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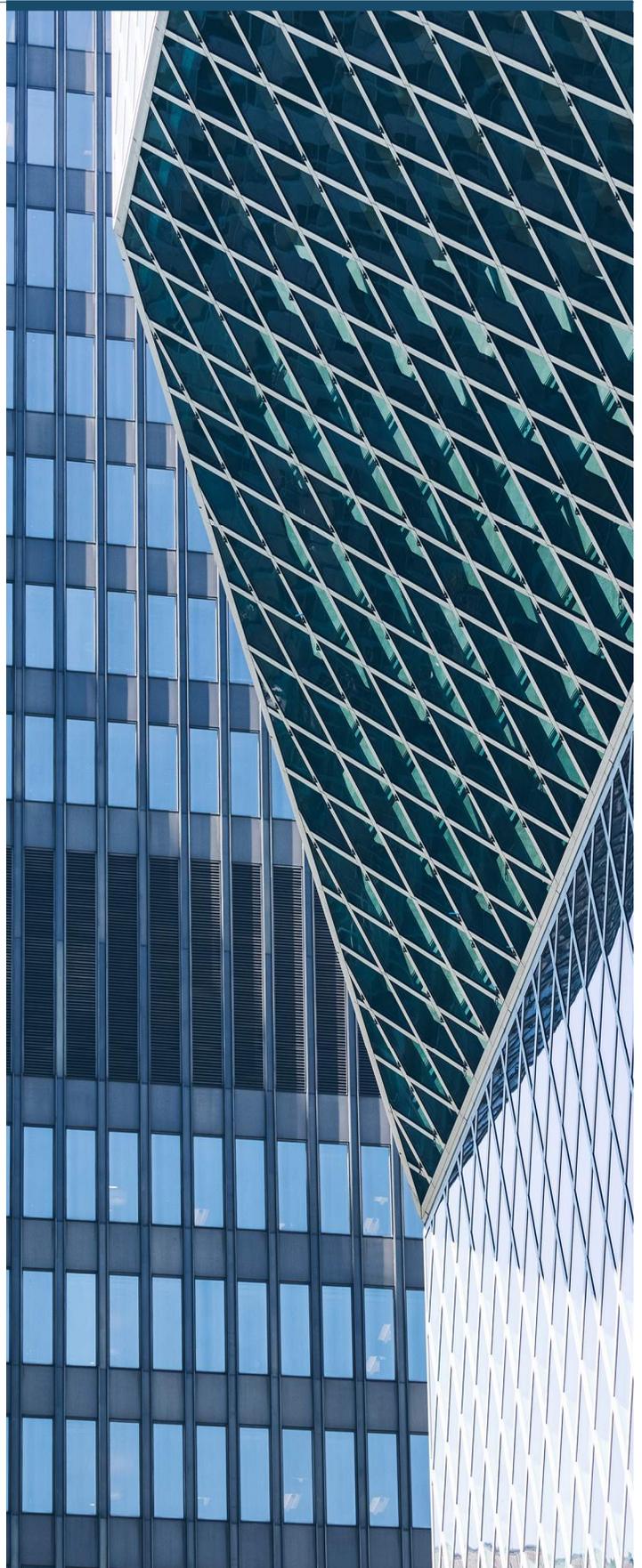
O2 Masterplan Site, Finchley Road

# Town Planning Statement Addendum

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LS (Finchley Road) Limited  
February 2025

**NEWMARK**



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# 1. Introduction

1.1 This Town Planning Statement Addendum (the “Addendum Statement”) has been prepared by Newmark on behalf of LS (Finchley Road) Limited (the “Applicant”), to support an application pursuant to Section 73 (“S73”) of the Town and Country Planning Act 1990 (as amended) (the “TCPA”) to amend planning permission ref. 2022/0528/P (the “Approved Masterplan”), in respect of the O2 Masterplan Site (“the Site”) within the London Borough of Camden (“LBC”).

1.2 Planning permission ref. 2022/0528/P was granted on 20 December 2023 for:

*Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification.*

*For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that.*

1.3 The amendments proposed as part of the S73 Application (herein referred to as the “S73 Application”) are principally to the Detailed Element of Approved Masterplan. The Outline Elements will be unaffected by the proposed changes except for a reduction in the maximum residential floor area proposed.

1.4 The Detailed Element of the Site comprises Development Plots N3E, N4 and N5 and the associated landscaping, access roads and infrastructure, which extends to 1.79ha and these proposals are referred to as the “Detailed Proposals”.

1.5 The remainder of the O2 Masterplan Site, the “Outline Elements”, comprises Development Plots N1, N2, N3, N6, N7, S1 and S8.

1.6 This S73 Application seeks to vary the Approved Masterplan. Accordingly, planning permission is sought as part of this S73 Application for:

*“Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions I4 (Severability Condition), AD1 (Approved Drawings - Masterplan), AD2 (Approved Drawings - Reserved Matters), AD3 (Approved Drawings - Phase 1), RM1 (Parameter Plans and Development Specification), RM6 (Phasing Plan), RM11 (Reserved Matters – Access Statement), RM21 (Reserved Matters – Total floorspace), D20 (Photo-voltaic Cells), D21 (Phase 1 Long Stay Cycle Parking), D22 (Phase 2 Short Stay Cycle Parking), D24 (Phase 1 Disabled Car Parking), D26 (Phase 1 Fire Safety Implementation of Approved Measures), and M28 (Phase-Wide Lighting Strategy) and the removal of Conditions M6 (Enabling Works) and M7 (Major Utilities Infrastructure) of planning permission ref. 2022/0528/P dated 20 December 2023 for ‘Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that’, to allow for amendments to the Detailed Element*

*(Plots N3-E, N4 and N5) including additional height, alterations to the design, massing and footprint of the buildings; the replacement of Block N4D with the relocated community centre; additional residential floorspace (and corresponding reduction in floorspace within Outline Elements); revisions to unit mix and internal layouts; additional community (Class F2) floorspace, reduction in retail (Class E,a) floorspace, reduction in professional services (Class E,c) floorspace, additional blue badge parking and cycle parking; revised landscaping and additional public realm; and associated works”.*

1.7 The changes proposed as part of the S73 Application have been extensively discussed with LBC planning, design and conservation officers since August 2024 through a series of pre-application meetings and design workshops. The changes have also been presented to Camden’s Strategic Panel, the Design Review Panel, and have been the subject of a series of public consultation events. A pre-application meeting also took place with the GLA prior to submission. The approach to dealing with these changes to the Approved Masterplan by way of a S73 Application has been agreed with LBC as an appropriate mechanism. For further details on the pre-application engagement, please refer to Chapter 5 of this Addendum Statement and the SCI.

1.8 By way of background, following the grant of planning permission for the Approved Masterplan, the Applicant has been reviewing the deliverability of the Detailed Element. Deliverability has been significantly affected by changes to the Building Regulations surrounding fire safety. Accordingly, the Detailed Element needs some refinement in order to ensure that the proposals are deliverable, and this has also presented the opportunity to bring forward some further enhancements. The physical amendments are proposed by way of a S73 Application. Not only will this address the fire safety issues but it will also enhance residential quality and assist with commercial delivery. The Applicant has also taken the opportunity to review the approved facades to consider how these might be revised to enhance the Approved Masterplan.

1.9 The S73 Application proposes physical amendments to the Detailed Element of the Approved Masterplan, as well as varying some of the conditions attached to the

original planning permission. Generally, the variations to conditions relate to updates to plan or document references, or figures, where these change as part of the S73 Application. While there is an increase in floorspace proposed in the Detailed Element, there is a corresponding reduction in floorspace in the Outline Elements such that overall, there is no change proposed to the total floorspace permitted for the O2 Masterplan as a whole, apart from an 8sqm (GIA) reduction in commercial floorspace from the Detailed Element.

1.10 With regards to the physical changes proposed as part of the S73 Application, these broadly consist of the following:

- Increase in residential floorspace of 5,766 sqm (GIA) for the Detailed Element compared with the Approved Masterplan to create an additional 43 homes, including 20 additional affordable homes, maintaining the 36% affordable housing within the Detailed Element (and 35% across the Approved Masterplan);
- A slight reduction in commercial floorspace of 8 sqm (GIA) for the Detailed Element compared with the Approved Masterplan;
- The removal of Block N4D and its replacement with a community pavilion (Class F2) which has been relocated and increased in scale;
- Additional 1-2 storeys across the Detailed Element buildings, with approximately 5.8m of height added to the tallest block(s) along the northern boundary;
- Extended length of Block N4C southwards by 5.9m;
- Reduced length of Block N4B northwards by 4.4m;
- Southern boundary of Plot N4 podium moved northwards by 9.5m;
- Approximately 300sqm of additional public open space and 5m increased width of the linear park;
- Approximately 400sqm of additional play space; and
- Enhanced landscape strategy.

1.11 This Addendum Statement sets out the changes proposed to the Approved Masterplan and explains how these changes are consistent with the Approved Masterplan and do

not fundamentally alter the principles approved as part of that planning permission. These changes are proposed to enable the satisfactory redevelopment of the Site, without compromising the extensive public benefits that would be delivered by the Approved Masterplan.

1.12 This Addendum Statement is submitted as an addendum to the original Planning Statement which formed part of the Approved Masterplan (ref. 2022/0528/P). This Addendum Statement sets out the planning justification for the proposed amendments and assesses the amendments against the relevant planning policy and statutory framework.

1.13 As a S73 Application, the proposed amendments to the Approved Masterplan are to be assessed against the policies of the adopted Development Plan, and other material considerations, including Camden Planning Guidance (CPGs), National Planning Policy Framework (NPPF), and the significant weight that should be attributed to the extant planning permission for the Approved Masterplan. The emerging draft Local Plan is also a material consideration, albeit limited weight should be attributed to the policies within it at this stage in the preparation process.

1.14 This Addendum Statement is one of a number of documents which have been submitted in support of the S73 Application and should be read in conjunction with the accompanying documentation listed within the S73 Application cover letter. Where the submitted documents are addendums, they should also be read alongside the original documents forming part of the Approved Masterplan.

## 2. The Site

- 2.1 This section provides a brief description of the Site's location and context. For a full description, please refer to the Town Planning Statement, prepared by Gerald Eve LLP, and submitted in support of the Approved Masterplan.
- 2.2 The O2 Masterplan Site is located on Finchley Road, within the LBC. It is bounded by Blackburn Road, which envelops the Site along much of its southern and northern edge, also extending to the west. Finchley Road (A41) bounds the Site to the east, with Billy Fury Way to the west. The Thameslink Bedford-Brighton railway line runs along the northern edge of the Site, and the London Underground Jubilee and Metropolitan lines run above ground along the southern edge of the Site.
- 2.3 The Site can be accessed on foot from both the east and west and sits between five stations, Finchley Road underground, Finchley Road and Frognal overground, West Hampstead underground, West Hampstead overground and West Hampstead Thameslink stations. There are a number of bus stops and routes in the local area, including two bus services that start / terminate and stand within the Site.
- 2.4 Due to the number and proximity of stations, and bus routes, one would expect a high Public Transport Accessibility level (PTAL) but due to the challenges with accessing parts of the Site, TfL's WebCAT online database reports a PTAL varying between 2 and 6b (with 0 being the lowest and 6b being the highest). The manual assessment shows that, when taking into account the true walking network available, the actual PTAL of the existing Site is 6a ('excellent').
- 2.5 Whilst the S73 Application relates to the whole of the O2 Masterplan Site, an area of approximately 5.7 ha, it is only the Detailed Element (Phase 1) to which physical alterations are proposed. The Detailed Element is approximately 1.79 ha in size and currently comprises of hard-standing, which is used as a car-park, and a car wash. The former Homebase store was recently demolished which was permitted under the Approved Masterplan.

2.6 There are no listed buildings on the Site and it is not located within a Conservation Area. However, there are five Conservation Areas in the vicinity of the Site (South Hampstead, Fitzjohns Netherhall, Reddington Frogna, Belsize Park and West End Green), as well as a number of statutory and locally listed buildings. The Site is not located within an Archaeological Priority Area.

