quality and townscape value of the existing building. It is considered that in this view from the south-west, the proposed development is seen to acknowledge and pay respect to the character and appearance of the West End Green Conservation Area at its southern boundary, thereby enhancing its setting.

**View 2**

9.42 Existing: This view is taken within the conservation area looking south along West End Lane. This view again shows the poor relationship of the existing building, in particular, Sandwell and Canterbury Mansions on the left hand side of the image.

9.43 Proposed: This view also demonstrates the continuity of scale, building line, roofscape line and architectural detailing with existing buildings on the eastern side of West End Lane.
9.44 Heritage Assessment: As viewed from the north, from the pavement on the opposite side of West End Lane and within the West End Green Conservation Area, the overall scale of the existing mansion blocks marking the entrance to Lymington Road is seen to be greater than buildings further north along the street. As such there is already a jump in height, bulk and mass, as well as scale. From this position, although the proposed development would be outside the conservation area boundary, it can be seen that the proposed development by aligning with the front elevation of Canterbury Mansions, and respecting its overall height, scale, façade modelling and articulation and use of materials and finishes, is an enormous improvement on the existing building on the application site which has a poor relationship with its neighbour. The proposal in this view is considered to significantly enhance the setting of the conservation area.

Views 3 & 12

9.45 View 3 and View 12 form two views from the junction of Crediton Hill and Fawley Rd. View 3 is taken at the junction and View 12 opposite the junction.

9.46 Existing: This view looks south from the junction of Crediton Hill with Fawley Rd. It is within the West End Green Conservation Area. The view is taken in the summer when the trees are in full leaf. The student building on Blackburn Rd is prominent in the gap between 24 and 26 Lymington Rd and above.

9.47 Proposed: This view shows that the eastern end of the eastern building will be visible. However the student block on Blackburn Rd remains prominent. To the right of the view (between the tree and the buildings on the western side of Crediton Hill) the roof storey to the eastern block will also be partially visible.

9.48 Heritage Assessment: This view from the north, precisely from the pavement at the junction of Crediton Hill and Fawley Road within the West End Green Conservation Area, shows the proposed development beyond its boundary with substantial two-three storey 19th century semi-detached houses on the south side of Lymington Road in the foreground. These properties are characterised by pitched roofs, gables and tall chimneys, and have a distinctive silhouette on the existing skyline.

9.49 Notwithstanding this, the taller student housing block, further south in Blackburn Road, is visible above these houses on the eastern side of this view, giving the impression that the conservation area sits within an urban context which in places is already densely built-up. This will read in conjunction with the eastern block of the proposed development, which will be visible on the eastern side of this view. The mansard roof element of the eastern block will also rise above the Lymington Road houses, and both elements which are of a rectilinear nature and taller than the houses, will have some impact on view of their roofline, and increasing the sense of built enclosure. It is acknowledged the block will have a limited adverse impact on the setting of the southern section of the West End Green Conservation Area due to the limited additional height and bulk on the skyline in this view.

9.50 It should be noted that the mansard roof storey of the proposed eastern block is more visible in View 12 from the pavement on the eastern side of Crediton Hill opposite the junction with Fawley Road. As the roof storey will be a new addition on the skyline at the western end of Lymington Road, whilst the stretch to the east is already obscured
by the Blackburn Road student housing block, there is a slightly more noticeable impact on this view as a result of the limited additional height and bulk on the skyline, resulting in a minor adverse impact on the setting of this part of the conservation area.

**View 4**

9.51 Existing: This view is taken roughly halfway along Honeybourne Rd looking south. This view is within the West End Green Conservation Area. The view is taken in the summer months when the trees are in full leaf.

9.52 Proposed: This view shows that the proposed eastern building will be partially visible in the gap between the roofs of 12 and 14 Fawley Rd at the end of Honeybourne Rd (shown by a short dotted yellow line on the image). The limited visibility of the proposed building is negligible in this view. There will be no significant difference in the winter when the trees lose their leaves.

9.53 Heritage Assessment: This view is also from the north within the West End Green Conservation Area, but Honeybourne Road is a further distance from the application site than View 3, and is screened by Fawley Road which runs at right-angles. Although part of the proposed eastern block will be visible in a gap between houses in Fawley Road, the impact will be minimal, having a neutral impact on the setting of the conservation area.

**View 5**

9.54 Existing: This view is taken looking north along Priory Rd looking north towards the junction with Broadhurst Gardens. This view is within the South Hampstead Conservation Area. The student block on Blackburn Rd is visible in the gap between Nos 166 and 168 Broadhurst Gardens.

9.55 Proposed: The proposed building will be partially visible in the gap between the student block and 168 Broadhurst Gardens above the existing lower rise building adjacent to the student block. However the degree of visibility is negligible.

9.56 Heritage Assessment: Since the proposed development will be a notable distance away from the South Hampstead Conservation Area and will only be partially visible in a view that is already characterised by larger scale modern development (the Blackburn Road student housing block), it is considered that the impact on the South Hampstead Conservation Area will be minimal and will cause no harm to the setting of the South Hampstead Conservation Area.

**Views 6-10**

9.57 These views are not from within a conservation area and do not look towards a conservation area. As such there are no impacts to assess on any heritage assets.

**Heritage Conclusions**

9.58 There is a minor adverse impact of the additional height and bulk of the proposed development on the view south over the roofline of houses in Lymington Road from a mid-point in Crediton Hill. However, this impact from a single point within the conservation area, from which the surrounding built-up urban context is already apparent, is considered to be very minor. Any adverse impact should be balanced
against noticeable enhancements elsewhere to the character and appearance of the West End Green Conservation Area, which are considered to outweigh the minor adverse impact. Overall the proposed development has a markedly positive impact on the setting of the conservation area, most notably on its southern section where it adjoins Canterbury Mansions on the eastern frontage to West End Lane, in particular as viewed from the north up West End Lane, and also from the junction with Iverson Road to the south. Furthermore, the development has no direct physical impact on the character and appearance of the conservation area. It has also to be noted that the development will have a neutral impact on the setting of the South Hampstead Conservation Area which is situated some distance to the south. Overall the proposal is considered to preserve the setting of the two conservation areas and on balance to comply with NPPF paragraph 132, policies CS14, DP24 and DP25, and FGWHNP policies 2, 3 and 4i and ii.

10. QUALITY OF PROPOSED ACCOMODATION

10.1 Development Plan policy DP26 requires residential developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes, amenity space and an internal living environment which affords acceptable levels of sunlight, daylight, privacy and outlook. CPG 6 provides further guidance on amenity.

Unit sizes

10.2 The London Plan Housing Standards SPG sets out acceptable room sizes, based on the number of potential occupiers and bedrooms. 163 of the 164 flats would meet or exceed these standards. A private sale 2 Bedroom (4 person) unit on the ground floor of the east building falls 2sqm short of the 70sqm minimum. This small shortfall is not considered significant in the context of the whole scheme, where all other units either meet or exceed minimum size requirements. Additionally the unit in question has bedrooms that exceed minimum standards, good internal circulation, and a south facing aspect which receives very good sunlight and daylight levels. Despite the minor failure of this one unit, overall the proposal is considered to provide an excellent standard with respect to unit sizes.

Outlook

10.3 In terms of outlook 98 of the 164 dwellings (61%) would enjoy dual aspect which is considered a good proportion for higher density development within an urban location. There is no north facing or family sized single aspect units, with 72% of single aspect units being one bedroom. All single aspect units have acceptable outlook over communal or public open spaces with adequate separation distances between neighbouring dwellings to protect privacy.

10.4 Concerns were raised by officers about the outlook of some of the lower ground floor units facing onto Potteries Path and the layout of these units has been revised to be dual aspect, with additional outlook provided over the eastern courtyard.

10.5 Overall, the scheme is considered to offer a high quality outlook to prospective residents.
**Privacy**

10.6 The dimensions of the courtyards have been carefully considered to maintain an 18m separation distances between habitable room windows of flats that directly face each other in line with CPG. There would be instances of oblique overlooking between habitable rooms and balconies of perpendicular courtyard elevations; however this relationship is unavoidable and common place for high density development in an urban location and generally considered acceptable. The relationship between perpendicular flats is particularly tight however at first and second floor level in the northern corners of the central courtyard, as such a condition is recommended securing that installation of privacy screening to the terraces of flats E1.01, E1.02 and E2.01 and E2.02 of the eastern building to protect privacy of adjacent flats in the east and west buildings at first and second floor level.

10.7 Overall the layout has been positively designed to maximise privacy for prospective residents given the dense nature of the proposal.

**Sunlight/daylight**

**Daylight**

10.8 A daylight and sunlight assessment, based on the guidance and methods contained in the Building Research Establishment (BRE) report “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice” (October 2011), accompanies the application.

10.9 Approximately 97% of all habitable rooms achieve or surpass the minimum recommended Average Daylight Factor (ADF) targets (only 18 of the total 462 rooms fall marginally short of their ADF targets). This is a very high level of compliance in the context of an urban development site.

10.10 The results confirm that 4 of the 18 shortfalls serve bedrooms (bedroom served by window 114 achieves 0.5%, bedroom served by window 192 achieves 0.7%, bedroom served by window 271 achieves 0.8% and bedroom served by window 374 achieves 0.9% against the BRE target of 1% for this room type). The remaining shortfalls are to living/dining/kitchens (14 of the 18 shortfalls). Where a room type contains a kitchen, the ADF target applicable is 2%.

10.11 Three of the bedroom shortfalls are single bedrooms within the 3 bed family units, and are due to the bedroom windows opening onto the recessed balconies facing West End Lane. The remaining bedrooms and living areas in these flats exceed minimum ADF levels and overall these units are considered to receive good light levels. The kitchens in these flats have ADF levels from 1.4 to 1.6 which is below the 2% ADF target. These kitchens however are galley style without a dining area, which is located separately within the flat with good natural light level. The BRE guidance suggests that where kitchens fail minimum ADF standards they should be located next to well-lit living spaces. As such these minor failures to the kitchen are considered acceptable.

10.12 On the western block the design of the west facing flats surrounding the central courtyard have been revised to be less deep and the first and second floor flats no longer have an access deck above. These flats now all achieve minimum ADF levels.
10.13 On the eastern private block, of the 33 flats surrounding the courtyard, 9 rooms in 9 separate flats fall below the minimum ADF target. The affected units are on the lower floors of the eastern courtyard and are all relatively minor, failing by between 0.1 and 0.7%. Additionally each of these flats exceeds minimum space standards and has good outlook over the shared courtyards. Overall, due to the minor nature of the failures, the less than optimal daylight levels to these flat are not considered to result in significant harm to future occupiers or to warrant refusal of the scheme.

10.14 The layout of the ground floor units in the eastern block facing Potteries Path has been revised to be dual aspect, significantly improving outlook and daylight to these units. All of these units now surpass minimum ADF target guidelines.

10.15 The worst daylight failures are found in the 3x 2 bedroom private sale units between the northern wing of the eastern block and the 3 storey element which returns along the northern boundary. The window design of these flats has been revised; however the main living areas still receive ADF levels of between 0.6 and 0.9% against the 2% target. These rooms suffer due to the angle of the window in relation to the room layout, with the part of the room closest to the window still receiving a good standard of daylight. The affected living rooms open onto a private balcony, with an outlook over the central public space and are also dual aspect, with the bedrooms exceeding minimum ADF levels. On balance, despite the poor light levels, to main living areas, of these flats in the context of the overall development the level of harm is not considered sufficient to warrant refusal of the application.

Sunlight

10.16 The BRE guide recommends that, where possible, each new dwelling should have at least one main living room window that faces within 90 degrees of due south. However, the guide acknowledges that this is not always possible especially when it comes to flats. The Council recognises that not all of the guidance contained within the BRE document, particularly orientation, can be adhered to in all developments due to the dense and constrained urban nature of Camden. This is particularly true of higher density development in urban environments such as this.

10.17 Notwithstanding the above, 78% of the living rooms (128 of the 164) have at least one window which faces within 90 degrees of due south. The units which do not are east facing and there are no living rooms with a sole north facing aspect within the development. Overall this layout is considered acceptable for a high density development of this type.

10.18 All windows facing within 90 degrees of due south have been assessed for their Annual Probable Sunlight Hours (APSH) in accordance with BRE guidelines. The BRE states that living room and kitchen windows require most sunlight and the assessment demonstrates that the majority of these windows would achieve levels comfortably exceeding the summer and winter targets of 25% and 5% respectively.

10.19 Of the 128 living rooms, 92 receive well in excess of recommended APSH for both summer and winter periods. The majority of the reported failures are very minor, between 1 and 4%, and occur only due to the provision of balconies on western and southern elevations, and the overshadowing these cause in the summer months.
These units generally greatly exceed APSH for winter hours due to their aspect, as well as having access to a sunlit balcony year round. This is considered an acceptable trade off in amenities and all of these flats will still receive high levels of sunlight throughout the year.

10.20 Unsurprisingly the windows which perform poorly with respect to sunlight are located within the internal courtyards. This is to be expected, and is not uncommon in higher density developments for a proportion of units to experience lower levels of sunlight than recommended. It is rarely possible to locate all windows or units on outer elevations or within 90 degrees of due south. The proposal has a high proportion of living rooms within 90 degrees of due south and the overall sunlight levels to flats within the development is considered to be reasonably high.

10.21 Overall the scheme would provide a high proportion of flats that would achieve a good level of outlook, privacy, daylight and sunlight. Officers are satisfied that the internal layouts, balcony and window locations maximise amenity potential for the proposed arrangement. The small numbers of habitable rooms that fall below recommended BRE guidance are far outweighed by the significant number of rooms that exceed the guidance and the sunlight/daylight to proposed units overall is considered acceptable.

**Noise and Vibration**

10.22 Policy DP28 relates to the protection of existing and future amenity with regard to noise disturbance.

10.23 A detailed Noise Impact Assessment was submitted with the application. Noise measurements were carried out between 1150hrs on Tuesday 16th June 2015 and 1200hrs on Wednesday 17th June 2015. The council expects indoor noise levels to target the ‘good’ sound levels in BS 8233 of 30dB for living rooms and bedrooms (although it allows up to +3dB in the case of existing noisy areas). The report concluded that noise mitigation would be required to achieve these levels suggesting a typical glazing system in a 10/12/6 configuration, with acoustic laminate on the inside pane, to give a Sound Reduction Index (SRI) of 40 dB could be used. Additionally, the rest of the facade build-up should be constructed to achieve a SRI of 55 dB. This could be achieved using a standard brick/block cavity wall.