2.7 The Detailed and Outline Elements of the O2 Masterplan Site are shown on plan at Appendix A. The Detailed Element comprises the following:

- Part of the O2 Centre car park;
- A car wash; and
- Former Homebase store which has recently been demolished.

2.8 For a full summary of the existing buildings and areas on Site and a summary of the surrounding context, please refer to the Town Planning Statement prepared by Gerald Eve LLP submitted in support of the Approved Masterplan.

### 3. Planning History

3.1	This section sets out the key planning history records relevant to this S73 Application. A full table of planning history for the Site is set out in Appendix B.
3.2	<p>On 20 December 2023, planning permission was granted for the Approved Masterplan (ref. 2022/0528/P). The description of development for the Approved Masterplan is as follows:</p> <p><i>“Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification.</i></p> <p><i>For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that.”</i></p>
3.3	Since the grant of planning permission (ref. 2022/0528/P), the Applicant has sought to discharge the pre-commencement conditions attached to the permission in relation to the Detailed Element to enable works to start on Site.
3.4	The table below provides a summary of the conditions which have been discharged at the time of completing this Addendum Statement.

**Table 1: Detailed Element Condition Discharge Summary**

Condition	LPA Reference	Condition Requirement	Date Approved
RM6	2024/0727/P	Phasing Plan	30/05/2024
M19	2024/0661/P	Air Quality Dust Monitoring	04/07/2024
M26	2024/0662/P	Land Contamination Risk Assessment (Part A and B)	08/10/2024
M16	2024/0665/P	Basement Suitable Qualified Engineer	30/05/2024
M21	2024/0663/P	London Underground (Part A)	04/07/2024
M22	2024/0664/P	Network Rail	04/07/2024

3.5 In addition to the discharge of pre-commencement conditions, the Applicant has submitted two temporary planning applications to enable the construction of the Detailed Element.

3.6 On 9 September 2024, planning permission (LPA ref. 2024/2863/P) was granted for the *“Installation of temporary substation and associated external works for a period of five years”*.

3.7 There is a pending temporary planning application (LPA ref. 2024/3534/P) for the *“Reconfiguration of existing car park to provide a bus turning circle, landscaping works, and associated external works for a period of ten years”*.

3.8 The redundant Homebase store was demolished in Q3 2024, but the car wash remains on Site and will be demolished in the future. Site clearance and preparatory works, in accordance with the Approved Masterplan, will continue to be undertaken on the

Detailed Element of the Site whilst the S73 Application is pending determination.

3.9 In addition to the above, there have been a number of applications submitted in respect of the Builders Yard. The Builders Yard is located within the western part of the Approved Masterplan, within Plot S8 of Outline Element West of the Approved Masterplan.

3.10 Planning permission (ref. PWX0202103) was granted on the Builders Yard site on 6 January 2004 for *“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 carparking”*. Camden confirmed this permission as having been lawfully implemented, through the boring of two piles, and issued a certificate of lawfulness (ref. 2022/4576/P) on 24 April 2023.

3.11 A subsequent S73 application (ref. 2023/1292/P) to amend planning permission (ref. PWX0202103) was granted for the Builders Yard. The S73 sought revisions to the elevational design, floor levels, lower ground floor, first floor and roof plan, and was granted planning permission, following the signing of the S106 agreement, on 25 July 2024. The overall quantum of development approved as part of the S73 appears to have been similar to that approved as part of the 2004 permission. As far as we are aware the S73 has not yet been implemented.

3.12 The S73 application (ref. 2023/1292/P) was accompanied by a full planning application (ref. 2024/1145/P), which is still pending determination, for *“Erection of three floors of commercial floorspace (Use Class (E(g)) over to 5th to 7th floors with cycle parking, and associated works (the proposed development is designed to be developed above the eastern block granted planning permission on 06/01/04 under Ref: PWX0202103”*.

## Surroundings

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**Addendum Town Planning Statement**

- |                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.13 We have also reviewed the planning history for the area surrounding the Site, to consider what may have changed since the grant of planning permission for the Approved Masterplan.                                                                      |
| 3.14 There are no additional applications or planning permissions which are considered relevant to the surrounding area.                                                                                                                                      |
| 3.15 For further details on applications which were pending or determined at the time of the application for the Approved Masterplan, please refer to the Town Planning Statement prepared by Gerald Eve LLP submitted in support of the Approved Masterplan. |

## 4. Summary of Proposed Changes

- 4.1 This section of the Addendum Statement describes the proposed amendments to the Detailed Element of the Approved Masterplan, sought as part of the S73 Application. Further details can be found in the submitted Design and Access Statement Addendum, prepared by Grid Architects. For full details of the Approved Masterplan please refer to Gerald Eve LLP's Town Planning Statement approved as part of that planning permission.
- 4.2 Following the grant of planning permission for the Approved Masterplan, the Applicant has been reviewing the deliverability of the Detailed Element. Deliverability has been significantly affected by changes to the Building Regulations surrounding fire safety. Accordingly, the Detailed Element needs some refinement in order to ensure that the proposals are deliverable, and physical amendments are proposed by way of a S73 Application. Not only will this address fire safety issues, but it will also enhance residential quality and assist with commercial delivery. The Applicant has also taken the opportunity to review the approved facades to consider how these might be revised to enhance the Approved Masterplan.
- 4.3 The S73 Application proposes an overall increase in floorspace within the Detailed Element of +5,766sqm (GIA) from the Approved Masterplan. This consists of +5,774sqm of residential floorspace and -8sqm of commercial floorspace. However, it is proposed that the maximum floorspace of the Approved Masterplan remains largely unchanged, as there would be a corresponding reduction in maximum residential floorspace deliverable within the Outline Element, of -5,774sqm. No physical alterations are proposed to the Outline Elements parameter plans, it would be up to the Applicant to decide how to deliver the reduced quantum of floorspace within the envelope of the parameters forming part of the Approved Masterplan. Accordingly, as a result of the S73 Application, overall, there would be an 8sqm reduction in floorspace which would be as a result of a reduction in commercial floorspace within the Detailed Element.

4.4 It should be noted that, as was the case with the Approved Masterplan, this S73 Application seeks permission for a maximum quantum of floor space, as opposed to residential unit numbers. However, the overall quantum of floor space is assumed to equate to around 1,800 residential units which is unchanged from the Approved Masterplan.

**Proposed Changes**

4.5 The amendments proposed as part of the S73 Application are separated out as follows:

a) Physical Alterations

- i. Height and massing changes
- ii. Façade changes
- iii. Public realm changes
- iv. Residential layout/unit mix changes
- v. Commercial layout/unit changes
- vi. Floorspace schedule changes

b) Variation / Removal of Conditions

4.6 These are covered in greater detail below.

**a) Physical Alterations**

**i. Height and massing changes**

4.7 A number of height and massing changes are proposed to Plots N3E, N4 and N5, including reconfiguration of Plots N4 and N5, improved design and layout, leading to a smaller Plot N4 footprint and removal of Block N4D.

4.8 It is proposed that Block N4D is replaced with a two-storey community (Class F2) pavilion building, increasing the community (Class F2) use floorspace by 46sqm GIA. The ground floor of Block N4B which was previously the community space becomes commercial use (Class E), increasing the commercial use (Class E) floorspace to 443sqm GIA (+194 uplift). The newly located community centre will create an important community destination at the heart of the Approved Masterplan.

4.9 The massing of Block N4C will be slightly increased (5.9m) to the south towards the new 2-storey community centre, however, the massing of Block N4B will be pushed back (4.4m) from the southern edge to increase the public realm along the green spine that follows the southern boundary of the Site. Block N5B has been redesigned and rotated in response to the removal of Block N4D.

4.10 It should be noted that whilst height has been added to the majority of the blocks within the Detailed Element, height increases have been mitigated by reducing individual floor-to-floor heights across each block from 3,250mm to 3,150mm through detailed design. The height changes across the blocks are summarised below:

- N3E – 12-storeys (+2-storeys on the Approved Masterplan)
- N4A – 14-storeys plus rooftop plant screen (+1-storey on the Approved Masterplan)
- N4B – 9-storeys (no change from the Approved Masterplan)
- N4C – 16-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N4 Link – 9-storeys (+1-storey on the Approved Masterplan)
- N5A – 17-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N5B – 10-storeys (no change from the Approved Masterplan)
- N5C – 16-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N5D – 10-storeys (+1-storey on the Approved Masterplan)
- N5 Link – 11-storeys (+3-storeys on the Approved Masterplan)

4.11 The proposed amendments to the massing and heights of Plots N3E, N4 and N5 will retain the over-arching principles of the Approved Masterplan, including the creation of an undulating and varied skyline of tall buildings.

**ii. Façade changes**

4.12 Changes are proposed to the detailed architectural design of Plots N3E, N4 and N5, designed by Heatherwick Studio. The detailed architectural design considers each block from three different scales: the City Scale, the Street Scale and the Door Scale. This is described in detail in the DAS and summarised below.

4.13 The City Scale includes contrasting tonality within the facades, combining a mixture of lighter and darker brick tones, enabling greater visual variation to the skyline through the use of colour. The emphasis is on a combination of darker red tones and lighter oatmeal/buff tones which are both typical of the character of the surrounding townscape, ensuring a contextual response. Chamfers to the corners of the blocks have also been introduced to soften the massing and recall the architectural language and articulation of mansion blocks found within the local area. The tops of the buildings have also been accentuated with detail to provide more articulation and more clearly defined crowns.

4.14 The Street Scale principally focuses on the articulation of window reveals and balconies, expressed through a variety of 'stitch' brickwork and decorative cast concrete panels. A hierarchy of windows has been created to concentrate fine detailing to zones which are exposed and where it can be most appreciated. The windows at the top of the blocks will have an art relief sill panel and a protruding surround frame. They will be vertically grouped into pairs or triples to indicate the crowns of the buildings. The windows at the lower levels, closer to the ground, will have an art relief sill panel and a 'stitch' brick pattern on the surround. The windows in the middle of the blocks will be similar to the ground windows but with a sill panel created by a simpler brick pattern as they will appear less visually prominent. Balconies on exposed facades

have been shaped in a polygonal language to enhance them as a distinctive feature and to tie in with the broader massing of the blocks. Balconies on less exposed facades will remain rectangular. The balconies on Block N3E will have rounded edges that are consistent with the rounded corners of the building's massing. Balcony openings will have a 'stitch' brick surround. Plot N4 and Plot N5 have several balconies which have solid balustrades to effectively mitigate wind impacts. The windows located within the recessed massing between the blocks will have no additional detailing, ensuring visual and architectural prominence to the main blocks.

4.15 At the Door Scale the architectural design focuses on creating variety and interest to everyone that experiences these buildings up close. The polygonal language will therefore be more expressive at this scale, introducing a series of 'portals' to the ground floor. A variety of 'portal' frames will express the various uses at the ground floor. The main entrances will be most elaborately designed, celebrating the primary entrances with a generous portal and accompanying windows. Duplexes will be defined with more vertical two storey frames to express each home. The commercial units will have various single-storey portals and generous windows, whilst the secondary entrances will be signaled with recessed portals that form a level of protection.

**iii. Public realm changes**

4.16 The massing changes proposed result in an increased area of public realm from the Approved Masterplan. The proposals will create approximately 300sqm of additional public open space and 5m increased width of linear park, providing a total of 1.04ha open space within the Detailed Element (compared with 1.01ha within the Approved Masterplan).

4.17 The S73 Application will result in an additional 408sqm of play space for the Detailed Element, to meet the needs of the additional residential units, providing a total of 2,548sqm playspace for the Detailed Element (compared with 2,140sqm within the

	Approved Masterplan).
4.18	The proposals will improve the landscape strategy and interplay between the landscaping and buildings.
<b>iv. Residential layout / unit mix changes</b>	
4.19	Unit numbers – the additional height proposed will create an additional 43 residential units (or +5,774sqm GIA) within the Detailed Element taking the total to 651 residential units (previously 608 residential units). This is an additional 23 market units and 20 affordable units and brings the total residential floorspace within the Detailed Element to 62,558sqm (GIA).
4.20	Affordable housing – the S73 Application will maintain 36% affordable housing by floorspace across the Detailed Element (and 35% across the wider Site) as per the Approved Masterplan.
4.21	Residential tenure – the residential tenure of both Plot N4C and Plot N5 was previously entirely market housing and will remain market housing. With regards to Plot N4, the tenure will be split between intermediate rent homes and low-cost rent homes. Block N4A and N4B will be low-cost rent (previously intermediate rent), and Block N4C will become intermediate rent (previously low-cost rent).
4.22	Unit mix – the proposed unit mix is set out in Table 3 below. However, in terms of 3-bedroom family home provision, the S73 Application will create an additional 32 x 3-bedroom family homes, with 12 of these being low-cost rent.
4.23	The previously approved and proposed residential unit mix schedules are set out in the tables below.
<b>Table 2: Approved Unit Mix for Detailed Proposals</b>	

Type of Housing	Private	Low Cost Rent	Intermediate Rent
Studio	17 (17%)	0	0
1 bedroo	145 (35%)	14 (13%)	37 (44%)
2 bedroom	184 (44%)	39 (36%)	36 (42%)
3 bedroom	16 (4%)	54 (50%)	12 (14%)
<b>Total</b>	416	107	85

**Table 3: Proposed Unit Mix for Detailed Proposals**

Type of Housing	Private	Low Cost Rent	Intermediate Rent
Studio	77 (18%)	0	0
1 bedroom	120 (27%)	4 (3.5%)	39 (40%)
2 bedroom	206 (47%)	45 (39%)	46 (47.5%)
3 bedroom	36 (8%)	66 (57.5%)	12 (12.5%)
<b>Total</b>	439	115	97

**v. Commercial layout / unit changes**

4.24 Minor changes are proposed to the commercial areas within the Detailed Element of the Approved Masterplan. A summary of the ground floor uses for each Plot are set out below:

- N3E – The ground floor will comprise 276sqm (GIA) of commercial floorspace

(Class E). This is an increase of commercial floorspace by 34sqm (GIA) from the Approved Masterplan.

- N4 – The ground floor will comprise 442sqm (GIA) of commercial floorspace (Class E). This is an increase of commercial floorspace by 194sqm (GIA) from the Approved Masterplan. As set out above, Plot N4 will also include a two-storey community pavilion, increasing the community use floorspace (Class F2) by 46sqm (GIA).
- N5 – The ground floor will comprise 791sqm (GIA) of commercial floorspace (Class E). This is a reduction of commercial floorspace by 281sqm (GIA) from the Approved Masterplan.

4.25 Overall, across the Detailed Element, the changes proposed result in a reduction of 8sqm (GIA) in commercial floorspace (including community floorspace).

4.26 Please refer to tables 4 and 5 below for a breakdown of the commercial floorspace in further detail.

**vi. Floorspace schedule changes**

4.27 The previously approved and proposed floor areas are set out by land use (GIA sqm) in the tables below.

**Table 4: Approved Floor Areas for Detailed Proposals (GIA sqm)**

<b>Land Use</b>	<b>Use Class</b>	<b>Plot N3-E</b>	<b>Plot N4</b>	<b>Plot N5</b>	<b>TOTAL</b>
Residential incl. car parking	C3	5,660	23,839	27,285	56,784
Community	F2	0	268	0	268
Retail	E(a)	145	91	1,072	1,308
Food and drink	E(b)	97	0	0	97
Professional Services	E(c)	0	158	0	158
Sub station		Included in Residential GIA	24,356	28,357	58,615
<b>Total</b>		<b>5,902</b>	<b>24,356</b>	<b>28,357</b>	<b>58,615</b>

\*Plant and BOH has been pro-rated between the uses

**Table 5: Proposed Floor Areas for Detailed Proposals (GIA sqm)**

Land Use	Use Class	Plot N3-E	Plot N4	Plot N5	TOTAL
Residential incl. car parking	C3	7,026	22,275	33,257	62,558
Community	F2	0	314	0	314
Retail	E(a)	179	296	791	1,266
Food and drink	E(b)	97			97
Professional Services	E(c)	0	146	0	146
Sub station		Included in Resi GIA			
<b>Total</b>		7,302	23,031	34,048	64,381

\*Plant and BOH has been pro-rated between uses

#### **b) Variation / Removal of Conditions**

4.28 This Section 73 Application consists of the following variations to conditions attached to the Approved Masterplan:

- a) Variation of Condition I4 (Severability Condition – making each plot severable) to update the wording to reflect the approach to severability making relevant parts of the masterplan severable, including an updated severability plan.
- b) Variation of Condition AD1 (Approved Drawings – Masterplan) to vary approved drawings and documents list in association with proposed physical changes;

- c) Variation of Condition AD2 (Approved Drawings – Reserved Matters) to vary approved documents list in associated with proposed physical changes;
- d) Variation of Condition AD3 (Approved Drawings – Phase 1) to vary approved drawings and documents list in association with proposed physical changes;
- e) Variation of Condition RM1 (Parameter Plan and Development Specification) to update the Development Specification Document reference;
- f) Variation of Condition RM6 (Phasing Plan) to reflect Phasing Plan already approved under this condition (ref. 2024/0727/P);
- g) Variation to Condition RM11 (Reserved Matters – Access Statement) to remove erroneous Part C;
- h) Variation to Condition RM21 (Reserved Matters – Total Floorspace) to reduce the maximum quantum of residential floorspace within the Outline Elements;
- i) Variation of Condition D20 (Photo-voltaic Cells) to update the extent reflecting a reduced roof area and available space for the provision of PV panels;
- j) Variation of Condition D21 (Phase 1 Long Stay Cycle Parking) to update the cycle parking numbers to reflect the change in number of homes and unit mix;
- k) Variation of Condition D22 (Phase 1 Short Stay Cycle Parking) to update the cycle parking numbers to reflect the change in number of homes and unit mix;
- l) Variation of Condition D24 (Phase 1 Disabled Car Parking) to update the number of spaces to reflect the change in number of homes and unit mix;
- m) Variation of Condition D26 (Phase 1 Fire Safety Implementation of Approved Measures) to update the document references;
- n) Removal of Condition M6 (Enabling Works) as no specific enabling works have been identified;
- o) Removal of Condition M7 (Major Utilities Infrastructure) as no major utilities infrastructure is required which has not already been applied for separately;
- p) Variation of Condition M28 (Phase-Wide Lighting Strategy) to request a later trigger for the submission of details in relation to this condition.

4.29 The suggested track changes to the conditions are set out in Appendix C.

4.30 Accordingly, planning permission is sought as part of this S73 Application, to vary the Approved Masterplan. The description of development for this S73 Application is set out below:

*“Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions I4 (Severability Condition), AD1 (Approved Drawings - Masterplan), AD2 (Approved Drawings - Reserved Matters), AD3 (Approved Drawings - Phase 1), RM1 (Parameter Plans and Development Specification), RM6 (Phasing Plan), RM11 (Reserved Matters – Access Statement), RM21 (Reserved Matters – Total floorspace), D20 (Photo-voltaic Cells), D21 (Phase 1 Long Stay Cycle Parking), D22 (Phase 2 Short Stay Cycle Parking), D24 (Phase 1 Disabled Car Parking), D26 (Phase 1 Fire Safety Implementation of Approved Measures), and M28 (Phase-Wide Lighting Strategy) and the removal of Conditions M6 (Enabling Works) and M7 (Major Utilities Infrastructure) of planning permission ref. 2022/0528/P dated 20 December 2023 for ‘Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that’, to allow for amendments to the Detailed Element (Plots N3-E, N4 and N5) including additional height, alterations to the design, massing and footprint of the buildings; the replacement of Block N4D with the relocated community centre; additional residential floorspace (and corresponding reduction in floorspace within Outline Elements); revisions to unit mix and internal layouts; additional community (Class F2) floorspace, reduction in retail (Class E,a) floorspace, reduction in professional services (Class E,c) floorspace, additional blue badge*

*parking and cycle parking; revised landscaping and additional public realm; and associated works”.*

**Severability**

4.31 The Approved Masterplan sought to address the issue of severability raised in the Supreme Court Judgment in the case of Hillside Parks Ltd v Snowdonia National Park Authority [2020] and was granted on the basis of the areas shown on the Severability Plan being severable. This included express severability wording in the description of development; a severability planning condition (Condition I4); and an approved “severable plots” plan.

4.32 The S73 Application seeks amendments to the Detailed Element (Phase 1) of the Approved Masterplan. It will result in a new planning permission for the whole Site which largely reflects the Approved Masterplan, but with the requisite amendments made to the relevant conditions. As such, the new permission will repeat the former permission, save for changes to the relevant conditions, but will not otherwise amend the operative description of the development.

4.33 Since the Approved Masterplan was granted planning permission, the High Court further considered the principles in Hillside in the case of Dennis v Southwark Council [2024].

4.34 In association with the physical design changes to the Detailed Element in Phase I, and having regard to relevant case law since the Hillside decision, it is proposed to update the severable plot plan approved under the Approved Masterplan. It is the Applicants’ firm intention to deliver all plots in accordance with the approved parameter plans through the submission of reserved matters pursuant to the Approved Masterplan. This will maximise the public benefits that will result from the development. However, it is recognised that an extant planning permission (ref. PWX0202103), together with an extant section 73 permission (ref. 2023/1292/P), exist in relation to part of Plot S8, and as a consequence the proposed update to the severable plot retains

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**DOCUMENT OR SECTION TITLE**

this area as severable.

4.35 Accordingly, as part of this S73 Application, it is proposed that the severable plot plan is updated to only show the part of Plot S8 that is severable, and the reserved matters Condition (I4) is amended accordingly.

4.36 In order to ensure a robust approach, an assessment has been made, within the S73 Application, of the environmental impacts that would potentially arise in the event that this area is brought forward under those existing extant planning permissions rather than pursuant to reserved matters under the hybrid consent. In addition, so far as relevant the documents submitted in support of the S73 Application consider the implications of the updated severable plots plan.

## 5. Consultation and Community Engagement

5.1 The National Planning Policy Framework (December 2024) ('NPPF') emphasises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community (paragraph 40).

5.2 Objective GG1(A) of the London Plan 2021, encourages early and inclusive engagement with stakeholders and local communities in the development of proposals.

### **London Borough of Camden**

5.3 The proposed amendments that form part of this S73 Application have been subject to extensive pre-application meetings and workshops with LBC planning, design and conservation officers, between July 2024 and January 2025 (a 7-month period). This includes meetings to discuss strategic planning matters, as well as workshops focused on design.

5.4 Meetings were held with LBC officers, as follows:

- Strategic pre-application meeting – 25 July 2024
- Design workshop – 5 September 2024
- Design workshop – 19 September 2024
- Design workshop – 26 September 2024
- Strategic pre-application meeting – 1 October 2024
- Design workshop – 10 October 2024
- Design workshop – 6 November 2024
- Strategic pre-application meeting – 13 November 2024
- Design workshop – 25 November 2024
- Design workshop – 12 December 2024

- Strategic pre-application meeting – 18 December 2024
- Design workshop – 16 January 2025

5.5 Feedback was provided by LBC officers at the meetings and all queries raised were either addressed through subsequent pre-application meetings or are addressed within the S73 Application submission.

### **Strategic Panel (SP)**

5.6 As with the Approved Masterplan, a presentation was given to LBC’s SP on Monday 14 October 2024. A response from the SP was received on 3 December 2024.

5.7 The response noted that Members were sympathetic to the challenges facing the scheme. Members felt that whilst it may be possible to accommodate the additional height proposed, variation in heights might help mitigate impacts to the north. They noted that whilst the LVMF view is important, this needs to be balanced with the consideration of local impacts. In principle support for the relocated and increased scale community facility was noted subject to it not dominating the open space and consideration being given to how it would be used. Members noted that further opportunities for greening should be explored, particularly for the northern part of the Site.