10.24 The councils Environmental Health Officer has assessed this report and raised no objections subject to conditions to secure full details of acoustic treatment, including between residential units, and between residential and commercial units prior to construction. A condition securing full details of building vibration levels and mitigation to protect against possible vibration effects from the West End Lane and the Railway is also recommended.

10.25 As the exact nature of the proposed commercial uses on the ground floor of the west building is not known conditions are recommended securing control hours of operation and the use of music.

**Amenity Space**
**Private**

10.26 CPG 2 – Housing prescribes that all new dwellings should have access to some form of private outdoor amenity space. The GLA’s housing SPG Policy 3 prescribes a minimum of 5 sqm of private outdoor space for all 2 person dwellings and an extra 1 sqm for each additional occupant.

10.27 All units within the development would have access to a private balcony or for ground floor units a private garden space which meet or exceed London Plan standards. These spaces are provided in addition to access to shared communal courtyards for each block, the communal roof terrace for occupants of the east building and the central public open space.

**Communal**

10.28 The proposal benefits from two communal courtyards serving the east and west buildings measuring 274 sqm and 254 sqm respectively. The courtyards have been sized to allow for good levels of outlook, quietness and privacy for the residential windows that overlook. However by their very nature and location to the north of the main bulk and height of the proposal, it is also acknowledged that the ground of both communal courtyards would be overshadowed for the majority of the year.

10.29 The courtyards have been assessed against the BRE recommendation (at least half of an amenity area should receive at least 2 hours of sunlight on 21 March). The results indicate that both courtyards fail this test, with only 10% of the western courtyard and 0% the eastern courtyard receiving 2 hours of sunlight on 21st March.

10.30 For the courtyards to meet the 21 March guidance the development would have to be significantly reduced in height and, or large sections of the east and west building removed entirely. In a highly accessible urban site like this, located within the West Hampstead Growth Area the development density must be optimised in the interests of sustainable development. As discussed under paragraphs 8.76-8.80 of this report, the development would achieve close to an optimum density on the site and it is not considered that substantially reducing density would be a proportionate response to the overshadowing of the communal courtyard spaces. Despite the overshadowing of these spaces the courtyards are still considered to offer reasonable quality outdoor amenity space and serve to enhance outlook for future occupiers.

10.31 Furthermore, In addition to these courtyard spaces, a large roof terrace serving the eastern building, and the central public open space, accessible to all residents, will ensures that all residents will have access to amenity space which greatly exceeds the minimum amount of sunlight recommended by the BRE guidelines.

10.32 A condition securing details of all landscaping will ensure that planting is appropriate to makes communal spaces as attractive as possible for future occupiers.

**Dwelling Mix**

10.33 Policy DP5 requires that all residential development provide an appropriate mix of dwelling sizes. The table below provides a summary of the proposal.

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>1 Bed</th>
<th>2 Bed</th>
<th>3 Bed</th>
<th>4 Bed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Rent</td>
<td>14 (32%)</td>
<td>9 (20%)</td>
<td>17 (39%)</td>
<td>4 (9%)</td>
<td>44</td>
</tr>
</tbody>
</table>
10.34 With regard to affordable rented tenure, DP5 seeks 50% of housing as large dwellings. The provision of 3 bed + units equates to 48% of the units in this tenure which is welcomed, as this is a key priority for affordable housing within the borough, reflecting the area of greatest housing need. The overall mix in this tenure is considered to be acceptable.

10.35 With regard to intermediate affordable housing, the proposal provides no large units, and provides more 1 bed than 2 bed units. This is in line with Council guidance that seeks to avoid larger intermediate units due to affordability concerns. As such the proposed intermediate mix is considered acceptable.

10.36 With regard to market housing, DP5 seeks 40% as 2-bedroom dwellings, and a higher percentage of large (3 bedrooms or more) versus 1-bed units. While the proposal would ideally provide more large units given the ‘medium ‘demand’ in the councils Dwelling Size Priority table, the area is not identified as having a specific shortage of larger dwellings, and the higher proportion of 2 bed dwellings (60%) is achieved. Most importantly, for the council is securing a sufficient number of larger units within the affordable rented tenure, as such the lack of larger units in the private tenure is considered on balance to be acceptable.

10.37 Overall the proposal is considered to contribute to meeting the Council’s priority housing needs, and provides an acceptable mix of large and small homes, particularly larger dwellings in the affordable rented tenure.

11. AFFORDABLE HOUSING

Tenure mix
11.1 Under London Plan policies 3.10, 3.11 and 3.12, Camden policies CS6 and DP3 and CPG2 (Housing), 50% of housing provision should be affordable. The split of the affordable housing provided should be 60% social rented and 40% intermediate.

11.2 The overall provision of residential accommodation proposed in terms of tenure is as follows:

<table>
<thead>
<tr>
<th>Tenure</th>
<th>% floorspace (NIA)</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>100%</td>
<td>164</td>
</tr>
<tr>
<td>Affordable housing (AH)</td>
<td>50%</td>
<td>79</td>
</tr>
<tr>
<td>AH – affordable rented</td>
<td>38% (of AH)</td>
<td>44</td>
</tr>
<tr>
<td>AH - Intermediate</td>
<td>62% (of AH)</td>
<td>35</td>
</tr>
<tr>
<td>Private Sale</td>
<td>50%</td>
<td>85</td>
</tr>
</tbody>
</table>

11.3 Policy DP3 seeks a 60/40 split between affordable/social rent and intermediate tenure. The proposed scheme provides 62% of the floorspace in the affordable as affordable/social rented and 38% as intermediate. The small increase in
affordable/social rented units above the policy requirement is welcomed, particularly in these circumstances where target social rent is being proposed

**Affordable rented tenure**

11.4 The applicant has agreed that all non-intermediate housing units are to be let at Camden’s target social rent rather than the government’s affordable rent levels. This will be secured by s106 legal agreement. This is welcomed and considered a very significant planning benefit of the scheme particularly, on a scheme where there are a large number of rented units being proposed.

**Shared Ownership**

11.5 With regard to the intermediate tenure there is concern generally about the affordability of shared ownership in the borough. The Council has introduced an Intermediate Housing Strategy that seeks to secure an alternative form of intermediate tenure known as intermediate rent. However, shared ownership is the tenure proposed for this scheme and, on balance, it is not considered that the Council could reasonably refuse this scheme on the basis that shared ownership is being proposed. This is mainly due to the fact that shared ownership, despite concerns regarding affordability, remains a recognised affordable product that is included within housing and planning policy at national, regional and local level. On this basis the intermediate tenure proposed within the scheme complies with broad planning policies.

11.6 Notwithstanding the above however, central London boroughs such as Camden have experienced significant increases in property values over recent years. This increase in property values has meant that it is no longer possible to deliver shared ownership at a price that is affordable to the Council’s target income groups earning £30,000 to £40,000 per year. In April 2016, Cabinet approved an Intermediate Housing Strategy that stated that the Council would ‘seek to secure affordable intermediate housing on S106 schemes by encouraging all developers and housing associations to provide intermediate rent rather than shared ownership units as the intermediate housing element of their affordable housing contribution to developments’.

11.7 Whilst it is considered that the Council could not reasonably refuse a scheme that incorporates shared ownership, the Council does want to make intermediate housing as affordable as possible to Camden residents who do not qualify for social housing but cannot afford the high prices in the private rent and/or sale market.

11.8 To address this it is recommended that a clause is inserted into the legal agreement to secure the following:

a) the submission for approval by the Council of an Intermediate Housing Scheme prior to implementation of any permission;

b) a requirement for the developer to consider the feasibility of intermediate rent on some or all of the intermediate units as part of the submission of this scheme; and
c) any shared ownership units provided should be marketed on the basis of a sale of 25% equity, with a maximum 2% rent on the remaining equity

11.9 This clause would leave open the possibility to bring forward more affordable forms of intermediate housing, such as intermediate rent or potentially the London Living Rent, whilst also mitigating the cost of shared ownership if it does end up as the product delivered. The Council would negotiate with the developer through the build process with a view to securing a proportion (or all) of the intermediate units as intermediate rent at the time of completion/sale of the units.

Design and Layout of Affordable Units

11.10 The residential layouts have undergone a number of design changes through the planning process and overall the amendments have improved the quality of the design and layout of the affordable units. The majority of units in the affordable tenure are dual aspect and where they are not they are smaller units and have access to a private balcony. The affordable units also have access to a landscaped podium deck at first floor level.

11.11 Concern has been expressed with regard to the location of family units in the block closest to West End Lane. CPG 2.41 states, “The layout of the development should optimise residential amenity for all tenures, and avoid concentrating affordable housing close to potential sources of disturbance such as service yards, traffic and railways”.

11.12 The site is in a central location next to West Hampstead Station and is bordered by the road and railway on the south and eastern sides. Whilst the affordable family units do have an aspect onto West End Lane they also have deck access overlooking the shared courtyard area to the rear. On balance, given the central location of the site and the desire to secure a number of units appropriate for a designated growth area such as this, the location of the units, is considered acceptable.

11.13 With regard to the layouts of the individual units Camden para 5.11 of DP5 states that "To provide for the minority ethnic mix in Camden, a proportion of large homes should have kitchens and food preparation areas that are physically separated from living areas." Also CPG2 (in Figure 2 on page 21) states "Social-affordable rented homes should have physically separate kitchens and living areas where practical, particularly 3- and 4-bedrooms homes. We will seek the design of 100% of 3 bedroom and 50% of 2 bedroom homes with physically separate kitchens and living areas." In addition to these issues, children who share bedrooms often need somewhere else to do homework, and this can be very difficult when there is only one shared family area combining kitchen, dining and living area.

11.14 The larger (3-bed+) units all have a separate kitchen and living space and in the 2-bed units 5 of the 9 units have a separate kitchen area, in line with the 50% policy target.

11.15 The access to the main affordable block is through a doorway off of the new route through the site, adjoining the railway line. This entrance is located in a prominent
location on one of the main facades of the building and will therefore benefit from natural surveillance from both the units on site and from public views on West End Lane and from the new route through the site.

11.16 The entrance to the second affordable block (Core 2) is located on a secondary façade but has a slightly larger entrance which opens out onto one of the shared courtyard areas at ground floor level. Again, natural surveillance will be provided by the overlooking residential units, whilst at ground floor level occupation of the community space and the start-up units will provide for active floorspace and pedestrian movement throughout the day.

11.17 Objections have been received regarding the separation of the private and affordable units in the scheme. Separate areas and entrances for the private and affordable elements is a general requirement for registered providers of affordable housing as they are easier to manage and keep service charges down. Given the above, the separation of private and affordable entrances and circulation areas is considered acceptable.

11.18 The scheme proposes 18 fully wheelchair units within the affordable rented tenure which is in excess of the 10% requirement. This is welcomed given the long waiting list for this type of accommodation. These units will be fully adapted and this will be secured by condition. Accessibility is discussed in detail in the accessibility section of the report.

12. IMPACT ON DESIGNATED OPEN SPACE

12.1 The Crown Close open space, is a designated open space (no. 33 on the proposals map) located to the east of the development site. It is comprised of two separate areas, a Multi-Use Games Area (MUGA) adjacent to the site boundary and a green open green space with children’s play facilities further to the east. Policies CS15 and DP31 seek to protect and improve open space and Policy 17 of the FGWHNP seeks to protect open space from significant damage, or loss through development.

12.2 Policy 16 of the FGWHNP designates Crown Close open space (exclusive of the MUGA) as a local green space due to its high environmental value, local character, proximity to the community and contribution to biodiversity in the area.

12.3 A considerable number of representations have been received objecting the overshadowing of the MUGA and Crown Close Open Space. The objections focus on the impact of the usability and enjoyment of these spaces in the afternoon, when they are most in use. Particularly, the use of the MUGA by school children and the green space and children’s play facilities by families.

12.4 A Sunlight and Overshadowing assessment has been submitted as part of the application and covers the impact on the MUGA and Crown Close Open Space. The assessment includes shadow analyses for the spring equinox and the summer and winter solstices in line with the BRE requirements for overshadowing assessment.

12.5 The BRE guidelines state that if a space is used all year round, the equinox (21
March) is the best date to prepare shadow plots as it gives an average level of shadowing. Lengths of shadows at the autumn equinox (21 September) will be the same as those for 21 March so a separate set of plots for September is not required. The shadow analysis submitted by the applicant provides a complete analysis of overshadowing from 8am to 8pm for the equinox. Additionally the overshadowing analysis includes summer (21 June) and winter (21 December). The impact on this open space has been assessed against the BRE Tests (BRE Report 209) and passes.

12.6 The analysis shows that there will be no change in overshadowing to the either the MUGA or green space/children’s play area during the morning and early afternoon. The impacts on these spaces during the remainder of the day are outlined below for the different scenarios tested.

21 March

12.7 MUGA - The shadow analyses for 21 March shows some additional overshadowing (approx. 25% of the area) at 2pm to the north-western corner of the MUGA, which increases across much of the remainder of the space by 4pm. From 5pm the MUGA is almost entirely overshadowed under both before and after development scenarios.

12.8 Green Space/Children’s Play Area - A small portion of the northwest corner of this space (approx. 10%) becomes shaded from 4pm and by 5pm the green space would experience almost complete overshadowing. By 6pm the open space is completely overshadowed in both before and after development scenarios. The additional overshadowing of this space during the equinox is therefore confined to between 4-6pm

21 June

12.9 MUGA - The shadow analyses for 21 June shows that from 4pm most of the MUGA would fall under shadow as a result of the proposal. In comparison the MUGA receives full sunlight during these times under existing conditions. By 8pm the MUGA is already significantly overshadowed under existing conditions and the proposal results in only a minor increase in overshadowing of the space at this time.

12.10 Green Space/Children’s Play Area - this space is not impacted at all during this period apart from very minor encroachment to the southwest corner at 8pm. This overshadowing is unlikely to be noticeable in summer.

21 December

12.11 The shadow analyses for 21 December shows only marginal differences between the existing and proposed scenarios at 2pm, with the North West corner of the MUGA nearest the proposal experiencing minor levels of additional overshadowing. The amount is so small as to not be considered materially different to the existing situation. After that time the whole of the MUGA and Crown Close open space is overshadowed in the existing and proposed situations.

Conclusions

12.12 MUGA - It is accepted that the MUGA will experience a degree of overshadowing as
a result of the proposal. With respect to after school use, during the equinox the additional overshadowing will be noticeable between 4 and 6pm, after which time the MUGA is already substantially overshadowed in the existing scenario. During summer however the overshadowing will be more noticeable with the area completely in shade from 4pm when it was previously sunlit.