### **Design Review Panel (DRP)**

5.8 As with the Approved Masterplan, the S73 Application amendments were presented to Camden’s DRP on Friday 8 November 2024. Full feedback from the DRP, and the design team response, is set out in the accompanying Design and Access Statement (DAS) Addendum. However, in summary, the DRP had the following comments on the proposed amendments:

- Further work required on overall vision and integration of work undertaken to bring various elements together;

- Further information required on movement patterns and what will bring people to the development;
- Northern block height increases appear acceptable. Southern block height increases may have a negative impact. If additional height can be added to northern blocks to keep southern blocks lower, that would be the preference;
- Further work required on Block N5B chamfer and potential to extend across the rest of the Site;
- Further work required on mansion block typology and creation of a bolder character for the Site in terms of architectural style;
- Consideration to be given to flipping Block N4B and N4D;
- More variety required to rooflines;
- Further consideration to be given to how decorative panels could be applied on a larger scale;
- Greater variety should be introduced into the material palette;
- Considered that an alternative use might be more appropriate within the community pavilion;
- Impressed with the direction of travel with regards to landscape design but the linear park needs a destination at its heart;
- Further work required to integrate the podium spaces with the public realm including consideration of removal of parking spaces beneath podiums;
- Consideration to be given to linking private amenity areas with the podium amenity spaces; and
- Consideration to be given to reducing the width of the paths in the public realm, including area of lawn and maintenance to ensure meadows do not look unkempt.

5.9 The comments received from the DRP were considered by the design team, to see how the S73 Application amendments could be improved in response to the comments made. This is addressed within the DAS Addendum prepared by Grid Architects.

**Other Consultees**

Greater London Authority (GLA)

5.10 A pre-application meeting was held with the GLA on 19 December 2024, with LBC planning and design officers also in attendance. The GLA were supportive of the proposed amendments to the scheme. The GLA requested confirmation on the target UGF for the Detailed Element which forms part of the S73 Application submission.

Historic England

5.11 The proposed amendments to the scheme were shared with Historic England (HE) in September 2024. HE didn't have any substantive comments on the proposed amendments and found that the changes would have very limited impact on the setting of St Paul's Cathedral in LVMF view 5A.2.

**Community Consultation**

5.12 The Applicant has undertaken a series of public consultation sessions and workshops to gather feedback from the local community on the changes proposed as part of the S73 Application.

5.13 The dates associated with the consultation sessions and workshops are set out below:

- Public consultation events: drop in sessions with the development team:
  - o 24 October
  - o 26 October
  - o 6 November
- Public workshops: workshops to share feedback and shape the plans for the community centre, green spaces and connections between Finchley Road

and West Hampstead:

- 28 & 30 October and 4 November
- Creative and community workshops: creative workshops hosted by the local artist organization Koppel Collective for everyone from children to adults; no creative skills or experience required:
  - 26, 28 & 30 October

5.14 Further details on the community consultation and the activities undertaken are provided within the SCI produced by SOCO and submitted alongside this Addendum Statement.

## 6. Planning Policy Context

6.1	Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.
6.2	Planning policy operates at national, regional and local levels. At a national level, Central Government adopted the National Planning Policy Framework (NPPF) in March 2012. The latest updates to the document were published in December 2024.
6.3	The statutory Development Plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 comprises: <ul style="list-style-type: none"><li>i. The London Plan 2021;</li><li>ii. LBC's Development Plan which consists of the Local Plan (2017), Policies Map, Site Allocation Document (2013) and various Area Plans;</li><li>iii. The Fortune Green and West Hampstead Neighbourhood Plan (2015).</li></ul>
6.4	Both the London and LBC's Development Plan are supported by various adopted Supplementary Planning Guidance documents which are also material considerations.
<b>Legislative Context – Heritage</b>	
6.5	Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
<b>National Planning Guidance</b>	

National Planning Policy Framework (NPPF) 2024

6.6 The NPPF (2024) sets out the Government’s economic, environmental and social planning policies for England. It summarises in a single document all previous national planning policy advice. Taken together, these policies articulate the Government’s vision for sustainable development, which should be interpreted and applied locally to meet local aspirations.

6.7 The NPPF sets out the Government’s requirements for the planning system. It provides a framework within which local people and their accountable councils can produce their own local and neighbourhood plans, which reflect the needs and priorities of their communities. The NPPF is a material consideration in the determination of planning applications.

6.8 The NPPF at paragraph 8 sets out the overarching objectives (namely: economic, social and environmental) for how the planning system can achieve sustainable development. The NPPF at paragraph 11 confirms that plans and decisions should apply a presumption in favour of sustainable development.

6.9 Following consultation in summer 2024, the Government published a revised NPPF in December 2024, alongside a response to the planning reform consultation and indicative local housing need figures using the new Standard Method. The revised NPPF reinforces the Government’s ambition and target of building 1.5m new homes during their parliamentary term.

Planning Practice Guidance (PPG)

6.10 In 2016, the Department for Communities and Local Government (DCLG) launched the web-based Planning Practice Guidance (PPG) resource. This aims to provide planning practice guidance in a useable, up to date and accessible way.

6.11 The PPG outlines how Government planning practice should be followed and interpreted in accordance with the principles of the NPPF. Regarding decision making, the guidelines set out in the PPG are a material consideration and accordingly should carry weight in the determination of planning applications.

**Regional Planning Policy – The London Plan (2021)**

6.12 The London Plan (2021) is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor’s vision for Good Growth. The London Plan forms the London-wide policy context within which the Boroughs set their local planning agendas, and forms part of the statutory Development Plan.

6.13 The detailed objectives of the London Plan seek to ensure that London can meet the challenges of economic and population growth; be internationally competitive and successful, deliver diverse, strong, secure and accessible neighbourhoods; be world-leading in improving the environment; and be easy, safe and convenient for everyone to access, jobs, opportunities and facilities.

6.14 In terms of designations, the Site falls within the Swiss Cottage / Finchley Road District Centre, as defined by the London Plan. The District Centre is considered to be a Strategic Area for Regeneration with a “high” potential for residential growth and “low” potential for commercial growth.

**Local Planning Policy – Camden Local Plan (2017)**

6.15 At the local level, LBC’s Local Plan (2017) was adopted by the Council on 3 July 2017. This, coupled with LBC’s Policies Map (2013, updated in 2017 and 2021) and Site Allocations Plan (2013) forms the local tier of the Development Plan relevant to the Site and is therefore central to planning decisions and the control of future developments in the borough. The Site also falls within the Fortune Green and West

Hampstead Neighbourhood Area, and therefore the policies contained within the Fortune Green and West Hampstead Neighbourhood Plan (2015) form part of the Development Plan relevant to the Site.

Site Specific Designations

6.16 Within the LBC adopted development plan, the Detailed Element of the Site has the following designations:

- West Hampstead Interchange – Growth Area
- Site Allocations – O2 Centre car park (Site 29)
- Finchley Road Town Centre
- Adjacent to a local Site of Importance for Nature Conservation Local (SINCL)
- Adjacent (north and south) to a habitat corridor

**West Hampstead Interchange – Growth Area**

6.17 The whole of masterplan Site, excluding the O2 Centre building, is located within the West Hampstead Interchange Growth Area, as identified within LBC's Local Plan 2017. The Council expects "developments in the area to contribute to:

- A mix of uses, including substantial new housing (including affordable housing), town centre, employment and community uses, and green / open space (with any substantial new town centre uses located within the designated Finchley Road / Swiss Cottage town centre part of the growth area);
- improved transport interchange accessibility and capacity and improved pedestrian and bicycle movement and routes;
- substantially improved street environment around transport facilities, including improved crossing and wider pavements;
- sustainable and safe design of the highest quality that respects the character and heritage value of West Hampstead; and

- prioritise the use of decentralised energy networks.

### **Camden's Site Allocation (2013) – Site 29: O2 Centre Car Park**

6.18 Part of the Site (the O2 Centre car park, excluding the O2 Centre building and the Homebase store) is allocated for development within Camden's Site Allocation Plan (2013). The Site allocation notes that the Site is suitable for "an appropriate town centre mixed use development, including housing, retail, community uses and open space". It goes on to state that "development will be expected to:

- Optimise the potential of the site to provide new housing (including affordable housing) while minimising potential conflicts between residential and other uses
- Ensure retail provision is appropriate in scale and would enhance the Finchley Road Town Centre and not detrimentally affect West Hampstead Town Centre
- Provide appropriate community facilities or services to meet residents needs
- Provide open spaces on site appropriate to the scale and nature of development proposed
- Positively contribute to and integrate with streetscape and interchange improvements along West End Lane
- Improve existing pedestrian conditions and provide legible and improved pedestrian / cycle links (including provision of cycle parking) between West End Lane and Finchley Road through new landscaping and good design, and introduce north-south pedestrian links
- Provide infrastructure for supporting local energy generation on site and/or connection to existing or future networks where feasible".

### **Fortune Green and West Hampstead Neighbourhood Plan (NP) (2015)**

6.19 The Site falls within the area covered by the Fortune Green and West Hampstead NP which was adopted in March 2015. The NP sets out policies for the future development

of the area between 2015 and 2031. The NP forms part of the Statutory Development Plan and accordingly the policies contained within the NP carry equal weight to those of the London Plan and LBC's Local Plan and have been assessed as such within this Town Planning Statement.

6.20 Within the NP, the Detailed Element of the Site falls within the West Hampstead Growth Area. The NP identifies that this area "shall be promoted for a mix of uses, including new housing, employment, town centre and public/community uses".

**Other Material Considerations**

6.21 Other relevant LBC Supplementary and Design Guidance Documents of relevance to this application are as follows:

Camden Supplementary Planning Documents

6.22 The West End Lane to Finchley Road SPD was adopted in September 2021. The focus of this planning guidance document is the land and sites stretching from Finchley Road Town Centre to the east through Blackburn Road to West End Lane. The SPD identifies that there is a major opportunity for comprehensive redevelopment of this land to create a new place.

6.23 The key objectives for this area, as set out within the SPD are as follows:

- An integrated and comprehensive approach that would deliver a range of public benefits and local priorities;
- The delivery of new homes for people at all stages of life, including affordable homes;
- The creation of a strong and vibrant shopping centre to meet the needs of local communities in terms of retail, leisure, cafes/restaurants and workspace while creating sustainable employment opportunities;

- Improved connectivity between two distinct communities and two public transport nodes for pedestrians and cyclists;
- A substantially improved street environment with high quality landscaping;
- A sustainable and safe design of the highest quality that respects the character and heritage value of West Hampstead;
- New green/open spaces including a linear park, integrated children's play facilities and urban greening;
- Space for community facilities including a new health centre;
- A car free development (with the exception of blue badge spaces); and
- Building strong and lasting partnerships to ensure a coordinated approach to development and delivery.

Camden Planning Guidance Documents

6.24 The following Camden Planning Guidance Documents are relevant to the proposed Section 73 Amendments:

- Access for All CPG (March 2019)
- Amenity (January 2021)
- Basements (January 2021)
- Biodiversity (March 2018)
- Design (January 2021)
- Developer Contribution (March 2019)
- Housing (January 2021)
- Public Open Space (January 2021)
- Transport (January 2021)

GLA Supplementary Planning Documents

6.25 The following GLA documents are also relevant to the proposed S73 Amendments:

- Accessible London SPG

- Optimising Site Capacity: A Design Led Approach LPG
- Fire Safety LPG (draft)
- Affordable Housing LPG (draft)
- Development Viability LPG (draft)
- Affordable Housing and Viability LPG (to be read in conjunction with the Accelerating House Delivery Planning and Housing Practice Note 2024)
- Housing SPG
- Play and Information Recreation SPG
- London View Management Framework SPG
- Urban Greening Factor LPG
- Be Seen energy monitoring LPG
- Circular Economy Statements LPG
- Energy Planning Guidance
- Whole Life Carbon LPG
- Sustainable Transport, Walking, Cycling LPG

### **Emerging Planning Policy**

#### Emerging London Plan

6.26 The Mayor of London is in the process of developing a new London Plan. It is currently anticipated that a draft high-level document will be published in early 2025 with a draft London Plan consultation to take place at the end of 2025. On the basis neither the high-level document nor draft London Plan have yet been published, there is no further reference to the emerging London Plan within this Addendum Statement.

#### Emerging Local Plan

6.27 Camden Council is in the process of updating the Local Plan. LBC undertook a Regulation 18 consultation on a draft new Local Plan between 17 January and 13

March 2024. Further consultation (Regulation 19) is anticipated in 2025, which will be following by Examination, and adoption is currently anticipated in Spring 2026.

6.28 Considering the plan is still at an early stage in its preparation, the draft policies within it are to be given limited weight in the determination of planning applications at this stage. However, for completeness, we have assessed the draft policies within this Addendum Statement.

6.29 LBC consulted on a draft Site Allocations Local Plan document in 2020, 2021 and 2022. The decision was then taken in early 2022 to include the site allocations within the review of the Local Plan. Accordingly, the draft new Local Plan 2024 replaces the 2020 draft Site Allocations Local Plan and once adopted will supersede the Camden Site Allocations (2013).

Draft Site Allocation WHI2 – O2 Centre, Car Park, Car Showrooms and 14 Blackburn Road

6.30 Within the draft Local Plan, draft Allocation W2 (WHI2) which covers the entirety of the Site, is identified as being appropriate for mixed use development including permanent self-contained homes, town centre uses including retail and leisure uses, community uses, employment and open space, with an indicative site capacity of 1,800 additional homes.

6.31 The draft allocation identified that the Council supports “comprehensive development here, rather than piecemeal proposal for the site”.

6.32 The draft allocation goes to state that development must be residential led, providing a substantial number of self-contained homes, provide employment space for a range of small to medium businesses and affordable workspace, provide new or re-provided town centre uses, and leisure uses including a cinema, community facilities or services, public toilets, ensure car parking is removed, give priority to pedestrians, wheelchairs and cyclists, include new and improved public realm and public open spaces and improve biodiversity and ecological connectivity and urban greening.

6.33 With regards to building heights, the draft allocation states that “the Camden Building Heights Study has identified this site as a location where tall buildings may be an appropriate form of development, with 9m-54m considered the potentially appropriate height range. It notes that the Council has resolved to grant planning permission for a development ranging in height from 33-61m. That decision was based on an assessment of the impacts and benefits of that specific development, and it should not therefore be assumed that the permitted height would necessarily be appropriate for any subsequent development. The acceptability of particular tall building proposals, and their location within the site, will be assessed against Policy D2 on tall buildings and other relevant development plan policies”.

6.34 With regards to infrastructure requirements, the draft allocation states that development must contribute to the delivery of a new link / step free access into West Hampstead and Finchley Road underground stations and provide appropriate financial contributions to support accessibility and capacity improvements, deliver a strong, convenient, direct, safe and accessible east-west route linking Finchley Road with West End Lane, deliver improvements to bus stop facilities both within and in the vicinity of the site, incorporate pedestrian, cycling and environmental improvements, make provision for of a new NHS health centre, secure physical improvements to Billy Fury Way and Granning Dripping steps, secure walking and cycling improvements, provide infrastructure to support local energy generation or connections to existing/future networks, contribution to bus priority and cycle infrastructure improvements along West End and improve the Blackburn Road and West End Lane junction.

## 7. Planning Considerations

- 7.1 This Section identifies the key planning considerations relevant to the applications.
- 7.2 The principal planning considerations which must be assessed in relation to the Section 73 Application amendments are the following:
- i. Land Use;
  - ii. Design, Bulk and Massing;
  - iii. Heritage, Townscape and Views;
  - iv. Residential Design;
  - v. Landscape, Public Realm and Trees;
  - vi. Energy and Sustainability; and
  - vii. Transport, Servicing and Waste;
  - viii. Other Technical Considerations.
- 7.3 Each of these principal considerations is considered in the following chapters, which demonstrate that the amendments sought within the Section 73 Application are in accordance with specific planning policies and the relevant statutory duties.
- 7.4 The amendments sought to the Approved Masterplan continue to be supported by strategic objectives at all levels of planning policy and guidance. The amendments will ensure that a sustainable development of exemplary design is provided.

## 8. Land Use

8.1 This section of this Addendum Statement assesses the Detailed Element proposed land uses and their acceptability, in principle, in planning policy terms. It concludes that the proposed mix of uses is acceptable in land use terms and the uses are of an appropriate scale and balance in line with relevant planning policies and objectives. The Outline Elements land uses remain as per the Approved Masterplan and are unaffected by this S73 Application and so this assessment focusses on the key changes proposed to the Detailed Element only.

8.2 The land use section of this Addendum Statement includes the following land uses, which form part of the Detailed Element of the Site:

- Residential (Class C3)
- Affordable Housing (Class C3)
- Town Centre Uses (Class E)
  - o Retail (Class E, a)
  - o Professional Services (Class E, c)
  - o Food and Drink (Class E, b)
- Social Infrastructure – Community Facilities (Class F2)

8.3 These land uses are considered and assessed in the following sub-sections.

### **Residential – Policy**

8.4 The Government’s strategic objective as set out in the NPPF is to deliver a wide choice of high-quality homes and create sustainable, inclusive and mixed communities. Following consultation last summer, the Government published a revised NPPF in December 2024, alongside a response to the planning reform consultation and indicative local housing need figures using the new Standard Method. The main objective of the

new NPPF is to help unlock housing delivery within the UK which is a key aspiration of the new Labour Government.

- 8.5 A key aspect of the new NPPF is the introduction of a new standard methodology for setting housing targets, resulting in an overall increase across the country as a whole, to 370,000 homes per annum, accompanied by measures intended to increase the number of homes for which planning permission is granted. The standard methodology for setting housing targets increases Camden's requirement from 1,932 homes per annum under the previous standard method, to 3,137 homes per annum under the new standard method.
- 8.6 The new NPPF also strengthens the support in principle for developments taking place on brownfield sites, including paragraph 125(c) which requires planning policies and decisions to give "substantial weight" to using brownfield land for housing "and other identified needs" with proposals to be "approved unless substantial harm would be caused".
- 8.7 Chapter 5 of the NPPF supports the Government's objective of significantly boosting the supply of homes. It requires local planning authorities to plan for a mix of housing based on current and future demographic trends. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.
- 8.8 Objective GG1 of the London Plan focuses on building strong and inclusive communities and making the best use of land to allow the city to grow in a way that works for everyone.
- 8.9 Objective GG4 identifies the need for development to create a housing market that works better for all Londoners. To achieve this, those involved in planning and development must, amongst other things, ensure that more homes are delivered, support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable, and create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs.

8.10	London Plan Policy H1 sets out the requirements for boroughs to achieve the increased housing supply targets set out in Table 4.1, which identifies a ten-year housing completion target of 10,380 for LBC [2019/20 to 2028/29]. This is clearly considerably less than the housing need calculated using the standard method within the NPPF and set out in paragraph 7.5 above.
8.11	Policy H1 Part B (2) identifies that to ensure that ten-year housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through Development Plans and planning decisions especially the mixed-use redevelopment of car parks and low-density retail parks and supermarkets.
8.12	Policy H4 (Delivering Affordable Housing) states that the strategic target is for 50% of all new homes to be affordable. Specifically, it requires major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach (Policy H5) using grant to increase affordable housing delivery beyond the level that would otherwise be provided.
8.13	Policy H5 (Threshold Approach to Applications) confirms that privately owned sites providing 35% or more Affordable Housing are not required to follow the viability tested route (otherwise known as following the Fast Track Route (FTR)).
8.14	Policy H6 sets out the Mayor's affordable housing tenure mix. Specifically, it states 30% of the affordable homes should be low-cost rent (London Affordable Rent or Social Rent) 30% Intermediate and 40% to be agreed with the borough based on identified need.
8.15	London Plan Policy SD7 Part C (6) sets out that boroughs should identify sites for higher density mixed-use residential intensification, capitalising on the availability of services within walking and cycling distance and current and future public transport provision including, for example comprehensive redevelopment of surface car parks.
8.16	Policy H1 of the Camden Local Plan sets out that self-contained housing is the priority land use across the Borough. LBC aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and

exceeding a target of 16,800 additional homes from 2016/17 – 2030/31 (equating to 1,120 homes per year), including 11,130 additional self-contained homes.

8.17 Policy H2 of the Camden Local Plan indicates that the Council will encourage the inclusion of self-contained homes in non-residential development in all parts of the borough. LBC require 50% of additional floorspace to be self-contained housing in development involving more than 200sqm (GIA) additional floorspace in the Central London Area and the larger town centres. Self-contained housing should be provided on the development site, particularly where 1,000sqm (GIA) or more of additional floorspace is proposed.

8.18 Policy 4 of the Fortune Green and West Hampstead NP states that the West Hampstead Growth Area shall “provide new homes – including affordable homes and homes suitable for families”. Paragraph B8.a of the NP states that “the primary use [of the Site] should be for additional housing, including affordable housing”.

8.19 Policy 1 of the NP states that “residential development shall provide a range of housing types, to meet a range of needs, as appropriate, related to the scale of development”.

8.20 Both the adopted and emerging Site Allocations identify that the Site has the potential to provide new housing, to help meet policy objectives. The West End Lane to Finchley Road SPD identifies the priorities for the Site include “a mix of uses, including substantial new housing (including affordable housing)” and the recently published draft Site Allocation refers to an indicative site capacity of 1,800 additional homes.

8.21 Camden’s draft Local Plan follows the same principles as the adopted Local Plan with regards to housing delivery and development. Draft Policy H1 of Camden’s new Local Plan states that the Council will aim to deliver 11,550 additional homes over the plan period to 2041 and draft Policy H2 continues to seek self-contained homes as part of a mix of uses where non-residential development is proposed in any part of the Borough.

**Residential – Assessment**

8.22	The S73 Application amendments would mean that the Detailed Element would provide a total of 62,558sqm GIA of residential (including car parking in the podium). This equates to 651 residential dwellings.
8.23	The quantum of residential floorspace across the Site would remain as per the Approved Masterplan i.e. up to 171,784sqm GIA of residential (Class C3) floorspace. It has been assumed that this equates to around 1,800 residential units. This has not changed from the Approved Masterplan (N.B. there is a mathematical error in para 4.11 of the approved March 2023 Development Specification document where the figure of 171,746sqm should read 171,784sqm).
8.24	The number of new homes delivered in Camden has varied a lot over the last 10 years. However, since 2016/17 there has been a general decline in the number of housing completions against Camden's housing target.
8.25	Camden's Housing Delivery Test Action Plan (November 2024) highlights that during the period 2019/20 and 2021/22 Camden had a target of 2,891 new homes to be built but only 1,981 homes were delivered, which equates to a 69% delivery rate. As such, the consequence of this shortfall means that Camden has to produce an action plan and apply the presumption in favour of sustainable development as set out in the NPPF.
8.26	The proposals seek to provide a mix of housing types including studio, 1, 2 and 3+ bedroom units, of which a minimum of 36% by floorspace (GIA), within the Detailed Element, would be delivered as genuinely affordable homes.
8.27	The Site is one of the largest under utilised low-density, but highly accessible, sites in Zone 2 in London representing an opportunity to achieve wider community benefits and the ability to deliver a significant quantum of homes, to assist Camden in achieving their housing targets, as well as significant public realm enhancements.
8.28	The Site is considered suitable for residential development on the basis that there is an extant planning permission covering the Site, the Approved Masterplan, which is a significant material consideration, as well as the fact that it is a brownfield site, well

serviced by public modes of transport and the central and eastern parts of the Site are located within the Finchley Road Town Centre. The fact that this Site is brownfield land, which delivers a significant quantum of housing, is fully aligned with the recently published NPPF.

8.29 Policy H1 of the London Plan specifically identifies mixed-use redevelopment of car parks as a way of ensuring targets for the delivery of housing are achieved across London. The number of housing units to be delivered as part of the Detailed Element (651 homes) would deliver a significant quantum of Camden's housing target. Additionally, Policy SD7 of the London Plan refers to identifying suitable sites such as comprehensive redevelopment of surface car parks for higher density mixed-use residential intensification.