12.13 A significant number of representations from local groups and residents have been received, objecting that the overshadowing of this space would harm the amenity of its users. It is not considered, however that the resulting overshadowing would harm the function of this space as a multi-use games area. Whilst it is accepted that sunlit spaces are more pleasant, sunlight is not inherent or essential to the function of this space, which by its nature is designed for games and active uses, rather than the respite and relaxation function provided by parks and greenspace. The Council’s Green Space Development Manager was consulted on the application and raised no objection to the overshadowing of MUGA in relation to its function and it is considered that any harm to this space resulting from its overshadowing is not so significant so as to warrant refusal of the application.

12.14 Importantly also, is the fact that the space will be sunlit for the remainder of the day throughout all times during the year, including school summer holidays when the facility is used most. This is also important as the area will retain the benefit of high levels of sunlight throughout the day, which will mean the avoidance of it becoming damp and mossy.

12.15 The overshadowing analysis was independently verified by the council’s consultants who did not consider the overshadowing of the MUGA to be unacceptable.

12.16 Green Space/Children’s Play Area- the green space and children’s play area, unlike the MUGA relies on sunlight for the enjoyment and amenity of this space. This area will be unaffected by the proposals for the majority of the year though it is accepted that it will be subject to some additional overshadowing during the late afternoons in spring and autumn.

12.17 During these periods, the overshadowing of this space is the same for existing and proposed scenarios at both 4pm and 6pm, that being sunlit at 4pm and in shadow by 6pm. As such the critical period is between 4pm to 6pm in the equinox where the space goes from presently sunlit to complete shadowing.

12.18 This space is bordered by mature trees to the east between the edge of the greenspace and the MUGA. During the afternoons, during March and September the space is already significantly overshadowed by these trees. Whilst it is accepted that overshadowing from trees is more pleasant that blanket shading from a building, the present overshadowing does not prevent the use or enjoyment of this space and it is not considered that the difference for this brief period at limited times of the year, would result in such significant degree of harm to the amenity and enjoyment of this space as to warrant refusal of the application.

12.19 Given that there would only be a noticeable increase in overshadowing for between 1 and 2 hours/day during spring/autumn, at a time when the space is already substantially overshadowed by existing trees, and that for the majority of year
would be unaffected, or the additional impact would be unnoticeable; it is not considered that the proposed building would have a significant material impact in terms of overshadowing of the Crown Close open space.

12.20 On balance it is not considered that the proposal would cause harm to the wholeness, appearance or setting, or harm public enjoyment of the space.

13 **NEIGHBOURING AMENITY**

13.1 Policies CS5, DP26, CPG6 (Amenity) and the Policy 4 of the Fortune Green and West Hampstead Neighbourhood Plan are relevant with regards to the impact on the amenity of residential properties in the area.

**Daylight Sunlight and Overshadowing**

13.2 The application is supported by a Daylight & Sunlight assessment that considers relationships to the immediate neighbours as well as further afield against the criteria of the Building Research Establishment (BRE) ‘Site Layout Planning for Daylight and Sunlight: A guide to Good Practice.

13.3 The report variously makes use of 4 standards in the assessment of existing versus proposed daylight and sunlight levels:

- **Vertical Sky Component (VSC)** - A measure of the amount of sky visible at the centre of a window.
- **Daylight Distribution (DD)** - The area at desk level inside a room that will have a direct view of the sky.
- **Average Daylight Factor (ADF)** - A measure of the ratio of the luminance in a room to the external unobstructed sky.
- **Annual Probable Sunlight Hour (APSH)** - A measure of the amount of sunlight that windows within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period.

13.4 VSC is generally considered the most appropriate way of measuring of Daylight to neighbouring properties whilst measurements such as ADF are used to assess sunlight/daylight in new dwellings. The BRE considers that daylight may be adversely affected if, after development the VSC is both less than 27% and less than 0.8 times its former value.

13.5 Should VSC fail then the more technical DD test can be employed. In these cases, where the layout of the affected room is known it is tested for daylight distribution. Like VSC, the DD figure can be reduced by up to 20% before the daylight loss is materially noticeable. It should also be noted that although the guidelines set a good level of daylight at 27%, the guidelines are designed to be interpreted flexibly, and lighting levels of 20% or more are generally considered good levels of light for an urban setting.

13.6 With respect to measuring sunlight and the APSH test, the BRE guide explains that sunlight availability may be adversely affected if the centre of the window receives
less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21st September and 21st March and; receives less than 0.8 times its former sunlight hours during either period; and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

13.7 With respect to measuring overshadowing of gardens the BRE guide recommends that at least 50% of the area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

Technical objections

13.8 Several objections from neighbouring residents and local groups were received on the sunlight and daylight impact of the proposal. Additionally objections to the reliability of the data provided were received on the following points;

- discrepancies between the figures contained in the consultant’s report submitted with the original scheme (the 2015 report), and those of the revised report (the 2016 report) assessing the revised final scheme, namely to do with differences between the baseline or existing levels of sunlight/daylight received for windows at 14, 16 and 20 Lymington Road.
- the overshadowing data for garden spaces was inaccurate in that the area of gardens indicated as “Receives under two hours sunlight on 21st March before and after the development” in appendix 3 of the report, is larger than the actual existing area shown in the overshadowing images contained within the Appendix 4 of the same report.
- Garden sizes had changed in the different versions of the report

13.9 The applicants sunlight/daylight consultant responded to these objections explaining that the variances between the two sets of figures within the 2015 and 2016 reports was due to having more accurate survey information and, more accurate data with respect to neighbouring properties, as well as the reduced height of the proposal at the time of the second assessment.

13.10 With respect to the garden overshadowing data, shadow plots are not used in the production of the two hour overshadowing contours and the applicant’s consultant has confirmed they have used the most accurate approach as advocated by the BRE guidelines.

13.11 The council appointed an independent assessor (Anstey Horne) to assess the findings of the applicant’s 2016 sunlight/daylight report. Anstey Horne noted the lack of explanatory modelling information contained within the report, which was then subsequently provided by the applicant and verified by Anstey Horne.

13.12 Anstey Horne reported that some minor discrepancies between the survey and modelling with respect to window CIL and head heights on 18-24 Lymington Road.
(between 30 and 40cm) but concluded that these variances should not fundamentally affect the results. The independent review concluded that ‘The cross check shows that on balance the technical assessment model is a reasonable representation of the existing site conditions and has modelled the proposed correctly.’ Following this confirmation, officers are satisfied that the latest sunlight/daylight accurately reports the impact of the proposal.

**Assessment**

13.13 Overall the proposal has a limited impact on neighbouring sunlight and daylight. The assessment concludes that 93% (362 out of 391 tested) of the habitable room windows on neighbouring properties meet or surpass the numerical values of the BRE Vertical Sky Component target. The results of the assessment confirm that 97% (287 out of 294 tested) of windows tested, meet or surpass the total annual sunlight hours test and winter sunlight hours test. This is a high compliance rate or an urban development of this size. Furthermore none of the failures are in excess of 0.1 of the VSC target ratio of 0.8

13.14 In reviewing the findings of the applicants report, Anstey Horne did not raise any issues with regards to the impact on any neighbouring properties and concluded that the impact on sunlight, daylight and overshadowing was acceptable. They stated that due to the vacant site the starting point for comparison would inevitably lead to reductions in sunlight and daylight, however in the majority of cases where there are reductions in daylight beyond the BRE guidelines, the residual VSC levels to affected windows are 20% or more which is considered a good level of daylight for an urban setting. They concluded that overall adherence to the sunlight daylight BRE targets is good and where there are reductions beyond the guidelines the retained levels of light are in keeping for an urban setting.

13.15 A number of objections have been received from adjoining occupiers of Lymington Road properties about specific loss of sunlight and daylight and overshadowing of gardens. An assessment of each of the properties where VSC failures and or garden failures are apparent is provided below:

13.16 *No. 166-174 West End Lane* - Of the twenty-four windows tested only five windows fall below the 0.8 ratio reduction target with minor failures between 0.71 and 0.76. The 3 units, located at ground, first and second floor level each have one window falling, however all are side panels of bay windows which otherwise exceed the VSC target. As such daylight to these rooms, and flats, is not considered to be harmed.

13.17 The other two affected windows serve separate flats located at 3rd and 4th floor level respectively, and appear to serve either a stairwell or bathroom. These windows are only marginally below the 0.8 ratio at 0.74 and with all other windows within the flats receiving good levels of daylight, the minor loss to these windows is considered acceptable.

13.18 With regard to APSH, the southernmost bay window panel on each flat from ground to third floor falls below the BRE guidelines. Two of the rooms will have reductions slightly below 0.8 whilst the other two have another window which exceeds target levels. Overall the level of sunlight is considered acceptable.
13.19 **No. 8 Lymington Road** - Only one window, serving a dining/kitchen of the first floor flat falls marginally below the 0.8 ratio at 0.77. The resulting daylight to this window is still considered a good level at over 20%. Additionally this same room is served by three other adjoining windows which exceed the minimum VSC levels and the APSH test also shows full adherence. There is not considered to be any harmful impact on sunlight or daylight to this room or flat overall.

13.20 **No. 10 Lymington Road** – the original assessment of this property omitted two lower ground floor windows and mistakenly identified window 230 as being a fanlight above ground level. Following a request from officers a reassessment of this property was undertaken superseding the results of the original report. The assessment of window 230 has been superseded by the accurate survey of windows 230a), 230 b) and 230c) which serve bedrooms within a light well to the ground floor duplex. All windows at this property show full adhered to VSC guidelines.

13.21 **No. 12 Lymington Road** – This property is an HMO split into 12 bed sits. The lower ground floor rooms are the most affected, with windows 239, 240, 247 and 248 falling marginally below the VSC ratio of 0.8 at between 0.72 and 0.76. Resulting VSC levels for these windows are still all above 20% with the exception of 240 at 17.7%.

13.22 It is considered there will be some noticeable reduction of daylight to room 240, however the reduction is still marginal at 0.74 times its former value and not considered sufficiently harmful to warrant refusal of the scheme.

13.23 Window 249 which also serves the same room as 247 and 248 adheres to BRE guidelines and this room greatly exceeds the DD test. The APSH test showed full adherence to the BRE guidelines although with the exception of one windows on the flank elevation which shows a minor winter sunlight transgression with resulting 4% winter sunlight hours – 1% below the BRE threshold.

13.24 At first floor level window 241 falls marginally below the 0.8 ratio at 0.76 but this room is also served by two other adjoining windows which exceed with BRE guidelines and the room passes the DD test.

13.25 **14 Lymington Road** - Four windows serving the ground floor flat fall marginally below the recommended VSC ratio of 0.8. Windows 265 and 266 serve a living room and fall below the 0.8 ratio at 0.73 and 0.76. These windows still have good resulting daylight above 20% and the room is also served by another window (264) which passes VSC test.

13.26 Window 258 and 259 which serve a bathroom belonging to the same flat, also fall marginally below 0.8 at 0.76 and 0.75. These windows have resulting daylight levels in excess of 20% which again is considered a good level of daylight in an urban setting. All windows at the property meet the APSH threshold and the rooms pass the DD test. Overall, despite the minor failures there is not considered to be a significantly harmful impact on sunlight or daylight to this flat.
13.27 16 Lymington Road - Failures at this property relate to the ground floor flat. One window to the living room falls below the 0.8 ratio to 0.7, however this window retains VSC levels over 25% just 2% below the recommended VSC level and is therefore considered to retain a good level of internal daylighting despite the reduction. The room is also served by four additional windows which all pass the VSC test. All rooms pass DD test.

13.28 One window to the kitchen falls marginally below at 0.74 but retains VSC levels in excess of 25% and is also served by two other windows that pass the VSC test. All windows pass the DD and APSH tests. Overall there is not considered to be a harmful impact on sunlight or daylight to this flat.

13.29 18 Lymington Road- Failures at this property relate to the ground floor flat. Two windows fail marginally with reductions of 0.75 and 0.78 with both windows still receiving 20% VSC levels. Both windows pass the DD test and serve a room which benefits from a third window that exceeds the VSC target. All windows pass the APSH test. Overall there is not considered to be a significantly harmful impact on sunlight or daylight to this flat.

13.30 22 Lymington Road - The windows that fail at this property belong to the lower ground floor flat and serve the bedroom and dining/kitchen. The failures are all minor between 0.75 and 0.79 and all windows retain VSC levels in excess of 20% which is a good level of daylight for an urban setting. The rooms all pass the DD test with the exception of the kitchen which falls marginally below the 2% threshold at 1.7%. The APSH test shows full adherence to the BRE guidelines. It is acknowledged that there is a general reduction of light to this property however due to the minor nature of the failures and the retained level of daylight in excess of 20% it is not considered that the impact on light to this property is unacceptable.

13.31 One window to the first floor flat falls marginally below the BRE ration of 0.76 but is serve by two additional windows which exceed BRE guidelines. There is not considered to be any harmful reduction of light to this room or flat overall.

13.32 24 Lymington Road - 3 windows to the lower ground floor flat fall just below VSC target at 0.76, 0.77 and 0.79 with all retaining VSC levels in excess of 20%. Two of these window pass ADF with the third failing ADF in both the before and after development scenarios (0.9 to 0.8%). This property shows full adherence to the APSH test. It is acknowledged that there is a general reduction of light to this property however due to the minor nature of the failures and the retained level of daylight in excess of 20% it is not considered that the impact on light to this property is unacceptable.

13.33 Objections have been received relating specifically to the reduction in winter sun to adjoining properties on Lymington Road. According to the overshadowing analysis, some ground floor flats, those from no 10 – 24 Lymington Road would no longer receive direct sunlight to their windows on 21st December as a result of the proposal. Despite the lower angle of the sun at this time of year, due to the currently undeveloped site, these properties experience full winter sun to south facing windows. Whilst this reduction of winter sun to these flats is acknowledged, in assessing the impact on light, the overall reduction must be considered.
Windows to these flats all pass the APSH test. Additionally during both summer (21st June) and the equinox (21st March) these flats would still receive direct sunlight in the post development condition. Despite the reduction in winter sunlight to these properties, they are still considered to receive good level of sunlight overall and the impact of winter sunlight reduction is not considered sufficiently harmful to justify refusal of the scheme.

Overshadowing

13.34 Overshadowing images were provided with the application to give a broader picture of the impact of the development on neighbouring open spaces. This analysis indicates there will be only very minor additional overshadowing of Lymington Road Gardens during the summer months as a result of the proposal. During winter, although some additional overshadowing of gardens will be experienced the affected gardens do experience overshadowing in the existing condition during this time of year, due to the low angle of the sun and existing boundary and garden walls. During the equinox the overshadowing of neighbouring gardens in comparison to the existing situation would be more noticeable, however it is important to note that due to the existing boundary wall, that all gardens in Lymington Road experience some overshadowing in the pre development condition and it is not considered that the general level of additional overshadowing would result in significant harm.