8.30 Residential use on this Site is supported by planning policy at all levels including adopted and emerging Site Allocations. The principles of a residential-led masterplan have also been established through the Approved Masterplan. Accordingly, the residential use, including the early delivery of 43 homes that are proposed as part of this S73 Application, is strongly supported by planning policy.

**Affordable Housing – Policy**

8.31 Chapter 5 of the NPPF, 'Delivering a Sufficient Supply of Homes', states that provision of affordable housing should not be sought for residential developments that are not major developments. It establishes that affordable housing should be delivered on-site. Annex 2 of the NPPF defines affordable housing as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers), or which complies with one or more of the of the four definitions in the NPPF glossary.

8.32 Paragraph 63 of the NPPF sets out that the context, size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

8.33	The National Planning Policy Guidance confirms that housing need is an unconstrained assessment of the number of homes needed in an area (ID: 2a-001-20190220). It also confirms that all households whose needs are not met by the market can be considered in affordable housing need (ID: 2a-018-20190220).
8.34	London Plan Policy H1, titled 'Increasing Housing Supply', of the London Plan sets an overall housing target of 52,287 new homes every year compared to the previous 2016 London Plan target of 49,000. This target does not seek to meet the full objectively assessed need identified by the Strategic Housing Market Assessment (2017) of 66,000 nor the 87,992 homes identified as being required in London under the new standard method of assessing housing need.
8.35	London Plan Policy H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%, or 50% for former industrial land and public sector land.
8.36	London Plan Policy H5 requires that major developments provide affordable housing through the threshold approach; and reaffirms that affordable housing should be provided on-site, with off-site / payment only in exceptional circumstances.
8.37	Policy H6 of the London Plan sets out a preferred tenure split of at least 30% low-cost rent (London Affordable Rent or Social Rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy.
8.38	Policy H10 (Housing Size Mix) states that schemes should consist of a range of unit sizes having regard to several factors. The factors, that applicants and boroughs should take into account, are then further explained in supporting text at paragraph 4.10.2. It also states that in terms of delivering mixed and inclusive communities, a neighbourhood may currently have an over-concentration of a particular size of unit and a new development

could help redress the balance.

8.39 In terms of Build to Rent, the London Plan confirms that Boroughs should take a positive approach to the Build to Rent sector to enable it to better contribute to the delivery of new homes (Paragraph 4.11.1 and 4.11.2).

8.40 London Plan Objective GG4 (Delivering the homes Londoners need) supports creating mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs.

8.41 The GLA's Affordable Housing and Viability SPG (August 2017), explains how the policies of the London Plan should be applied with the aim of half of all new homes to be affordable. The SPG sets out the Threshold Approach to applications. Under the Threshold Approach, development proposals that provide 35 per cent affordable housing and 50 per cent on public and industrial land (where industrial floorspace capacity is not being re-provided in line with policy E7, Industrial Intensification, co-location and substitution), and that meet tenure, affordability and other relevant requirements, can follow the Fast Track Route (FTR).

8.42 The SPG states that the FTR enables developments to progress without the need to submit detailed viability information and without late viability review mechanisms which re-assess viability at an advanced stage of the development process.

8.43 It is important to note that the GLA's recently published Accelerating Housing Delivery - Planning and Housing Practice Note (December 2024), reinforces this point. It notes that "given the benefits of the FTR in terms of delivering higher levels of affordable housing, providing additional certainty to applicants, LPAs and the Mayor, and speeding up the planning process, it is important that applicants are incentivized to follow the FTR and are not required to undertake viability testing unless relevant criteria are not met".

8.44 The Practice Note goes on to state "if a scheme meets the affordable housing threshold and other relevant affordable housing requirements including eligibility and affordability

criteria, it should be considered under the FTR. LPAs should not generally require applications to follow the VTR unless the relevant affordable housing threshold and related affordable housing criteria are not met, or the applicant relies on viability information to demonstrate that another policy requirement cannot be achieved”.

8.45 Local Plan Policy H4 states that LBC will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100 sqm or more.

8.46 Local Plan Policy H4 (a) states that the guideline mix of affordable housing types is 60% social-affordable rented housing and 40% intermediate housing.

8.47 Local Plan Policy H4 (c) states that an affordable housing target of 50% applies to developments with a capacity for 25 or more additional dwellings.

8.48 Local Plan Policy H4 (h) states that for developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site.

8.49 Camden’s Housing CPG (2021) provides specific guidance on both housing and affordable housing in mixed use development and specifically the requirements of Local Plan Policies H2, H4, and H6.

8.50 Camden’s draft new Local Plan does not seek to change the approach to affordable housing. Draft Policy H4 states that the Council supports the London Plan’s strategic target of 50% of new homes to be genuinely affordable and this will be applied to all developments with a capacity for 25 or more additional dwellings.

8.51 With regards to unit mix, as per the adopted Local Plan, the draft new Local Plan Policy H4 states that the guideline mix of affordable housing types is 60% low-cost rented housing and 40% intermediate housing. Developments with a capacity for 10 or more additional dwellings will need to provide the affordable housing on site.

**Affordable Housing – Assessment**

8.52	The London Plan sets a strategic capacity limited target to deliver at least 26,244 affordable homes across London per annum (50%). The London Plan Annual Monitoring Report 19 (March 2024) indicated that the delivery of new affordable homes on a London wide basis is significantly below the London Plan Target.
8.53	The O2 Masterplan scheme will deliver a significant quantum of housing which will play a valuable role in meeting London Borough of Camden's housing needs and targets, especially considering the borough only has a 69% delivery rate and has had to produce a Housing Delivery Test Action Plan (November 2024) for the fourth time in five years.
8.54	The O2 Masterplan scheme provides a significant quantum of affordable housing within the Detailed Element alone, providing 212 affordable homes, which would make up a significant quantum of affordable housing delivery both in the borough and London as a whole. The affordable housing will continue to be delivered within Plot N4, as per the Approved Masterplan. The affordable housing to be delivered within the Detailed Element would equate to approximately 3% of Camden's housing waiting list.
8.55	In accordance with London Plan Policy H5, and the threshold approach to applications, the Detailed Element will include 36% affordable housing by floorspace (GIA) and habitable room, with 35% affordable housing (by floorspace and habitable room) across both the Outline and Detailed Elements.
8.56	The level of affordable housing proposed accords with the London Plan threshold approach to affordable housing. Accordingly, the proposals are considered to be able to follow the FTR and there is no requirement to submit detailed viability information to the GLA.
8.57	Whilst Camden's strategic affordable housing target is 50%, which the proposals fall short of, the GLA's recent Practice Note on Accelerating Housing Delivery is clear that where proposals are delivering 35% affordable housing, with a policy compliant tenure split, and meet all other affordable housing eligibility criteria, which is the case for the S73 Application proposals, no detailed viability information needs to be provided. Accordingly, a Financial Viability Assessment (FVA) has not been submitted in support of this S73

Application. This was agreed with LBC Officers who confirmed the principle of this position given the updated GLA guidance prior to the submission of the application.

8.58 The tenure split of the affordable housing would consist of Low-Cost Rent and Intermediate Rented Housing at a ratio of 60:40, by floorspace, in accordance with London Plan Policy H6 and Local Plan Policy H4. The Low-Cost Rent units are proposed to be let at London Affordable Rent or Social Rents. The Intermediate Rent homes would target a range of incomes and would be prioritised to those who live or work in the borough.

8.59 The Detailed Element proposes a mix of affordable housing unit sizes including 57.5% family sized (3 bedroom+) Low-Cost Rented homes.

8.60 The provision of 60% of affordable homes within the Detailed Element as Low-Cost Rent makes a significant contribution to meeting the priority needs of low-income households including vulnerable households. This is a significant benefit noting the scheme is proposed to be Build-to-Rent and is therefore not required to provide any low cost rented homes by national or regional policy, but instead would have to provide a proportion of discounted market rent homes which are not as affordable for low income households.

8.61 The proposed mix will make an important contribution to meeting unmet needs of overcrowded low cost rented households and the needs of households on the Council's Intermediate Housing Register. The proposed mix also supports the viability of the scheme and quantum of affordable housing that can be provided.

8.62 The proposed intermediate homes would meet the growing needs of 'squeezed middle' households who cannot afford to buy or rent a good quality suitable home locally but would also be very unlikely to be allocated an existing low-cost rent home (e.g. key frontline workers).

8.63 With regards to unit mix, in accordance with Camden's Dwelling Size Priority Table (see Table 5 below) a minimum of 57.5% of the Low-Cost Rented housing would be family sized three-bedroom units in the Detailed Element.

**Table 6: Detailed Element Unit Mix by Tenure**

Type of Housing	Private	Low Cost Rent	Intermediate Rent
Studio	77 (18%)	0	0
1 bedroom	120 (27%)	4 (3.5%)	39 (40%)
2 bedroom	206 (47%)	45 (39%)	46 (47.5%)
3 bedroom	36 (8%)	66 (57.5%)	12 (12.5%)
<b>Total</b>	439	115	97

8.64 The Approved Masterplan sought to distribute affordable housing across the Site to provide a mixed and balanced community and affordable housing was agreed to be delivered in proportion with the market housing. This S73 Application does not change that.

8.65 All homes have been designed so they are tenure blind and meet or exceed the design standards set out in the Development Plan. All entrances would be an equal quality across all tenures. It is intended that the affordable housing forming part of the scheme would be managed by a Registered Provider (RP), in this case, Origin Housing.

8.66 The proposed quantum and configuration of affordable housing that forms part of the Detailed Element is appropriate for this Site, in accordance with the relevant planning policies at all levels. Whilst the proposals do not meet the LBC strategic target of 50% affordable housing, the Applicant is proposing 35% by floorspace across the Site as a whole and accordingly can follow the FTR. The S73 Application proposals are, in respect of affordable housing, in accordance with the planning policy objectives at all levels.

**Town Centre Uses: Retail (Class E,a) – Policy**

8.67	London Plan Policy E9 states that “a successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported” in line with the wider objectives of the Plan, particularly for town centres. Policy E9 goes on to state that “Development Plans and development proposals should support convenience retail in all town centres, and particularly in District, Local and Neighbourhood centres, to secure inclusive neighbourhoods and a sustainable pattern of provision where there is less need to travel”.
8.68	Policy E9 of the London Plan also states that clusters of retail and associated uses will be managed having regard to their positive and negative impacts on the objectives, policies and priorities of the London Plan including: <ul style="list-style-type: none"><li>a) Town centre vitality, viability and diversity;</li><li>b) Sustainability and accessibility;</li><li>c) Place-making or local identity;</li><li>d) Community safety or security;</li><li>e) Mental and physical health and wellbeing.</li></ul>
8.69	Policy E9 also states that “development proposals involving the redevelopment of surplus retail space should support other planning objectives and include alternative town centre uses on the ground floor where viable...and residential development”.
8.70	Policy TC1 of LBC’s Local Plan states that “the Council will focus new shopping and related uses in Camden’s designated growth areas and existing centres, having regard to the level of capacity available in these locations.” In terms of distribution of retail across Camden, this will be within Growth Areas, Town Centres, Central London Frontages and Neighbourhood Centres, specialist shopping areas, and small shops outside of centres. It states that “retail floorspace is expected to be supported by a range of other town centre uses, including food, drink and entertainment uses”.
8.71	Policy TC1 goes on to state that the Council “will apply a sequential approach to retail and other town centre uses outside of the areas listed above to support Camden’s

network of centres. Retail and other town centre uses should be located in designated centres. Only if suitable sites cannot be found within designated centres will the Council consider edge of centre locations or if no edge of centre locations are available, out of centre locations. The Council will require a retail impact assessment for large retail development proposals (of 2,500 sq m or more) that are not in accordance with the above approach and:

- Would be in an edge of centre or out of centre location;
- Would be in an existing centre and have the potential to have a harmful impact on other centres”.