13.35 The BRE Guidelines recommends that, for an amenity space to appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21st March. All Gardens exceed the BRE guidelines with the exception of those serving Nos 18, 22 and 24 Lymington Road which are discussed below.

13.36 18 Lymington Road - At number 18 the garden is split into three separate areas (Gardens 9, 10 and 11 in the accompanying report). Garden area 9 adheres to the BRE guidelines; however Gardens 10 and 11 obtain ratio reductions of 0.37 and 0.71 respectively.

13.37 Although there would be a much greater level of sunlight reduction to the northern areas of this garden this is primarily due to the subdivision of the area. Due to their small size these gardens already experience overshadowing in the existing situation due to the walls between gardens and boundary wall. The result of this existing overshadowing and small size is that any increase is likely to result in a large percentage reduction and therefore take the result below BRE guidelines. Whilst the overshadowing of these gardens is below the BRE thresholds and acknowledged as being a noticeable reduction it is not considered so significant as to warrant refusal of the application.

13.38 22 and 24 Lymington Road - The overshadowing assessment for the garden areas of 22 and 24 Lymington Road show the garden areas falling below the BRE guidelines ratio reductions of 0.69 and 0.68. The proposed percentage area lit for these gardens are 47% and 48% respectively. The BRE guidelines suggest that if 50% of the amenity area receives at least two hours of sunlight, then the sunlight levels will be acceptable. These results are very close to adherence rate, and the
borderline nature is more about the fact that the reduction in light is compared against little or no obstruction from the development site in its existing undeveloped condition.

13.39 The council’s independent assessor Anstey Horne, concluded that although there are greater reductions in sunlight to these properties, the effects are acceptable, given that the gardens already experience some overshadowing because of the high boundary wall condition, and the fact that the reduction in light is compared against little or no obstruction from the development site in its existing undeveloped condition.

13.40 Officers accept that a general reduction in light will be experienced by some occupiers adjoining the development site, due to the comparison with the existing undeveloped condition of the site. However, as discussed above due to the minor nature of the failures and the good levels of resulting daylight the impact to these properties is considered acceptable and not sufficient to warrant refusal of the application.

Overlooking and Privacy

13.41 New buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. CPG6 advises that as a general rule of thumb, a distance of 18m between directly facing windows properties should safeguard neighbouring resident’s privacy, however it is acknowledged this is not always possible within London environments

Figure 1 showing separation distances from Lymington Road properties and the proposal. The Blue line shows the proposed building line projected 18m forward of its position onsite, to illustrate where windows of proposal are within 18m of properties (blue shaded areas)

13.42 For the most part, windows of the proposed development are located well in excess of 18m of direct facing windows of Lymington Road properties and as such it is considered that the privacy of Lymington Road residents would be adequately protected. There are instances at no’s 10, 22 and 24 Lymington Road where
windows of the development will be between 16 to 18m away from the lower ground floor extensions of these properties. These are assessed below.

13.43 **10 Lymington Road** - The main rear façade of this property is located approximately 20 away for the proposed development, with the rear ground floor extension facing 2 bedroom windows of the proposal at 1st and 2nd floor at a distance of 16.7m. Due to the offset angle, views into and through neighbouring windows will be restricted. Additionally the proposed windows serve bedrooms which by their nature do not result in significant overlooking.

13.44 **22 Lymington Road** - The proposal would be sited approximately 20 away from the main rear façade of this property, although 3 kitchen windows of the proposal at ground at 1st and 2nd floor would be approximately 16.1m from windows serving the lower ground floor flat of this property. Again due to the oblique angle, overlooking would be limited from these windows.

13.45 **24 Lymington Road** - 6 bedroom windows, two at ground, two at 1st and two at 2nd floor level, would align approximately with windows of the lower ground floor flat at 24 Lymington Road, at separation distance of approximately 16m. Due to the offset angle views into and through neighbouring windows from the 1st and 2nd floor would be restricted. Furthermore three of the windows have been redesigned to be oriented north eastward to prevent overlooking. The proposed windows also serve bedrooms which by their nature do not result in significant overlooking.

13.46 The applicant has indicated a willingness to obscure glaze north facing windows of the proposed development in order to address any instances of perceived overlooking. With the exception of 3 bedroom windows adjacent to no.24 Lymington Road, which have been angled to prevent overlooking, all north facing windows of the proposal are secondary windows. As such it is considered acceptable to attach a condition securing these windows be fixed shut and obscure glazed to a height of 1.7m from the finished internal floor height to address any sense of perceived overlooking from Lymington Road properties.

13.47 The proposal does contain a number of east and west facing balconies proximate to the northern elevation and whilst not within 18m or affording direct overlooking, it is considered that this proximity, especially compared with the existing situation could lead to a perceived sense of overlooking to Lymington Road residents. As such it is recommended that a condition is attached securing details of privacy screens and their installation to these balconies prior to the occupation of the development.

13.48 The proposal includes a number of north facing roof terraces at 4th and 5th floor level and the raised communal open space of the western building at first floor level. These areas are situated in excess of 20m from the rear of Lymington Road properties. This distance is considered sufficient to prevent harmful overlooking of neighbouring windows and gardens subject to a condition securing details of privacy screening, and its installation prior to occupation of the development.
Outlook

13.49 A number of objections have been received from residents of Lymington Road, citing the impact of the proposal on outlook and views from these properties. Views are not protected by planning policy; however development must be designed so as not unduly harm outlook, that is to ensure it does not result in an unreasonable sense of overbearing or enclosure to neighbouring residents.

13.50 The stepped design and U shaped layouts of the proposed buildings present a varied height and massing with respect to the northern boundary. The rear element of the proposal is set back from the site boundary and maintains a height of between 3 and 4 storeys which aligns with heights of adjacent properties on Lymington Road, before stepping up and away to the south to its penultimate height.

13.51 The rear of Lymington Road properties are generally located between 18m and 20m from the closest 3 storey northern elevation of the proposal, with the exception of lower ground floor extensions serving lower floor flats at no’s 10, 16 and 22 and 24 which are approximately 16m away. Where aligned with Lymington Road properties, the 5 and 6 storey northern elevations of the proposal are located approximately 25m and 30m away. Due to the ground level differences between the site and adjoining properties and the west to east slope, the view of the rear 3/4 storey element of the proposed building would vary between 2 and 3½ storeys high when viewed from neighbouring properties and gardens.

13.52 In assessing the impact on outlook it is important to acknowledge the existing...
situation is unusual, as the result of these properties being adjacent to a completely undeveloped site. Any development at the density required of this site, will have some impact on this existing outlook and the test with respect to outlook therefore, must be considered in the context of what is a reasonable relationship between rear facing buildings within an urban setting, rather than against the existing exceptional situation.

13.53 No's 2-4 Lymington Road are adjacent to the western courtyard. The large separation distance of approximately 45m to the 6 storey southern wing of the western block, is considered to preserve a reasonable outlook for these properties.

13.54 Nos. 6-8 Lymington Road are adjacent to the eastern wing of the western block, where the 3 storey northern elevation would be set over 18m away from the closest part of the rear elevation. In this location the proposal steps up to 5 storeys at a distance of 24m, then up to 6 at distance of 28m. The separation distances and stepping of the upper levels of the proposal in this location is considered sufficient to avoid significant harm to the outlook of these properties.

13.55 No's 10-12 are adjacent to the 3 storey northern return of the eastern block which frames the central public open space. The lower ground floor extension at no.10 would be approximately 16.7m away from the proposal. Despite this closer proximity this property also partially aligns with the gap between the east and west blocks and will maintain some views out and over the new public open space and beyond. The proposed massing is at its lowest height in this location at 3 storeys. Additionally, three mature trees are located within these gardens which already serve to enclose the gardens and screen views of the proposal. As such these properties are considered to retain an acceptable outlook.

13.56 No’s 14-16 Lymington Road are adjacent to the western wing of the east block. From no. 14 the 3 storey northern elevation of the proposal is set 20m away, the 5 storey element 29m away and the 6 storey element 32m away. These separation distances are considered adequate here to ensure the proposal would not appear overbearing or result in a harmful sense of enclosure to this property. A large mature tree in the garden of No14 will also serve to screen views of the proposal when in leaf.

13.57 No 16 is set away as no.14, with the exception of the ground floor rear extension serving the ground floor flat. This room is located 16.3m away from the 3 storey elevation of the proposal and due to the oblique angle would not have views of the upper floors. Whilst there is considered to be a degree of enclosure with respect to the outlook of this flat due to the height and setback of the proposal in this location, this harm is considered relatively minor in the context of the scheme overall, and the relationship between rear facing buildings acceptable in an inner urban context.

13.58 Nos. 18-20 Lymington Road is adjacent to the central courtyard of the eastern building and as such the majority of the building is set approximately 50m away when viewed from these properties. Outlook from flats within No. 18 will also be partially of the 3 storey elevation of the proposal, but will be set over 21m away from this element. This separation distance is considered sufficient to ensure flats
within these properties will not suffer from a harmful sense of enclosure as a result of the development.

13.59 No’s 22 and 24 are adjacent to the eastern wing of the east block and have stepped rear projecting elements variously set back between 16m and 20m from the 3 storey northern elevation of the proposal. The proposal is four storeys in this location including the lower ground floor and would appear as 3 1/2 storeys when viewed from these properties due to the change in ground level.

13.60 The relationship between the proposal and lower ground floor flats in this location is closer than elsewhere in the terrace and the proposal marginally higher in comparison. Despite this however the relationship would be still consistent with that of a typical mews typology in an urban setting, at least with respect to the 3 storey element nearest the boundary. The outlook from the lower ground floor flats at these properties is already compromised by their location below ground floor level and any development at the site, even at a considerably reduced height would block views of the sky from within these flats due to their sunken position. Flats within no. 22 do benefit from an angled view across the proposal in this location with relief provided by the eastern courtyard.

13.61 The loss of outlook for properties on Lymington Road in comparison to the existing situation is acknowledged, and there are some instances, particularly from lower ground floor units at properties at 16, 22 and 24 Lymington Road, where the resulting impact on outlook is greater than other properties.

13.62 Any intensive development of the site as required by the Development Plan, by its nature, will result in the loss of some outlook from Lymington Road properties. Overall however the resulting relationship between the proposal and these properties is not considered to result in an unreasonable sense of enclosure or overbearing sufficiently harmful to justify refusal of the scheme.

**Light Pollution**

13.63 Several objections have been received from occupiers of Lymington Road properties adjacent to the northern boundary of the site on the basis that the proposal would result in excessive light pollution to residents. The development of the site will alter the existing evening environment which is presently completely dark as a result of being underdeveloped.

13.64 The three storey element of the proposal closest to the Lymington Road rear gardens will present a mews type character with diffuse light from bedroom windows typical of an urban residential environment. It is not considered that the proposal would result in undue levels of light pollution, or nuisance, in excess of what is normally experienced in a residential environment, particular in an urban setting in London.

13.65 Additionally a lighting strategy would be secured by condition which will be required to incorporate measures to reduce impact of any external and communal lighting on neighbouring properties.
Amenity conclusions

13.66 The proposal undoubtedly represent a significant transformation of the site and the experience of residents of the adjoining terrace on Lymington Road, which currently benefit from uninterrupted light, outlook and views over a vacant site.

13.67 Whilst there will be an obvious general reduction in light and outlook to these properties in comparison to the exceptional existing situation, as discussed above, the resulting post development condition, with respect to light, outlook, and privacy is considered to be commensurate with that experienced within a typical urban location in Camden and London generally and acceptable in terms of policy and guidance.

13.68 The site must incorporate significant density to meet its obligations under the Core Strategy and London Plan within the Growth Area. As a result of the required density there will undoubtedly be some impact on of the properties along Lymington Road and this is acknowledged in the assessment. Overall however, whilst some harm has been identified, on balance it is not considered that this harm either individually or cumulatively would be so significant as to warrant refusal of the application.

13.69 The Site Allocation Document specifically states that the development must have regard to and maintain an acceptable relationship to properties on Lymington Road and it is considered on balance that this has been achieved. Overall the impact on neighbouring amenity is considered acceptable.

14. ACCESSIBILITY

14.1 London Plan policies 3.5 and 3.8 and Camden policies CS14 and DP29 seek to promote inclusive access. Both the commercial and residential elements would have level access and be fully accessible, with details of all shopfronts to be secured by condition.

14.2 Policy DP6 requires 10% of new homes should either meet wheelchair standards or be easily adapted to meet them. The proposal would provide 14 fully adapted wheelchair units within the affordable rented tenure and further 4 adaptable units.

14.3 The applicant has worked closely with the council’s access officer to ensure that the development can comply with Part M of the building regulations, full details of which shall be secured by condition.

15. TRANSPORT

15.1 Policies CS11, DP16, DP17, DP18, DP19, DP20, DP21, CP G7 (Transport) are relevant with regards to transport issues. As are FGWHNP Policies 6, 7, 8 and 9.

15.2 The site has a Public Transport Accessibility Level (PTAL) of 6a) 'Excellent’ and is accessed from various bus routes on West End Lane and a number of stations including:
   • West Hampstead Thameslink Station - 100m away
West Hampstead Overground Station - 150m away
West Hampstead Underground Station - 250m away

15.3 The site is expected to fulfill a number of aspirations with reference to transport and access within the Site Allocations Document including:

- maintain or enhance the existing building line to retain adequate pavement widths to assist pedestrian movement and interchange between stations
- Provide a legible and improved pedestrian and cycle link from West End Lane towards Crown Close through new landscaping and good design”.
- Incorporate new publicly accessible open space (potentially suitable for temporary market use) and enhance the function of the adjacent open space
- Incorporate public realm improvements that positively contribute to and integrate with streetscape and interchange improvements along West End Lane
- Development should respect the existing building line to maintain acceptable pavement widths and on-street interchange objectives and higher quality public realm.
- The legibility and community safety of the existing footpath to the south could be significantly improved and should be enhanced to both improve the links towards Finchley Road and also improve pedestrian permeability from the adjacent residential areas to the town centre and public transport interchanges. The space adjacent to the railway used for parking should be incorporated into complementary proposals to create more attractive routes and public space. New spaces could be designed to offer opportunities for temporary uses such as market use.

15.4 The FGWHNP also specifies that redevelopment of the site should include Improvements to Potteries Path for cyclists and pedestrians

Trip Generation

15.5 Trip generation analysis of the existing site versus the proposed development was undertaken to determine the net impact of the proposal. Across all modes, the analysis predicts an additional 13 two-way trips in the morning peak hour and an additional 3 two-way trips in the evening peak hour. The analysis predicts that motor vehicular trips to and from the development would reduce by 39 and 18 vehicles in the morning and evening peak hours respectively. The analysis predicts that underground trips to and from the development would increase by 46 and 27 in the morning and evening peak hours respectively. Assuming all passengers generated by the proposed development access the network at West Hampstead, then the average increase in patronage would be approximately one extra passenger every 1 minute 18 seconds in the morning peak hour and one extra passenger every 2 minutes 13 seconds in the evening peak hour.

15.6 With regard to train services an additional 4 two way trips in the morning peak and reduction of 1 two way trip in the evening peak are predicted to be generated by the proposed development equating to one additional passenger every 15 minutes in the morning peak and one less passenger every hour in the evening.
15.7 This would represent modest increases of less than 4% to existing pedestrian flows on West End Lane between the site and West Hampstead Overground Station.

15.8 TfL and the councils transport planners have confirmed that the existing public transport network can accommodate the proposed development.

Car Parking

15.9 The site is located in the West Hampstead town centre and is easily accessible by public transport with a public transport accessibility level (PTAL) rating of 6a (excellent). West Hampstead Thameslink Station has step free access between the street and platform levels. West Hampstead Overground Station is to be upgraded and this will include step free access between the street and platform levels. And most buses now have step free access.

15.10 The proposal would include a total of 18 wheelchair units (11% of total provision), designed to M4 (3) standards. 14 units would be fully adapted within the affordable rented tenure and subject to Council nomination in relation to future tenants. The remaining units would be adaptable and would be a mix of shared ownership and private sale units.

15.11 The proposal would provide 8 wheelchair accessible parking spaces within the site. These would cater for the fully adapted wheelchair units.

15.12 The proposal would provide electric vehicle charging points (EVCP) in accordance with London Plan chapter 6.13 (Parking). This means that 20% of all car parking spaces would be equipped with EVCP (i.e. 2 spaces), with a further 20% of all spaces being capable of being upgraded in the future. Detail of charging points are recommended to be secured by condition.

15.13 The proposal otherwise acknowledges the requirement for a car free development in order to be compliant with core strategy CS1, development policies DP18 and DP19 and Neighbourhood Plan policy 7. This would be secured via a section 106 planning obligation if planning permission is granted.

Cycle Parking

15.14 Development Policy DP18 (Paragraphs 18.12 and 18.13) requires development to provide cycle parking facilities in accordance with the minimum requirements of our cycle parking standards (Refer to Appendix 2 of Camden Development Policies document). Policies 7 and 8 of the Neighbourhood Plan support sustainable transport and encourage cycling. The council also expects development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan.

15.15 The proposal would provide a total of 310 cycle parking spaces. This would include 284 long-stay spaces located in covered, secure and fully enclosed cycle stores within the site. In addition, a total of 26 easily accessible and secure short-stay cycle
parking spaces for visitors would be provided in the landscaped areas adjacent to the proposed buildings within the site.

15.16 The cycle parking facilities to be provided can be broken down as follows:
- Residential - 269 long stay and 4 short stay spaces
- Retail - 5 long stay and 19 short stay spaces
- Offices and start up units - 10 long stay and 2 short stay spaces
- Community use – 1 short stay space (long stay spaces not required)

15.17 The proposed level of provision would meet the minimum requirements of the London Plan and would therefore be policy compliant. The actual number of cycle parking spaces and details of the specific types of cycle parking facility to be provided would be secured by condition. The details would need to be in accordance with Camden Planning Guidance document CPG7 (Transport) and would be secured by condition if planning permission is granted.

Deliveries and Servicing

15.18 The proposal would make provisions for all deliveries and servicing activity to take place within the site. This is welcomed as it would minimise impacts on the public highway. Swept path diagrams have been provided to demonstrate that the various types of vehicle likely to service the site would be able to enter and exit in a forward gear and in a safe and efficient manner. A dedicated loading bay for the non-residential elements of the proposal would be provided within the site.

15.19 A trip generation analysis has been undertaken and this predicts that the proposal would generate 24 delivery and servicing related trips per day as follows:
- 15 for residential
- 5 for retail
- 3 for office and community uses

15.20 The majority of these trips would be by small to mid-sized vehicles such as transit vans. However, the retail elements of the proposal would generate 6 trips per day by large vehicles (e.g. 10m rigid or 10.7m articulated vehicles).

15.21 The Council needs to ensure that the impacts of deliveries and servicing activity are minimised (e.g. access, traffic congestion, road safety, amenity issues) and it is essential that deliveries and servicing activity are managed with these issues in mind. A delivery and servicing management plan would therefore be secured via a section 106 planning obligation if planning permission is granted.

Travel Planning

15.22 A framework Travel Plan has been provided in support of the planning application. This is a good example of what we expect from developers during the planning application process. More detailed Travel Plans covering both residential and commercial elements of the proposal and a monitoring contribution of £12,244 would be secured via section 106 planning obligations if planning permission is granted.

Highway Works
15.23 Policy DP21 states that ‘The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development’.

15.24 The proposal would most probably lead to significant levels of damage to the public highway directly adjacent to the site on West End Lane and the Council would need to repair any such damage. In addition, the Council would also need to undertake highway works in order to facilitate the proposal. The highway works would also ensure that the proposed development interfaces seamlessly with the adjacent public highway.

15.25 The applicant has acknowledged the need to improve the public realm directly adjacent to the West End lane frontage. This would include footway repaving to address aesthetic and level issues, and removal of redundant guard railing. This would materially improve pedestrian amenity by increasing the effective width of the footway adjacent to the West End lane frontage from approximately 4.0m to 6.5m.

15.26 The highway works directly adjacent to the West End Lane frontage required to facilitate the proposal and to repair any damage caused to the public highway as a direct result of the proposal would include:

- Removal of the existing vehicular access and a redundant vehicular crossover
- Enhancements to street furniture (e.g. lamp columns, sign posts and plates)
- Removal of any redundant street furniture (e.g. sign posts and plates, guard railing)
- Repaving of the footway (and possibly the carriageway)
- Construction of a new vehicular access
- Measures to provide for cyclists at the junction of Potteries Path and West End Lane (e.g. dropped kerbs and give way markings and signs)

15.27 The highway works described above relate to land within the public highway and would be designed and constructed by Camden. A cost estimate for the sum of £66,762 has been prepared by the Transport Design Team. A highways contribution of £66,762 would be secured via a section 106 planning obligation if planning permission is granted.

15.28 It should be noted that a small strip of land directly adjacent to the West End Lane frontage may need to be adopted as public highway. The applicant would need to submit the necessary application, if necessary, if planning permission is granted (e.g. Section 38 of the Highways Act).

**Bus Stop Improvements**

15.29 Transport for London has asked for the development to fund a new bus shelter at bus stop N directly opposite the site on West End Lane. As such a financial contribution of £15,000 should be secured via a section 106 planning obligation if planning permission is granted.

**Vehicular Access Arrangements**
15.30 The proposal would involve the relocation of the existing vehicular access to the northern edge of the site with access constructed by the Council as part of the aforementioned highway works. The proposed vehicular access has been designed in accordance with guidance within the Manual for Streets and adequate visibility splays would be provided in each direction. A road safety audit was undertaken on the proposed design identifying some minor problems and providing remedial recommendations. The recommendations of the report have been addressed in the designer's response. It is worth noting that the vehicular access would not experience intensive vehicular movements. In addition, vehicle speeds would be very low. Furthermore the speed limit on West End Lane is 20mph.

15.31 A number of objections have been received from residents and local groups, including the submission of two professional reviews of the submitted road safety audit. These submissions questioned the safety of the proposed access route. The applicant's Transport consultant has responded to the points raised by these objections and the council’s transport officers are satisfied that the proposed vehicular access has been designed in accordance with best practice guidance and the safety of road users would not be compromised by the proposal. Indeed, the proposal would provide enhanced visibility splays to the south of the proposed vehicular access. The proposed development would also lead to a significant reduction in motor vehicle trips in and out of the site, due to being 'car free'.

Enhancements to Potteries Path

15.32 Potteries Path is a public footpath which provides a pedestrian route between Lymington Road (via Crown Close) and West End Lane. Part of the footpath runs through the southern section of the site directly adjacent to the site boundary. The footpath is currently uninviting to pedestrians due to being enclosed by brick walls on either side.

15.33 The proposal would improve the situation by removing the brick wall on the north side of the footpath. The footpath would also be enhanced by providing a more consistent slope than currently exists, with maximum gradients of 1:21. The brick wall on the northern edge of the footpath would be removed. In addition, improvements would be made to surfacing and lighting. The proposal would make the footpath a more pleasant route for cyclists and pedestrians. It would also provide direct access to the residential units and some of the non-residential elements of the proposal and benefit from being overlooked by some of the residential units.

15.34 The enhanced footpath directly adjacent to the southern frontage of the site would have a clear, consistent and unobstructed width of at least 3 metres (slightly wider adjacent to the non-residential element of the development). This would provide sufficient room for cyclists and pedestrians to co-exist in a shared space environment.

15.35 Concerns have been raised by residents and local groups regarding potential conflicts between cyclists and pedestrians, and road traffic where the reconfigured footpath would meet West End Lane. It is acknowledged that unobstructed access from the widened path to West End Lane could lead to conflict between cyclists and
vehicular traffic. Therefore, a condition securing details of proposed landscaping is recommended which would include details of street furniture in the form of planters, bollards or cycle stands at the western edge of this path to address this issue. The potential conflicts can also be addressed as part of the associated highway works which would be delivered by the Council via a Section 278 agreement if planning permission is granted.

15.36 The section of Potteries Path within the site boundary would be maintained by the owner if planning permission is granted and will be secured in the open space management strategy to be secured by s106. Potteries Path is a long establish public right of way and 24/7 access through the site would be secured by condition.

Pedestrian, Cycling and Environmental Improvements

15.37 As discussed above, the footpath known as Potteries Path directly adjacent to the southern frontage of the site would have a consistent width of at least 3 metres. However, the remainder of the footpath to the east of the site would be significantly narrower than this. The Council would need to upgrade this section of the footpath so that it also had a consistent width of at least 3 metres in order to provide sufficient room for cyclists and pedestrians to co-exist in a shared space environment, in compliance with the Site Allocations Plan already discussed.

15.38 A Pedestrian, Cycling and Environmental Improvements contribution (figure TBA) would need to be secured as a section 106 planning obligation. It is acknowledged that widening of this section of Potteries Path would require amendments to the existing Multi Use Games Area (MUGA) and it is suggested that the Council undertake a joint scheme for this space to be funded by a Public Open Space contribution and the Pedestrian, Cycling and Environmental Improvements contribution.

Internal Public Realm Improvements

15.39 The proposal would deliver an improved public realm on the south side of the site. This would include improvements to Potteries Path as already mentioned. It would also include the creation of a new area of public realm for pedestrians on the south side of the non-residential element of the scheme. The public realm proposals are welcomed as they would provide a pleasant environment for cyclists and pedestrians. In addition, the new area of public realm to be created could be used in a similar manner to the public realm adjacent to the West Hampstead Thameslink Station on Iverson Road (e.g. Farmers Markets and other similar events).

15.40 A stopping up order would need to be processed prior to any permanent works commencing on this part of the site (e.g. Section 247 of the Town and Country Planning Act). The applicant would need to should submit the necessary application if planning permission is granted.

Pedestrian Comfort Level Assessment

15.41 A pedestrian comfort level assessment based on Transport for London guidance was undertaken on the footway directly adjacent to the site on West End Lane. The
results of this assessment conclude that the proposal would have a negligible impact on pedestrian comfort levels directly adjacent to the site.

15.42 Officers requested a further assessment be undertaken on the footways on each side of the bridge over the railway where footway widths on West End Lane are at their narrowest. The assessment suggests that these narrow footways suffer from pedestrian congestion during peak periods but concluded that the proposal would have a negligible impact on pedestrian comfort levels at this location. The councils transport officers have reviewed the information and support these conclusions and consider the impact of the proposal on the pedestrian environment acceptable.

Construction Management

15.43 Development Policy DP20 states that Construction Management Plans should be secured to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Development Policy DP21 relates to how a development is connected to the highway network. For some developments this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

15.44 A draft CMP has been submitted in support of the planning application. This provides some useful information and follows the Council’s approved format. However, it lacks detail as a principal contractor has yet to be appointed.

15.45 The site is located on West End Lane in the West Hampstead Town Centre. Various schools are located nearby. This part of the borough suffers from severe traffic congestion during peak periods. The council’s primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A CMP would therefore be secured via a Section 106 planning obligation if planning permission is granted.

15.46 In order to minimise traffic congestion and road safety issues during development works, the hours of construction vehicle movements would need to be controlled. For example movements to only take place between 0930 and 1500 hours and between 0800 and 1300 hours on Saturday during school term time. Specific details would need to be agreed with the council during development of the CMP. The CMP would need to be approved by Camden prior to any works commencing on site.

15.47 There are a number of significant developments in the general vicinity of the site which are currently under construction (e.g. Ballymore Development at 187-199 West End Lane) or have been approved (e.g. West Hampstead Overground Station). This part of the borough already experiences significant traffic problems. The construction of various significant developments concurrently raises concerns about cumulative impacts on the transport network as well as amenity issues such as noise, dust, air quality and vibration. The developer and principal contractor, once
appointed, will be required to work closely with other contractors working nearby with a view to minimising and mitigating the cumulative impacts of construction. Details of how works are co-ordinated with other developments in the area will be required in the CMP.

16. TREES LANDSCAPING AND BIODIVERSITY

16.1 Policy CS15 expects new developments to create new and enhanced habitat where possible, and to protect existing trees whilst promoting the provision of new trees and vegetation including additional street trees.

16.2 There are no trees within the site boundary, and existing features such as buildings and retaining walls limit the impact that the development will have on offsite trees. The proposal is therefore considered acceptable in this regard subject to recommended conditions protecting existing offsite trees during construction.

16.3 The indicative landscape proposals submitted with the application provide a range of well-designed spaces, both public and private, which will offer an attractive setting to the proposed building and its surroundings. Whilst the proposed planting will significantly increase the biodiversity value of the site.