8.72 Policy TC5 states that the Council will “promote the provision of small shop premises suitable for small and independent businesses”. In doing so, the Council will “expect large retail development to include a proportion of smaller units, attach conditions to planning permissions for retail developments to remove their ability to combine units into larger premises, where appropriate, and encourage the occupation of shops by independent businesses and the provision of affordable premises”.

8.73 Paragraph B8 of the Fortune Green and West Hampstead NP states that redevelopment of the Site could include “an expansion of the O2 Centre to include additional retail, commercial and business use”. It goes on to state that the key consideration for redevelopment of this Site is “additional business, commercial and retail uses”.

8.74 Camden’s Town Centres and Retail CPG states that “retail uses are important for ensuring Finchley Road / Swiss Cottage remains a viable shopping function to meet the needs of the local area”. It goes on to state that “the Council seeks to protect the retail function and character of Finchley Road / Swiss Cottage. The Council will not grant planning permission for development which results in the proportion of ground floor premises falling below:

- 75% in a primary frontage; and
- 50% in a secondary frontage”.

8.75	Camden's draft Local Plan Policy IE6 sets out that the Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors.
<b>Town Centre Uses: Retail (Class E,a) - Assessment</b>	
8.76	The principle of retail (Class E,a) use forming part of the Detailed Element of the proposals was established through the Approved Masterplan.
8.77	The Detailed Element is proposed to contain 1,266sqm GIA of retail floorspace, which is a 42sqm GIA reduction from the Approved Masterplan. There will be no change to the overall quantum of retail floorspace granted within the Outline Elements.
8.78	As part of the S73 Application, the previously approved ground floor plan for the Detailed Element has had to be redesigned to accommodate the scheme amendments. Whilst the Applicant has sought to ensure that the previously approved commercial areas are maintained as per the Approved Masterplan, as far as possible, there is a small reduction in overall quantum of retail floorspace.
8.79	The reduction in retail floorspace only equates to 42sqm, which is just 0.02% of the 191,017sqm total floorspace forming part of the Approved Masterplan. In addition, the reconfiguration of the non residential land uses in the Detailed Element will enable an increase in community use within the centre of the Site to serve the occupants of the development and the surrounding areas.
8.80	The proposals seek to provide a sustainable level of high-quality retail space, which will act as an amenity for the occupants of the development and will protect and enhance the Finchley Road Town Centre. Accordingly, it is considered that the proposals accord with the relevant London Plan and Local Plan policies.
<b>Town Centre Uses: Professional Services (Class E,c) – Policy</b>	

- 8.81 The NPPF sets out the Government’s commitment to securing economic growth and advises that plans should support an economy fit for the twenty first century. Paragraph 85 of the NPPF states that [inter alia] “significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.
- 8.82 London Plan Policy E2 states that “Boroughs should include policies in Development Plan Documents that support the provision, and where appropriate, protection of a range of B Use Class business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand”. It goes on to state that “development of B Use Class business uses should ensure that the space is fit for purpose having regard to the type and use of the space”.
- 8.83 LBC Local Plan Policy E1 explains that the Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses.
- 8.84 Policy E2 of LBC’s Local Plan states that the Council “will encourage the provision of employment premises and sites in the borough”. It goes on to state that the Council will consider “high intensity redevelopment of premises or sites that are suitable for continued business provided that the redevelopment retains existing businesses on site as far as possible”. It also states that having a range of sites and premises across the borough to suit the different needs of businesses for space, location and accessibility is vital to maintaining and developing Camden’s successful economy.
- 8.85 Policy 12 of the Fortune Green and West Hampstead NP states that “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...ensuring that where the redevelopment of existing employment sites takes place,

the level of employment floorspace is maintained or increased, the provision of additional and/or new business space...the provision of flexible business and commercial space suited to a range of uses, the provision of a range of different sized units, particularly smaller spaces for micro-businesses and studio space, and the provision of affordable or subsidised business space, where appropriate”.

8.86 Policy 13 of the Fortune Green and West Hampstead NP seeks to preserve or enhance the Town Centre through provision of a range of shops and businesses. Commercial premises should be increased, and support for small businesses including affordable space should be provided. Paragraph B8 states that “additional business, commercial and retail uses are also required – to meet the parallel target for new jobs”.

8.87 LBC’s Employment Sites and Business Premises CPG states that “where mixed use development is planned, the Council expects schemes to include a range of types and sizes of employment space wherever possible and appropriate. The mix of employment space in new developments could include:

- a. General offices
- b. Flexible or managed co-working spaces
- c. Light industrial workshops and artist studio, maker spaces and co-making spaces, sometimes with shared access to equipment and resources”.

8.88 The CPG states that “where a development incorporates b) or c) above, the Council will usually seek to secure this floorspace, its characteristics, marketing arrangements and an element of affordability through a section 106 agreement”.

8.89 Camden’s draft new Local Plan Policy IE1 explains that in order to secure a strong, diverse and sustainable and inclusive economy in Camden, the Council will use planning powers to support businesses and enterprises of all types and sizes for a variety of business activities.

**Town Centre Uses: Professional Services (Class E,c) – Assessment**

8.90	The principle of professional services (Class E,c) use forming part of the Detailed Element of the proposals was established through the Approved Masterplan. As a result of the S73 Application proposals there will be a very minor reduction in professional service (Class E,c) floorspace within the Detailed Element but there will be no change to the overall quantum of financial and professional services floorspace granted within the Outline Elements.
8.91	The S73 Application proposes 146sqm GIA of professional services (Class E,c) floorspace which equates to a net change of -12sqm from the Approved Masterplan.
8.92	The reduction in professional services floorspace only equates to 12sqm, which less than 0.01% of the 191,017sqm total floorspace forming part of the Approved Masterplan and will enable an increase in community uses within the centre of the Site to serve the occupants of the development and the surrounding areas.
8.93	The proposals seek to provide a suitable and sustainable level of high-quality professional services use, which will act as an amenity for the occupants of the development and will protect and enhance the Finchley Road Town Centre. Accordingly, it is considered that the proposals accord with the relevant London Plan and Local Plan policies.
<b>Town Centre Uses: Food and Drink (Class E,b) – Policy</b>	
8.94	London Plan Policy E9 states that a successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported in line with the wider objectives of this Plan, particularly for town centres.
8.95	Policy HC6 of the London Plan states that “boroughs should develop a vision for the night-time economy, supporting its growth and diversification”. It goes on to state that “in Development Plans, town centre strategies and planning decisions, Boroughs should...promote the night time economy, where appropriate in...town centres, where public transport such as the Night Tube and Night Buses are available, diversify the range

of night-time activities, including extending the opening hours of existing daytime facilities such as shops, cafes, libraries, galleries and museums, address the cumulative impact of high concentrations of licenced premises on anti-social behaviour, noise pollution health and wellbeing and other issues for residents and nearby uses, and seek ways to diversify and manage these areas, ensure night-time economy venues are well served with safe and convenient night time transport, protect and support evening and nighttime cultural venues such as pubs night clubs, theatres, cinemas, music and other arts venues”.

8.96 At a local level, Camden Local Plan Policy E1 (i) recognises the importance of other employment generating uses, including retail uses.

8.97 Policy 13 of the Fortune Green and West Hampstead NP states that in order to preserve or enhance the character of the Town Centre, proposals should increase the range of retail outlets, food/drink outlets and commercial premises.

8.98 Camden’s Town Centres and Retail CPG states that “food, drink and entertainment uses such as cafes, restaurants, bars and pubs are an important part of the mix and offer of Camden’s centres and contribute to their vibrancy and vitality”.

8.99 The CPG goes on to state that “in order to protect shopping facilities, maintain the character of Finchley Road / Swiss Cottage and avoid cumulative impacts on the amenity of residents, we will allow a maximum of 20% of the total premises within the primary frontage to be in a food, drink or entertainment use...to prevent harmful impacts on the large residential population within this centre, new or expanded food, drink and entertainment uses should be small in scale. Small in scale is generally considered to be 100sqm. Larger premises may be considered acceptable for restaurants, which generally have less impact than other food, drink and entertainment uses. The Council will consider the nature of the proposed use and its location, taking into account the level and proximity of housing, when assessing the acceptability of a proposal in terms of its size”.

**Town Centre Uses: Food and Drink (Class E,b) – Assessment**

8.100 The principle of food and drink (Class E,b) use forming part of the Detailed Element of the proposals was established through the Approved Masterplan. The Detailed Element proposes 97sqm GIA of food and drink uses. The S73 Application proposes no change to the approved quantum of food and drink (Class E,b) uses, which was previously 97sqm GIA. There will be no change to the overall quantum of food and drink floorspace granted within the Outline Elements.

8.101 Policy supports the provision of food and drink (Class E,b) uses in Town Centres. It is a complementary use to retail as it provides shoppers with respite and a place to meet. The quantum of food and drink uses within the land use balance is considered appropriate and reasonable. Accordingly, the proposals are considered to accord with London Plan and Local Plan policies as well as the NP and Camden's Town Centre and Retail CPG.

**Social Infrastructure: Community (Class F2) – Policy**

8.102 Policy S1 of the London Plan states that “boroughs should ensure the social infrastructure needs of London’s diverse communities are met”. It goes on to state that “development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported. Development proposals that seek to make the best use of land, including the public-sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities”. Any new facilities should be easily accessible by public transport, cycling and walking and should be encouraged in town centres and high streets.

8.103 Camden Local Plan Policy C2 states that “the Council will work with its partners to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services”.

8.104 Policy C2 goes on to state that the “Council will:

- a. Seek planning obligations to secure new and improved community facilities and services to mitigate the impact of developments...;
- b. Expect a developer proposing additional floorspace in community use, or a new community facility, to reach agreement with the Council on its continuing maintenance and other future funding requirements;
- c. Ensure that facilities provide access to a service on foot and by sustainable modes of travel;
- d. Facilitate multi-purpose community facilities and secure sharing or extended use of facilities that can be accessed by the wider community, except for facilities occupied by the emergency services due to their distinct operating needs;
- e. support the investment plans of educational, health, scientific and research bodies to expand and enhance their operations, taking into account the social and economic benefits they generate for Camden, London and the UK. In assessing proposals, the Council will also balance the impact proposals may have on residential amenity and transport infrastructure;
- f. seek the inclusion of measures which address the needs of community groups and foster community integration”.

8.105 Policy 10 of the Fortune Green and West Hampstead NP states that “development that increases the demand for community facilities and services shall make provision where appropriate – or contribute towards - appropriate community facilities to meet the needs of a diverse and growing population. This shall be achieved by the provision of relevant facilities such as:

- i. New school places, particularly for primary pupils
- ii. Additional nursery places in the area
- iii. Primary care health facilities, particularly in or near the West Hampstead Growth

Area

- iv. Improvements to existing community centres and the range of services they provide
- v. New community facilities, where appropriate and where there is an identified need”.

– Camden’s draft Local Plan Policy SC2 sets out that the Council will work with its partners to ensure that social and community infrastructure is developed and modernized to meet the changing needs of our community and support the delivery of services.

**Social Infrastructure: Community (Class F2) – Assessment**

8.106 The principle of the provision of a community centre within the Detailed Element of the scheme was established through the Approved Masterplan. The S73 Application has taken the opportunity to increase the size of the community centre through making it two storeys, rather than one as per the Approved Masterplan and has relocated it from the base of Block N4B to a new standalone and more prominent location in place of the former Block N4D. This new two storey building will create an additional 46sqm (GIA) of community floorspace within the Detailed Element than in the Approved Masterplan.

8.107 The high-quality and fit for purpose community centre proposed as part of the Detailed Element meets planning policy objectives at all levels and is complementary to the Town Centre location of the Site and both future occupants of the development and those in the surrounding area.