16.4 The landscape design components of the site comprise of a series of interconnected and layered public, private communal and private spaces including:

- A public open space of West End Lane between the western building and the railway leading to Potteries Path
- A public open space between the western and eastern building
- A lower ground floor courtyard to the eastern building
- A 1st floor podium garden to the western building
- A 5th floor roof terrace to the eastern building
- Planting along the northern access route
- Green Roofs

16.5 The proposed public open space between the western building and the railway provides access for pedestrians and cyclists to a widened and improved Potteries Path linking into the central public courtyard. It is proposed that the railway wall along this section is clad in blue ceramic tiles which would be secured by condition, to echo the use of blue ceramic tiles to the base of the western building, and ceramic tiles along the railway edge at the Thameslink station. A 500mm planted strip along the front of the front garden areas of the lower ground floor flats of the eastern building provides defensible space to these gardens and an added sense of openess along the path while also providing visual interest and wildlife habitat.

16.6 The proposed central public open space between the western and eastern buildings provides a new green space close to West End Lane. Tree planting and ground level planting around the boundaries provides a sense of enclosure, visual interest
through the seasons and biodiversity value. The space has been designed to offer
door stop play opportunities, sitting and informal meeting areas.

16.7 The lower ground floor courtyard to the eastern block provides a communal open
space for the residents of the eastern building. Tree planting in the courtyard area
provides a filter to views of the building from the rear of properties on Lymington
Road. Ground level planting provides for visual interest within the courtyard and
biodiversity.

16.8 The first floor podium garden provides outdoor amenity space and visual interest for
the residents of the western building along with added biodiversity. The podium
garden is screened on the northern boundary with a 1.9m fence.

16.9 The fifth floor podium roof terrace provides additional outdoor amenity space for the
residents of the eastern building. The space offers door step play opportunities and
added biodiversity value to the site through planting.

16.10 Planting in raised planters along the edge of the rear boundary wall with Lymington
Road properties and to the rear of the eastern building, on the northern access route,
provide opportunities for further planting, particularly climbing plants and the creation
of green walls.

16.11 Large areas of Biodiverse roofs are provided on both the western and eastern
buildings. In addition areas, of flat roof on the 3rd floor are also proposed as green
roofs and planted screens to ameliorate the impact of the building on views from the
rear of properties on Lymington Road.

16.12 Details of material specifications and detailed layout arrangements require further
development and discussion and a condition is therefore recommended requiring full
details for hard and soft landscaping materials.

16.13 An ecology report was submitted in support of the application and has been
assessed by the council’s Nature Conservation Officer. The site is located close to a
strategic wildlife corridor and due to the railway is also identified as a missing link in
this corridor. The redevelopment of the site presents an opportunity to enhance
biodiversity value. Landscaping details to be secured by condition will require the
retention of the existing climbing plants on the northern boundary. A condition
requiring installation of Bird and Bat boxes is also recommended.

17. SUSTAINABILITY

17.1 Pursuant to London Plan policies 5.2, 5.3, 5.6m, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13,
5.14, 5.15 and 5.17, Core Strategy policy CS13 and Development Policies DP22 and
DP23 all developments in Camden are required to make a contribution to the
mitigation of and adaptation to climate change, to minimise carbon dioxide
emissions and contribute to water conservation and sustainable urban drainage.

Energy
The proposed scheme will meet the policy requirements for BREEAM Excellent and minimum credit scores in Energy, Water and Materials. The proposal also targets a site-wide CO2 reduction of 37.2%, which meets policy targets. Additionally Good u-values, air tightness and efficient services and controls are proposed.

Combined Heat and Power (CHP) is proposed which provides the majority of the site-wide carbon savings. The suitability of CHP for a relatively small site has been questioned by the officers and the GLA, and the developer has subsequently provided further information demonstrating the feasibility of CHP on site.

Heat losses and overheating risk will be minimised through the design of the pipework. Full details of the design of the system will be secured through the S106 in the energy plan. The applicant has also confirmed that connection to a wider decentralised energy network, should one become available, will be made possible (this will be once the CHP unit has reached simple payback – c. 9 years post occupation). This will also be secured through the S106 agreement.

Solar PV is also proposed, but this is only resulting in a further 6.2% reduction, missing policy targets for 20% reduction from renewables. It is acknowledge that the placement of PV panel on some of the lower roofs facing Lymington road may appear unsightly in views form these properties and or have some impact on sunlight daylight to these properties. Accordingly, the details of Solar PV will be secured by condition and officers will endeavour to work with the applicant to maximise the amount of solar PV without compromising residential amenity.

It is proposed to provide cooling to the private dwellings. The applicant has states that by providing efficient cooling systems now they are mitigating against inefficient systems being installed in future when rising temperatures may lead to overheating in the units. The cooling plant will use energy, will expel heat and will take up plant space on the roof which could be used for solar PV and is not supported. As such a condition is recommended requiring the applicant to demonstrate that overheating risk has been reduced as far as possible. The condition will further require that active cooling is permitted unless it can be demonstrated it is required and that all other measures have been considered first. Where active cooling is required, details demonstrating the efficiency of the system should will need to be provided to the Council including the impacts of cooling included in the energy modelling.

Flood Risk and Drainage

Policies CS13 and DP23 are relevant with regard to flood risk and drainage. Major developments are expected to achieve a Greenfield run-off rate wherever feasible and as a minimum 50% reduction in run off rates. The NPPF requires all major developments to include SuDS unless demonstrated to be inappropriate (as set out in the Ministerial Statement by the Secretary of State on 18 December 2014). In addition, development should follow the drainage hierarchy set out in policy 5.13 of the London Plan.

The applicant has made efforts to reduce the surface water run off through implementing SuDS and increasing the permeable area of the site. The run off has been reduced to 14 l/s in all storm events. This is a 96% reduction in the peak 100
year plus 40% climate change storm event; and 86% reduction in the peak 1 year storm event.

17.9 Whilst the immediate site is not at risk of flooding, the lower lying railway land to the south of the site is likely to be affected by surface water flooding. There are recorded incidents of flooding in the nearby Lymington Avenue due to external sewer flooding and the SFRA shows there have been a number of external sewer flooding incidents nearby. Therefore incorporating SuDS will reduce the cumulative impact downstream.

17.10 178.5m³ of storage is provided on site through an attenuation tank with flow control to 14 l/s (providing 171m³ storage) and 1,500m² of green roof (providing 7.5m³ storage). The Microdrainage modelling provided by the applicant shows no flooding occurs up to and including the 100 year 6 hour storm event (plus 40% climate change uplift). The applicant is also proposing rainwater harvesting for landscape irrigation and toilets within the commercial spaces (this is not included within the volume attenuation calculations because the tank is assumed full at the point of the storm). Any exceedance flows will be contained within the car park.

17.11 The proposed runoff rates meet Camden and London Plan policy requirements, and are acceptable to Thames Water. The drainage strategy will be secured by condition.

18. AIR QUALITY

18.1 Policies CS16 and DP32 are relevant with regards to air quality.

18.2 The whole borough of Camden is an Air Quality Management Area and the proposals will bring new receptors into this area. The air quality assessment indicates that that none of the new receptors will be exposed to AQ levels that exceed objectives for NOx or PM10. As mechanical ventilation is proposed a condition is recommended securing details of the CHP unit and its height relative to mechanical ventilation to ensure Air inlets are not located near to CHP and boiler stacks.

18.3 An air quality assessment was submitted and the shows that the development meets the Mayors Air Quality Neutral standard. Because the CHP design and model has not yet been determined, the applicant has used a typical model and conservative assumptions in the assessment. Modelling of the impact of CHP on nearby existing receptors is shown to be low (slight impact on two receptors north of the site), with the total NO2 levels at all locations still within legal limits. The cumulative impacts of multiple small increases in NO2 should be considered and measures undertaken to limit any increase in NO2 emissions where possible. A condition is recommended requiring demonstration that the proposed CHP units comply with the Mayor’s emission limits.

18.4 Dust impacts from construction are considered to be medium risk at demolition, earthworks, construction and track out stages. Mitigation measures to control construction related air quality impacts are always secured by way of a Construction Management Plan that this is secured in the s106. Additionally a condition is recommended requiring air quality, monitors to be implemented on site during the construction period.
19. SECURITY

19.1 Policy CS17 and CPG1 (Design) are relevant with regards to safety and security. The Council’s Designing out Crime officer was consulted prior to the application being submitted and was involved in the design process.

19.2 The proposal features active frontages at ground floor level on all elevations ensuring overlooking and casual surveillance of all spaces surrounding the proposed buildings. There are no recesses in the façade that would allow for anti-social/criminal behaviour and a concierge will provide 24 hour a day site management with access control to residential units controlled by audio and video. Details such as lighting and landscaping secured by condition will be assessed to ensure they adhere to secure by design principles.

19.3 Representations have been received from Lymington Road residents and some local groups objecting to the creation of the new access route along the northern edge of the site, on the basis that it will encourage crime, by enabling access to the rear gardens of previously inaccessible properties. Due to the site level differences the existing boundary wall between the rear of these properties and the new route will present a barrier of between 2.4 to 3.0m in height which is considered sufficient to prevent unwanted access from this new route. To the east of the site, access to the remainder of the path is restricted to residents of the eastern block. The inclusion of this gate was recommended by the Secure by Design officer during the design process.

19.4 As discussion the design section of this report the location and siting of the gate is considered acceptable from both a security and urban design perspective.

20. WASTE AND RECYCLING

20.1 Policies CS18, DP26 and Camden Planning Guidance 1 (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

20.2 Each flat would have generously sized internal storage areas for waste and recyclables and separate internal bin stores for the residential and commercial elements of the development. This provision includes 5 x1100litre bins for Shared Ownership flats, 8x1100litre bins for the Affordable Rented flats, 11 x1100litre bins for Private Sale units, and 2 x 660litre bins for the first floor employment floorspace. The start-up units and community meeting room will arrange for their own waste collections direct from their units.

20.3 On collection day refuse will be collected from the northern access route within the site with Fob access enabling access to the waste stores of the private sale flats within the eastern block. The turning head in the eastern courtyard will allow the vehicle to exit the site in forward gear.
20.4 A waste and recycling strategy was submitted in support of the application which has been assessed by the council’s Environment Services officer in consultation with the council’s waste collection contractor. Officers are satisfied that the proposed plan is sufficient to meet the waste and recycling needs of the development in accordance with relevant policy and guidance.

20.5 Representations have been received from residents of Lymington Road properties adjoining the northern boundary, objecting to increased noise and disturbance from onsite waste collection. The site is presently occupied by a large yard, which is frequently serviced by heavy vehicles and the servicing levels proposed at the site represent a significant reduction in vehicle trips, partially heavy vehicles to and from the site. Furthermore, it is considered that any disturbance arising from onsite waste collection would be commensurate with that commonly experienced by residential occupiers anywhere and would not result in material harm to neighbouring residents. The securing of a waste and service management plan the s106 would also ensure that collection is carefully managed to minimise disruption on collection days.

20.6 The Council’s Transport and Street Environment Officers, TfL and the waste contractor Veolia are all satisfied with the delivery, servicing and refuse collection arrangement for the site and it is not considered that the amenity of Lymington Road residents would be harmed by the waste collection arrangements proposed.

21. LAND CONTAMINATION

21.1 The Council’s Contamination Officer identifies the site as medium risk to earth contamination and therefore requires the Council’s standard condition to secure a written programme of ground investigation for the presence of soil and groundwater contamination to be submitted before works commence on site.

22. ARCHEOLOGY

22.1 Although adjacent to an archaeological priority area, the site is identified as having a low archaeological potential. The Greater London Archaeological advisory service were consulted on the application stating that any archaeological remains would most likely comprise the footings of early 20th-century buildings which are considered to be of low significance. No further assessment or conditions were considered necessary.

23. LOCAL EMPLOYMENT AND PROCURMENT

23.1 The proposed development is large enough to generate significant local economic benefits. Policy CS19 and Camden Planning Guidance state that in the case of such developments the Council will seek to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services.

23.2 In line with CPG8, a range of training and employment benefits are to be secured in order to provide opportunities during and after the construction phase for local residents and businesses. This package of recruitment, apprenticeship and procurement measures will be secured via S106 and will require:
The applicant to work to a target of 20% local recruitment.
The applicant to advertise all construction vacancies and work placement opportunities exclusively with the Kings Cross Construction Skills Centre for a period of 1 week before marketing more widely.
The applicant to provide a specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council’s Kings Cross Construction Skills Centre.
The applicant to recruit 1 construction apprentice per £3 million of build costs, and pay the council a support fee of £1,700 per apprentice as per clause 8.25 of CPG8. Recruitment of construction apprentices should be conducted through the Council’s Kings Cross Construction Skills Centre.
The applicant to provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

24. IMPACT ON LOCAL INFRASTRUCTURE AND SERVICES

24.1 One of the most contentious aspects of the proposal amongst residents of West Hampstead and local groups is the cumulative impact of the proposal and surrounding developments on local services including community facilities such as GP’s and schools, and transport infrastructure.

24.2 Policies CS10, DP15 and NDP policy 10 are relevant with respect to the impact of development on community facilities. CS10 states that the council will require development that increases demand for community facilities and services to make appropriate contributions towards providing new facilities or improving existing facilities. DP15 expect schemes that create additional demand for community facilities to make an appropriate contribution to the provision of community facilities on-site or close to the development. Policy 10 of the NDP states that development that increases demand for community facilities and services shall make provision or contribute towards appropriate community facilities, particularly in the West Hampstead Growth Area.

24.3 The emerging pressures on the West Hampstead area from the cumulative impact of recent large developments is acknowledged, however the current proposal is not of a sufficiently large strategic scale to generate its own need for an additional GP Surgery, school, or community facility on site, or to require specific contributions for upgrades to transport infrastructure not directly related to impact of the development.

24.4 Since the introduction of the Community Infrastructure Levy (CIL) from 1st April 2015, the ability of the council to use individual s106 payments as a tariff to address the cumulative impacts of development has fallen away. The CIL payable for this development is outlined in section 25. Post the introduction of CIL, s106 payments can only be used where necessary to address site specific impacts of the development, to make the development acceptable in planning terms.
24.5 With respect to pressure on schools, Camden’s Primary School Place Planning Report (2016) concludes that there should be sufficient school places in Camden (and surrounding areas) for the plan period to 2025/26. There is a period where a localised shortfall of places could occur within primary schools in Planning Area 1 (West Hampstead) up to 0.5FE (equivalent to 15 school places) however the report anticipates that excess capacity in other areas will address this potential shortfall. Secondary schools likewise, are forecast to have sufficient capacity to accommodate projected numbers until 2019/20, with a small deficit in school places to 2022/23 to be accommodated by bulge classes, until falling to within capacity again by 2025/26.

24.6 The development of the subject site, along with 187-189 West End Lane, Liddell Road and the O2 car park site are included in the population projections within the report and are estimated to yield 368 children in total, equating to approximately 23 children per year per group to 2025/26. 2016/17 sees the culmination of existing plans to expand current school provision, with 2FE permanent places being available at Kingsgate/Liddell Road in PA1. The report concludes that this additional provision along with expansions and new schools in recent years should be sufficient for the Council to meet its statutory duty across the borough.

24.7 The current proposal would generate a child yield of 48 children (or 62 using the Mayors SPG). It is considered the proposed development would not justify the need for an area of the site to be used for education facilities.

24.8 Furthermore School provision including early years, primary and secondary places, building upgrades, children centres and special education facilities are all listed on the councils ‘Regulation 123’ list of infrastructure projects or types of infrastructure that it intends to be funded by CIL. In this case, funding for the specific types of infrastructure or projects on the list cannot therefore be sought through section 106 planning obligations.

Healthcare facilities

24.9 In relation to health facilities CPG 8 obligations states that on large scale major sites it may be necessary to provide health facilities or land for such facilities directly on site or nearby to address the direct impacts of the development. This type of site specific provision will generally be secured through planning obligations. The cumulative impacts on health services will be covered by CIL.

24.10 The proposed development is not of a large enough scale to generate the need for a GP surgery or health facility in its own right, necessitating a site specific contribution and any cumulative impacts would need to be funded by CIL. Notwithstanding this however, the proposal includes provision of D1 floorspace within the flexible non-residential space along the West End Lane frontage, and as such does make provision for the possibility for the inclusion of health facility, in land use terms, should the NHS identify a need/allocate funds for this purpose in West Hampstead.

24.11 The NHS and Camden’s Clinical Commissioning Group (CCG) are currently preparing a premises/estates strategy, however the need for or form of additional health provision needed in West Hampstead has not yet been made clear. As such
there is no specific identified need or forthcoming project, to which s106 funds could be allocated.

24.12 With respect to Healthcare facilities generally, Camden’s Infrastructure Study update (2015) identifies a need for 17 additional FTE GPs to accommodate all population growth in the Borough to 2031. The study states further the re-provision of the Belsize Priory Health Centre during Phase 2 of the Abbey Road redevelopment, which includes the provision of up to 1,500m² of new health centre floorspace, should help to address problems of GP provision within West Hampstead.

Other community facilities

24.13 The application proposes a community meeting room on site to be funded and managed by the applicant as secured via s106 agreement. The provision of the community meeting room is indicated as a priority land use within the Site Allocations Document and in the FGWHNP however and as such this provision is supported subject to management arrangements secured via s106 agreement.

Transport infrastructure

24.14 Camden CIL ‘Regulation 123 List’ includes allocation of funds for transport infrastructure including the provision, improvement, replacement, operation or maintenance of highway infrastructure to ensure the road network is capable of accommodating the demands associated with growth including carriageways, footways, drainage and street lighting, but excluding site specific accessibility improvements (highway and related works) and vehicular crossovers. These specific contributions have been secured as reported in the transport section of this report.

24.15 A number of objections have been received that the current interchange does not have sufficient capacity to accommodate development in the area. Station capacity is discussed below

Overground Station

24.16 Planning permission has been granted subject to a section 106 agreement (pre CIL) for upgrades to the West Hampstead Overground station on West End Lane. A key feature of the scheme is the provision of lifts to both the eastbound and westbound platforms, which will provide step free access from West End Lane. New and wider staircases will be provided to the platforms along with a new footbridge over the railway line to the west of the new station building. The existing platforms will be widened in the vicinity of the new station facilities. It is understood that the platforms are to be lengthened as part of a wider capacity improvement programme to enable longer 5 car trains to call at the station (although this did not form part of the planning application).

24.17 The scheme will help to overcome many of the problems that are experienced at the existing station, such as overcrowding due to the station building being too small for current passenger flows, the low number of ticket gates, the narrowness of the staircases, the lack of step free access and the narrow footway outside the site on West End Lane. The scheme is also intended to support predicted increases in passenger numbers and provide a significantly improved experience for passengers
entering and leaving the station and for those walking past the site on West End Lane. Furthermore, as discussed in the transport section of the report, the development would have a negligible impact on capacity of the over ground network at West Hampstead.

24.18 TfL has confirmed that the station has been designed to accommodate passenger numbers based up to the 2031 forecast which includes the predicted growth of West Hampstead as set out in the London Plan. This is the same information used for design calculations on the London Overground Capacity Improvement Programme. Gate numbers, passageway and staircase widths have been sized based on this forecast demand.

24.19 As discussed in the transport section of the report, the development would have a negligible impact on capacity.

**Thameslink Station**

24.20 The Neighbourhood Plan notes that the Thameslink Station has already been upgraded providing more space for both passengers and pedestrians, particularly around the new station building on Iverson Road. Additionally the platforms now benefit from step free access from street level following the introduction of lifts.

**Underground Station**

24.21 The West Hampstead Underground Station is a TfL station. Although the station presently does not have step free access, TfL has no plans to upgrade this station within the foreseeable future. The council does not have any jurisdiction to independently undertake works to the station. Furthermore, as discussed in the transport section of the report, the development would have a negligible impact on capacity therefore not generating sufficient additional demand to justify funding the upgrade of this station through this development.

25. COMMUNITY INFRASTRUCTURE LEVEY (CIL)

**CIL contribution**

25.1 The proposal will be liable for the Mayor of London’s Community Infrastructure Levy (CIL). Based on the Mayor’s CIL charging schedule and the information provided as part of the application, the charge for this scheme, should it be approved would likely be **£261,350**

25.2 The proposal is also liable for Camden CIL which in Zone B is £250 per square of proposed floorspace, and £25 per square metre for the existing vacant office floorspace. The likely CIL amount would be **£1,878,150**

**CIL spend**

25.3 As discussed above a significant number of objections to the impact of the proposal on local infrastructure and services have been received. Additionally a request was received from the Neighbourhood Development Forum for CIL to be spent on improvements at West Hampstead Underground Station and the remaining 25%
(allocated to council wards) to be spent on items referred to in the FGWHNP in consultation with the NDF and local community.

25.4 The allocation of CIL funds is subject to sign off in line with the Camden constitution. The Cabinet will review the priorities for CIL spending on the projects on the funding list on a regular basis when formulating the Camden Medium Term Financial Strategy taking into account pressing infrastructure needs in Camden.

25.5 25% of Camden CIL will be spent locally under a ward member led system of spending 'local CIL' funds. In this case that figure is likely to be around £484,543.75. Ward members can allocate available local CIL funds to be spent on local infrastructure projects. It is therefore not for the planning application to allocate where CIL monies shall be spent.

26. SECTION 106 LEGAL OBLIGATIONS

26.1 Based upon the formulae outlined in CPG8 (Planning obligations), the following contributions are required to mitigate the specific impact of the development upon the local area, including on local services.

<table>
<thead>
<tr>
<th>Contribution</th>
<th>Amount (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment</td>
<td>TBA</td>
</tr>
<tr>
<td>Local procurement</td>
<td>1,700/3 million build cost</td>
</tr>
<tr>
<td>Public Open Space</td>
<td>£48,036.22</td>
</tr>
<tr>
<td>Highways contribution</td>
<td>£66,762.00</td>
</tr>
<tr>
<td>Pedestrian Cycling and Environmental improvements</td>
<td>TBA</td>
</tr>
<tr>
<td>Bus Shelter</td>
<td>£15,000.00</td>
</tr>
<tr>
<td>CMP monitoring fee</td>
<td>£39,000.00</td>
</tr>
<tr>
<td>Travel Plan Monitoring</td>
<td>£12,040.00</td>
</tr>
</tbody>
</table>

27. CONCLUSION

27.1 As an allocated site within the designated Growth Area, a suitably intensive redevelopment of the site is necessitated by policy. It is considered that the redevelopment of the site as proposed meets these high level objectives of the London Plan and the Local Development Plan.

27.2 With respect to the site specific aspirations, as defined in the Site Allocations Plan and the FGWHNP, the proposal is considered to meet these requirements by:

- Maximising the supply of housing, including 50% affordable housing, within the Growth Area including larger family homes within the affordable rented tenure at below target rents.

- Providing a high quality building whose detailed architectural design provides a successful contextual response to the neighbouring Canterbury Mansions, local architectural character and, in particular, the character of local mansion blocks.

- Reintroducing active town centre uses along the core frontage along West
End Lane greatly enhancing the character function and vitality of the frontage in this location.

- Providing flexible and affordable employment floorspace suitable for start-up businesses and SME’s
- Providing a legible and improved pedestrian / cycle link from West End Lane towards Crown Close through new landscaping and good design
- Providing new publicly accessible open space and amenity space for residents greatly enhancing the public realm and biodiversity of the site
- Providing an acceptable relationship to the adjacent residential properties on Lymington Road
- Incorporating public realm improvements that positively contribute to and integrate with streetscape and interchange improvements along West End Lane

27.3 With regards to the land use mix, the failure to reprovide the same quantum and type of employment floor space on the site is acknowledged as not in compliance with part of policy DP13. However compliance with an individual policy cannot be considered in isolation. It is important to assess the proposal against the whole development plan, in the context of applicable national, local and site specific policy. The benefits of the scheme including the provision of 50% affordable housing are considered sufficient to outweigh the harm caused by the loss of employment floorspace.

27.4 Whilst the loss of the existing use is regretted, it has been necessary to strike a balance between the Council’s policy of protecting existing employment premises and the Development Plan priority to maximise housing within Growth Areas and site specific priorities with respect to housing, flexible employment floorspace for small and medium businesses, open space and public realm improvements. This has also enabled the provision of considerable benefits in terms of affordable housing provision fulfilling a key objective for the site and the Development Plan.

27.5 The inclusion as part of the proposals of commercial floorspace providing employment opportunities for local people and flexible accommodation suitable for small and/or start-up businesses, is a key benefit in itself and will at least partly compensate for the loss of the existing use.

27.6 The significant transformation of the site and the experience of residents of the adjoining terrace on Lymington Road is acknowledged. However being an allocated site within the Growth Area, some impact is inevitable, in as much as the lower heights and generous setbacks of the adjoining terraces could never be replicated if the site is to meet its obligation to optimise housing and make efficient use of the site under the development plan. The impacts to neighbouring amenity with respect to light, outlook, and privacy have been assessed and where harm has been identified, it has not been considered sufficient, either individually or cumulatively to justify refusal of the scheme, when balancing that harm with the benefits of the scheme as
27.7 The impacts in terms of overshadowing to the Crown Close open space, is not considered to result in harm to the function of the MUGA, or significantly affect the enjoyment of the greenspace, due to additional overshadowing being confined to a limited time for short periods during spring and autumn. The proposal would also bring benefits to this space in terms of providing improved connectivity, as well as financial contributions to open space and public realm improvements.

27.8 Given the benefits from the proposed land use mix, including 50% affordable housing, the provision of flexible affordable employment floorspace, town centre uses, public open space, enhancement to the site and surrounding public realm, and the s106 contributions to be secured, it is considered on balance that the proposed development is acceptable.

29. **RECOMMENDATION**

Planning Permission is recommended subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-

- Affordable Housing
- Secure Business Space
- Highways Contribution
- Public Open Space contribution
- Pedestrian, Cyclist and Environmental Contribution
- Employment and Training Contribution
- Open Space Management Plan
- Construction Management Plan
- Delivery and Servicing Management Plan
- Travel Plan
- Contribution towards upgrading bus stops
- Sustainability Plan
- Energy Efficiency and Renewable Plan
- Management of Community space
- CHP air quality assessment and future connection to Heat network
- Local employment and procurement
- 24/7 Public Access of Potteries Path

30. **LEGAL COMMENTS**

30.1 Members are referred to the note from the Legal Division at the start of the Agenda.

31. **CONDITIONS & REASONS**

Condition(s) and Reason(s):
1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:


Supporting Documents:

Reason: For the avoidance of doubt and in the interest of proper planning.

3 Prior to commencement of development of any phase other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition, details of proposed slab levels, in relation to the existing and proposed levels of the site and the surrounding land, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the details thus approved.

Reason: In order to ensure that the height of the development is no greater than indicated on the approved drawings, so as to protect the amenity enjoyed by nearby residential premises, in accordance with the requirements of policy CS1 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

4 Prior to the commencement of works on site, other than site clearance, preparation, and demolition, sample panels of all the facing brickwork demonstrating the proposed colour, texture, face- bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the approved panels shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.
5 Prior to the commencement of works on site, other than demolition site clearance and preparation, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority.

a) Shopfronts; including sections elevations and materials
b) Details including sections at 1:10 of all windows (including jambs, head and cill), external doors, balconies, balustrades, communal entrance screens, and gates;
c) Details of parapet/eve junctions at a scale of 1:10;
d) Manufacturer's specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials demonstrating the proposed colour, texture, jointing and fixing (to be provided on site - 2 metres by 2 metres in size)
e) All play areas including equipment and associated structures and surfaces;
f) controlled vehicular and pedestrian access points to the northern access route

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

6 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development

7 Prior to the erection of any permanent boundary treatment, detailed plans of all boundary treatments at a relevant scale of 1:10 shall be submitted to and approved in writing by the local planning authority. The finished wall height adjacent to the northern boundary shall be a minimum of 2.4 m in height from the finished ground level of the site. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.
Reason: To safeguard the appearance of the application site and the character of the immediate area and reduce the risk of crime and anti-social behaviour in accordance with the requirements of policy CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS5 (Managing the impact of growth and development) and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

9 Wheelchair units

Prior to the commencement of works on site, other than site clearance, preparation, and demolition, full details of unit No’s W1.01, W2.04, W2.05, W2.06, W2.16, W3.04, W3.05, W3.06, W3.16, W4.04, W4.05, W4.06, W4.16, W5.05 demonstrating compliance with Building Regulations Part M4 (3) 2b and units E1.03, E1.04, E1.08 and E1.09 demonstrating compliance with Building Regulations Part M4 (3) 2a, shall be submitted and approved in writing by the Local Planning Authority. The subsequently approved wheelchair housing features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant unit.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6

10 Prior to the commencement of works on site, other than site clearance, preparation, and demolition, full details of all units, other than those required to comply with Building Regulations Part M4 (3), demonstrating compliance with Building Regulations Part M4 (2), shall be submitted to and approved in writing by the Local Planning Authority. The subsequently approved wheelchair housing features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant unit.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance
11 Lighting Strategy

Prior to the commencement of works on site, other than demolition site clearance and preparation, a lighting strategy, shall be submitted to and approved in writing by the Local Planning Authority. Such strategy shall provide details of all external lighting fixtures and fittings and shall demonstrate how their design, location and specification has taken account of community safety & security, reducing light spillage to neighbouring properties, trees and lines of vegetation, and nearby signalling apparatus and/or train drivers vision on approaching trains. The development shall not be occupied until the relevant approved details have been implemented. These works shall be permanently retained and maintained thereafter. Reason: To safeguard the appearance of the premises and the character of the immediate area, to ensure community safety and to conserve biodiversity by minimise light pollution in accordance with the requirements of policies CS14, CS15 and CS17 of the London Borough of Camden LDF Core Strategy DP24 and DP26 of the London Borough of Camden LDF Development Policies.

12 No development shall take place on site until details of the design of building foundations, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

13 Living Roofs

Prior to the commencement of works on site, other than demolition site clearance and preparation full details of biodiverse, substrate-based extensive living roofs in the areas indicated on the approved roof plans shall be submitted to and approved in writing by the local planning authority. The design and planting scheme should seek to maximise potential to enhance the strategic wildlife corridor and should reflect the local conditions and species of interest. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the development is first occupied.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

14 Bird and Bat Boxes
Prior to the commencement of works on site, other than demolition site clearance and preparation details of bird and bat nesting features (boxes or bricks) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated. The details approved shall be installed prior to the first occupation of the development and thereafter permanently maintained.

Reason: To ensure the development provides the appropriate provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2011 and Policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

15 Landscaping

Prior to the commencement of works on site, other than demolition, site clearance and preparation, full details of all hard and soft landscaping and means of enclosure of all un-built, open areas, including tree/plant species, sizes and positions and full details regarding the design, materials and location of outdoor furnishings and planters shall be submitted to, and approved in writing by, the local planning authority. Such details shall include retention of climbing plants on the northern boundary and new planting for biodiversity to enhance the missing link in the strategic wildlife corridor. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the end of the first planting season after the relevant phase of the development is first occupied.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies CS14 and of the London Borough of Camden Local Development Framework Core Strategy and policies, DP23 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

16 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the relevant phase of the development or prior to the occupation for the permitted use of the relevant phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.
17 No impact piling is to commence until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

18 Prior to the commencement of works on site, other than demolition site clearance and preparation impact studies of the existing water supply infrastructure shall be submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with this additional demand, in order to safeguard the amenities of the area generally, in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

19 SuDs

Prior to commencement of any development other than site clearance & preparation details of a surface water drainage scheme for the site, based on the approved Flood Risk Assessment (Flood Risk Assessment, Rev H submitted in November 2016 by Tim Trotman of IESIS) shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall include 1500sqm of green/brown roofs, rainwater harvesting, and attenuation tank with hydrobrake (12.5m x 12m x 1.2 m) and achieve a reduction in surface water run-off rates to 14 l/s. The development shall not be implemented other than in complete accordance with the surface water drainage scheme incorporating any required changes as a result of the details that have been approved. The development shall not be implemented other than in complete accordance with the surface water drainage scheme incorporating any required changes as a result of the details that have been approved.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.
20 Rainwater Harvesting

Prior to commencement of any development other than site clearance & preparation, details of the feasibility of rainwater recycling proposals should be submitted to the local planning authority and approved in writing. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13, and DP23 of the London Borough of Camden Local Development Framework Core Strategy.

21 Prior to commencement of any development other than site clearance & preparation, full details of the proposed combined heat and power unit (CHP) plant and confirmation that the plant will comply with the Mayor’s emission standards as set out in the Mayor’s Sustainable Design and Construction SPG, and details of any necessary NO2 abatement mechanisms shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

22 Prior to commencement of any development other than site clearance & preparation on site, full details of the combined heat and power unit (CHP) stack and its height relative to the mechanical ventilation air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from roads and the CHP stack to protect internal air quality.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

23 Air Quality Monitoring

Prior to commencement of any development other than site clearance & preparation full details of air quality monitors shall be submitted to and approved by the Local Planning Authority in writing. Such details shall include the location, number and specification of the monitors, including evidence that they have been installed in line with guidance outlined in the GLA’s Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance and have been in place for 3 months prior to the proposed implementation date. The monitors shall be
retained and maintained on site for the duration of the development in accordance with the details thus approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 of the London Borough of Camden Local Development Framework Development Policies.

24 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day for all residential dwellings, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CS13 of the London Borough of Camden Local Development Framework Core Strategy, and policy DP23 of the London Borough of Camden Local Development Framework Development Policies.

25 Solar PV

Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

26 At least 28 days before development commences:

   a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and

   (b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.
27 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

28 Prior to the occupation of the ground floor 'Flexible Non-Residential' space shown on plan No. PL (00) P020 Rev K, A revised plan showing the separation of this space into a minimum of 3 separate units shall be submitted to and approved in writing by the Local Planning Authority. The approved layout shall be implemented prior to the first occupation of the first unit and retained as such thereafter. No more than one of the three approved units may be used as any use, other than A1 (retail) at any one time. At all times one of the units shall be in A1 use.

Reason: To safeguard the character, function vitality and viability of the West Hampstead Town Centre and Core Retail Frontage in accordance with policies CS5, CS7, and CS8 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

29 Class D Uses

Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the Class D1 floorspace hereby approved shall only be used as non-residential education and training centres, public halls or clinics and health centres, and for no other purpose.

Reason: To ensure that the future occupation of the Class D1 floorspace does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies

30 CCTV

Prior to the first occupation of the development details of the proposed CCTV strategy, including full location, design and management details of any proposed CCTV equipment, shall be submitted to an approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the development is first occupied.

Reason: In order to seek to protect the amenity of occupiers from possible instances of crime, fear of crime and anti-social behaviour and to safeguard the appearance of the premises and the character of the immediate area, in accordance with policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development.

31 Prior to the occupation of the development, full details of the proposed timber privacy screening to the deck access and communal open space on the western building, and to the private roof terraces as indicated on the approved drawings, shall be submitted to and approved by the local planning authority. The approved privacy screening shall be installed prior to the occupation of the development and permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring properties in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

32 Notwithstanding the approved drawings, details of privacy screening at a minimum height of 1.7m to be installed to the northern elevation of the terraces of flats E1.09, E2.09, E1.17, E2.17; W1.08, W2.14 and W2.13; to the west elevation of the terraces of flats E1.01 and E2.01; and to the eastern elevation of the terraces of Flats E1.02 and E2.02 shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screening shall be installed prior to the occupation of the development and permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring occupiers within and outside the development in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

33 Obscure Glazing
Prior to occupation of the development the north facing windows coloured blue on drawing SK(GE)P216 Rev A shall be obscure glazed and fixed shut to height of 1.7m from finished internal floor level.

34 Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

35 No flat roofs within the development, other than those specifically identified on the approved plans as terraces, shall be used as amenity space.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

36 Prior to the commencement of works on site, other than demolition site clearance and preparation, details shall be submitted to and approved in writing by the Local Planning Authority, of building vibration levels, together with appropriate mitigation measures within residential units where necessary. Details shall demonstrate that vibration will meet a level that has low probability of adverse comment and the assessment method shall be as specified in BS 6472:2008. No part of the development shall be occupied until the approved details have been implemented. The approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by ground- or airborne vibration in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

37 Prior to the commencement of works on site, other than demolition site clearance and preparation, details shall be submitted to and approved in writing by the Local Planning Authority, demonstrating an enhanced sound insulation value DnT,w and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings. The details approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of occupiers of the proposed use in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.
Prior to the commencement of works on site, other than demolition site clearance and preparation, details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor, ceilings and walls separating the commercial and residential elements of the development. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within any noise sensitive premises. Approved details shall be implemented prior to occupation of the development and permanently retained thereafter.

Reason: To safeguard the amenities of occupiers of the proposed use in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

39 CHP Noise assessment

Prior to the commencement of works on site, other than demolition site clearance and preparation, a noise impact assessment of the Combined Heat and Power plant to be installed, including any necessary mitigation measures, shall be submitted to and approved by the Local Planning Authority. No occupation of the development shall be permitted until the mitigation measures recommended by the report have been implemented.

Reason: To safeguard the amenities of the future occupiers in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

40 A3 uses

Prior to commencement of any A3 use on site, details of odour mitigation and ventilation systems including an accompanying acoustic report with details of any necessary acoustic isolation and sound attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. All odour and acoustic mitigation measures shall be implemented in accordance with the details thus approved and shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the surrounding area in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

41 Music
No music emanating from the commercial (Classes A1, A3, A4, B1 or D1) uses in the development shall be audible within any adjoining premises between 2100 hrs and 0800 hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

42 The proposed A3 use hereby permitted shall not be carried out outside the following times 07.00 to 20.00 Monday to Friday, 08:00 to 20:00 on Saturday and 08:00 to 18:00 on Sunday and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

43 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

44 Car Parking

The development shall not be occupied until the whole of the car parking provision shown on approved drawing PL (00) P020 Rev K is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers of the wheelchair adapted units of the development.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policy CS5 and CS11 if residential of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.
45 Cycle Parking

Prior to the commencement of works on site, other than site clearance, preparation, and demolition, full details of cycle parking shall be submitted to and approved by the local planning authority. The details of the cycle parking shall include the following:

- 16 Long-stay cycle parking spaces for non-residential use (located as per drawing PL(00)P020 Rev K);
- 26 Short-stay cycle parking spaces for non-residential use (located as per drawing PL(00)P020 Rev K);
- 265 Long-stay cycle parking spaces for residential use, 5 of which are adaptive cycle spaces (located as per drawings: SK(GE)P230 Rev A and SK(GE)P231 Rev A);
- 6 Short-stay cycle parking spaces for residential use (located as per drawing PL(-01)P009 Rev H);
- Details of either a ‘Sheffield’ or ‘Camden M’ stand for adaptive cycles to be locked securely for the 5 adaptive cycle parking spaces;
- Showers and lockers for staff use for the non-residential development (located as per drawings: PL(00)P020 Rev K and PL(01)P021 Rev I);
- Details showing all doors on route to any cycle parking to be automated and have sufficient clearance for a person to manoeuvre through it easily whilst standing next to their cycle; and a minimum of 2m wide.

The approved cycle parking requirements shall thereafter be provided in their entirety prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

46 Electric vehicle charging and monitoring

Prior to first occupation of any part of the development, confirmation of the necessary measures to secure 2 electric vehicle charging points within the development shall be submitted to and approved in writing by the local planning authority. Such measures shall be completed prior to first occupation and shall thereafter be retained.

Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy.

INFORMATIVES

1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape,
access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

2 Your proposals may be subject to control under the Party Wall etc. Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

3 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable. The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL. http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil. We will then issue a CIL demand notice setting out what monies needs to paid, when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index. Please send CIL related documents or correspondence to CIL@Camden.gov.uk.

5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 0207974 4444 or on the website http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team. Or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

6 You are advised that condition 17 means that no customers shall be on the premises and no noise generating activities associated with the use, including
preparation and clearing up, shall be carried out otherwise than within the permitted time.

7 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council’s Environment Services (Rubbish Collection) on 02079746914/5 or on the website http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en.

8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.

9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

10 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.

11 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

12 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council’s Environment Services (Recycling) on 0207 974 6914/5 or on the website http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en.

13 In respect of condition 17 piling has the potential to impact on local underground sewerage and water utility infrastructure. You are advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

14 Thames Water requests for the proposal to incorporate protection to the properties by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow waste at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

15 With regard to surface water drainage Thames Water advises that it is the
responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that you ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Should you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

16 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

17 Thames Water recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. This is as failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

18 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

19 You are advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre. This will assist in building up the data base of up-to-date ecological information and this will help in future decision making.

20 Active bird nests are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid-February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.

21 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which
protect bats from intentional or deliberate actions which may kill, injure capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.

22 In relation to condition 13 (living roofs) it is recommended for the proposed substrate to be sourced from site (for example: soil and crushed brick) for sustainability reasons and to provide better conditions for local species.

23 With regard to condition 32 (Surface water drainage scheme), the Environment Agency advises that the following information must be provided based on the agreed drainage strategy:
   a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
   b) Confirmation of the critical storm duration.
   c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
   d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
   e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
   f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

24 Network Rail advises that prior to the commencement of any works on site, the developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

25 Due to the nature of the development and its location adjacent to Network Rail’s operational railway, Network Rail strongly recommends that the developer contacts Network Rail’s Anglia Asset Protection team at AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site and agrees an Asset Protection Agreement with Network Rail to enable approval of detailed works. More information can be obtained from the following website www.networkrail.co.uk/aspx/1538.aspx.
26 Network Rail advises that any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of the proposed works to the railway boundary you are advised to contact Network Rail's Asset Protection team before any works begin.

27 Network Rail advises that any future maintenance of the development should be designed to be conducted solely on the applicant's land, and not that of Network Rail. Any construction and any subsequent maintenance should be carried out without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space. Therefore Network Rail advises that all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. If it is necessary to close the railway and restrict rail traffic, "possession" of the railway must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

28 Network Rail advises that any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence. Given the closest demolition to the boundary with Network Rail land is 16m away (Broadstone), the developer is advised to seek confirmation from Network Rail's Outside Parties Engineer as to whether a method statement is required in this instance.

29 Network Rail advises that no water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Furthermore, suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

30 With regard to condition 11 (Lighting Strategy) Network Rail advises that any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's approval of their detailed proposals regarding lighting. It is advised that this should be obtained in writing from Network Rail in advance of the relevant approval of details application, where appropriate.
Network Rail advises in respect of landscaping that any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted by Network Rail are:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat “Zebrina”. Not Permitted: Alder (Alnus Glutinosa), Aspen - Popular (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).
Site outlined in red
Existing site to rear
Existing building West End Lane
Rear of site and Potteries Path (southern boundary)
Adjoining properties to North
Local character
Proposed site Plan
Proposed West End Lane Elevation
Proposed South Elevation
Proposed North Elevation
Proposed East Elevation
Central Public Courtyard East and West Elevations
Communal Courtyards

Eastern Courtyard East and West Elevations

Western Courtyard East and West Elevations
Communal Courtyards North Elevations
Bay Details - West End Lane and Southern Elevations
Typical Balcony and Communal Entrance Detail
CGI Images
CGI of northern route and projecting bays on southern elevation
CGI view north from bridge
Existing and Proposed Views
Ground Plan
Typical Floor Plan (2\textsuperscript{nd} Floor)
Fifth floor plan
Roof Plan
Distances to Adjoining Properties
Proposed Landscape Layout