## 9. Design

9.1	<p>This section reviews the proposals against relevant national, regional and local planning policy in terms of design, specifically:</p> <ul style="list-style-type: none"><li>a) Layout</li><li>b) Heights and massing</li><li>c) Facades and tonality</li></ul>
9.2	<p>The Government has attached great importance to the design of the built environment in the NPPF with a presumption in favour of sustainable development.</p>
9.3	<p>Paragraph 131 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.</p>
9.4	<p>Paragraph 135 of the NPPF states that development should function well and add to the overall quality of the area over the lifetime of the development. In pursuance of this, development should be visually attractive, sympathetic to the local character and context, and maintain a strong sense of place and distinctiveness.</p>
9.5	<p>The National Design Guide, and the National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. They form part of the Government's collection of Planning Practice Guidance and should be read alongside the separate Planning Practice Guidance on design process and tools.</p>
9.6	<p>The National Design Guide addresses the question of how we recognise well designed places, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics which are:</p> <ul style="list-style-type: none"><li>- Context – enhances the surroundings;</li></ul>

- Identity – attractive and distinctive;
- Built form – a coherent pattern of development;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings - functional, healthy and sustainable;
- Resources – efficient and resilient; and
- Lifespan – made to last.

9.7 London Plan Policy D2 states that the density of development should be proportionate to the site’s connectivity and access to public transport.

9.8 London Plan Policy D3 sets out that all development must make the best use of land by following a design led approach to optimise the capacity of sites. Part B of Policy D3 states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Policy D3 goes on to state that development proposals should have regard to form and layout, experience, and quality and character of the place and surroundings.

9.9 London Plan Policy D4 outlines that the design of development proposals should be thoroughly scrutinised. The scrutiny of a proposed development’s design should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping.

9.10 London Plan Policy D5 states that developments should achieve the highest standards of accessible and inclusive design.

9.11 London Plan Policy D7 states that in order to provide suitable housing and genuine choice, residential development must ensure that 10% of dwellings are delivered to Building Regulations M4(3) (wheelchair user dwellings) and all other dwellings are

delivered to Building Regulations M4(2) (accessible and adaptable dwellings).

9.12 Policy D9 of the London Plan determines that it is the responsibility of individual boroughs to identify appropriate locations for tall buildings. When tall buildings are proposed, development proposals should address the various criteria that are specified in relation to visual impacts, functional impacts, environmental impacts and cumulative impacts.

9.13 At a local level, Camden Local Plan Policy D1 seeks to secure high quality design in development and to ensure that new developments are attractive, safe and easy to use as well as inclusive and accessible for all.

9.14 Camden Local Plan Policy C6 seeks to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. The Council will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all. The Council will seek to ensure that development meets the principles of lifetime neighbourhoods.

9.15 Camden has also published a Design CPG which highlights the Council's commitment to excellence in design and schemes should consider:

- The context of a development and its surrounding area;
- The design of the building itself;
- The use and function of buildings;
- Using good quality sustainable materials;
- Creating well connected public spaces and good quality public realm;
- Opportunities for promoting health and well-being; and
- Opportunities for improving the character and quality of an area.

9.16 The Access for All CPG sets out the Council's expectation that all development of buildings and places, including changes of use and alterations or refurbishment of existing buildings, should be inclusively designed and useable by all, to promote equality of

opportunity.

9.17 Policy 2 of the Fortune Green and West Hampstead NP states that all development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.

9.18 LBC draft new Local Plan Policy D1 outlines that all development in Camden must achieve excellence in the architecture and design of buildings and places to respond to the climate change emergency, improve the health and wellbeing of Camden's communities and celebrate the diversity of people and places. The policy lists characteristics LBC will expect to achieve this policy objective.

9.19 Policy D2 of LBC's draft new Local Plan sets out Camden's position on tall buildings. The draft policy states that tall buildings are those which "are over 40 metres in height in the Central Activities Zone and over 30 metres elsewhere in the borough, when measured from the lowest point of the group to the uppermost part of any rooftop structures". Part C (i-xiv) of draft Policy D2 sets out what criteria Camden will consider when assessing proposals for tall buildings.

9.20 As part of the evidence base of LBC's draft new Local Plan, a Building Heights Study was undertaken in 2023. The borough was mapped to understand the existing and permitted context heights. The Site was assessed as ranging between 11 to 17 storeys.

9.21 The draft site allocation WHI2 states that "the Camden Building Heights Study has identified this site as a location where tall buildings may be an appropriate form of development, with 9m-54m considered the potentially appropriate height range. It notes that the Council has resolved to grant planning permission for a development ranging in height from 33-61m. That decision was based on an assessment of the impacts and benefits of that specific development, and it should not therefore be assumed that the permitted height would necessarily be appropriate for any subsequent development. The acceptability of particular tall building proposals, and their location within the site, will be assessed against Policy D2 on tall buildings and other relevant development plan

policies”.

**Policy Assessment**

9.22 The proposals forming part of the S73 Application have sought to align with the design principles that formed part of the Approved Masterplan, with enhancements proposed where possible. The S73 Application proposals seek to provide a high-quality design which continues to respond to its context. The character areas of the Approved Masterplan remain as approved. The design quality of the Outline Elements is controlled through the approved Design Codes which are unaffected by this S73 Application and so this assessment focusses on the key changes proposed to the Detailed Element, specifically:

- Layout and massing
- Heights and massing
- Facades and tonality

Layout and Massing

9.23 The S73 Application proposes layout and massing changes to Plot N4 along its southern boundary with the Linear Park and Block N5B is proposed to be reconfigured to correspond with Plot N4. Block N3E and the remainder of Plot N5 remain largely as per the Approved Masterplan.

9.24 The changes in layout and massing to Plot N4 are the removal of Block N4D, the extension of Block N4C south façade southwards by 5.9m, and the reduction in length of Block N4 by 4.4m from the southern edge. Block N5B has been redesigned and rotated in response to the removal of Block N4D.

9.25 Overall, the public realm for the Detailed Element largely follows the principles of the Approved Masterplan, with the linear park running along the southern boundary of the

Site and the Central Square, a larger area of open space, sitting directly in front of Block N3E.

9.26 The approach to and provision of enhanced public realm has been fundamental to the S73 Application proposals. The combined effect of the removal of Block N4D and the southern elevation of Block N4B moving northwards provides the opportunity to increase the size and width of the linear park at ground floor level, enhancing the green spine through the development.

9.27 It also provides the opportunity to create a standalone two-storey community centre, in place of Block N4D, providing a focal point for the Detailed Element of the scheme within the linear park. The form of community centre has evolved to become intrinsically linked to the landscape and “grown” from the Plot N4 podium.

9.28 The removal of Block N4D provides more space and “breathing room” between the buildings at upper levels. As is the case with the Approved Masterplan, the Site enjoys a long southern aspect. Placement and massing of the buildings seeks to take advantage of this favorable orientation to maximise light penetration into apartments and ensures a mixture of sun and shade to outdoor spaces. Accordingly, the removal of Block N4D provides enhanced daylighting to the residential units along the southern façade of the development.

#### Heights and Massing

9.29 The principle of tall buildings on this Site has been agreed with LBC through the grant of planning permission for the Approved Masterplan.

9.30 Whilst the S73 Application proposes additional height to a number of the blocks within the Detailed Element, to address deliverability issues, height increases have been mitigated by reducing individual floor-to-floor heights across each block from 3,250mm to 3,150mm through detailed design and the Approved Masterplan remains a significant material consideration.

9.31 Furthermore, and in response to feedback from LBC officers and the DRP, the design team have sought to minimise height increases to the southern blocks along the linear park, seeking to ensure that these do not become overly imposing on those at ground floor level.

9.32 The proposed amendments to the massing and heights of Plots N3E, N4 and N5 will retain the over-arching principles of the Approved Masterplan, including the creation of an undulating and varied skyline of tall buildings.

9.33 The height changes proposed across the blocks are summarised below:

- N3E – 12-storeys (+2-storeys on the Approved Masterplan)
- N4A – 14-storeys plus rooftop plant screen (+1-storey on the Approved Masterplan)
- N4B – 9-storeys (no change from the Approved Masterplan)
- N4C – 16-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N4 Link – 9-storeys (+1-storey on the Approved Masterplan)
- N5A – 17-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N5B – 10-storeys (no change from the Approved Masterplan)
- N5C – 16-storeys plus rooftop plant screen (+2-storeys on the Approved Masterplan)
- N5D – 10-storeys (+1-storey on the Approved Masterplan)
- N5 Link – 11-storeys (+3-storeys on the Approved Masterplan)

9.34 For further information on the impact of the height increases on heritage, townscape and views, please refer to Section 10 of this Addendum Statement.

Façades and tonality

- 9.35 As part of the review of the Detailed Element, Heatherwick Studio have been reviewing the detailed design of the facades and the materiality of the Detailed Element buildings to see how they could be enriched.
- 9.36 Whilst there are five core Humanise Principles, there are numerous elements of the overarching design for the Detailed Element that are already fixed, such as the quantum of development and the broad massing approach. Accordingly, the focus of their review has been primarily on the 'Prioritise Door Distance' principle.
- 9.37 This takes into consideration, when creating a new place like this, the kinds of qualities in places that people love. These tend to be characterful, joyful and full of variety, prioritising people and their experiences. The proposed enhancements to the design are based upon exploring ways to express the different programmes, activities, and façade elements within the Detailed Element; how to articulate them with variety and visual complexity and with a particular focus on the ground floor. The 'Prioritise Door Distance' principle looks at the proposals from three different scales; the City Scale, the Street Scale and the Door Scale.
- 9.38 At a City Scale, the enhancements introduce more contrast to the building with lighter and darker tones. This helps the collection of buildings to appear like a piece of city, with buildings of different colour. The darker red tone of the brick relates to the historical red brick seen throughout Camden and together with the lighter 'oatmeal' tone, there is more of a relationship with other mansion house blocks within the neighbourhood. The top of the buildings have also been accentuated with more detail, to articulate where each of the buildings end. Where possible, chamfers have been introduced to provide angled cuts to corners of the buildings. This introduces a polygonal language which is inspired by the bay windows and balconies of mansion houses.
- 9.39 At the street scale, the proposed enhancements to the façades are focused where people will experience them, namely the window reveals and balconies. The internal configuration of the apartments has primarily determined their location and their expression has been augmented with contrasting 'stitch' brickwork. To introduce more

visual complexity, artwork is incorporated to case concrete panels below each window. This provides an opportunity to collaborate with an artist who could bring meaning and local stories to life through these panels. The balconies have also been shaped in a polygonal language to make them more distinctive and visually tie them together with the broader massing form. A hierarchy of windows is introduced, to concentrate fine detailing to locations where it can be appreciated. For further details on the window hierarchy please refer to the DAS Addendum.

9.40 At the door scale, the proposed enhancements focus on creating variety and interest to everyone that experiences the buildings up close. This is where the polygonal language proposed in the other two scales becomes more expressive, with a series of “portals” that bring life to the ground floor. This collection of frames expresses the various uses at the ground floor in different ways. Main entrances are the most elaborate, having a generous portal and accompanying windows to make people feel welcome. Duplexes are defined with more vertical two storey frames that proudly mark someone’s home. The commercial units have various single storey portals and generous windows, whilst the secondary entrances are signaled with recessed portals. Together they bring a more human scale to the buildings and create a feeling that things change as you walk along the linear park and between buildings.

9.41 The portals have been designed to provide variety and character while maintaining a sense of cohesion through consistent elements, such as the shape and size of the outer polygonal frame, which remains constant throughout. As well as portals, a hierarchy of subtler expressions have been established for the remaining openings, such as back-of-house entrances. These openings are characterized based on their interaction with the public, residents, staff and maintenance needs. For further details on the portals, and other ground floor expressions, please refer to the DAS Addendum.

Summary

9.42 Overall, it is considered that the S73 Application proposals are of a high-quality design that has been developed with close regard to the surrounding context, whilst continuing to take advantage of the Site's unique characteristics. The S73 Application amendments will enhance the overall design approach for the Detailed Element of the Approved Masterplan and therefore fully comply with the NPPF, London Plan and Local Policies as well as the Design and Access CPGs and the Neighbourhood Plan. For further details on the proposed design, please refer to the DAS Addendum prepared by Grid Architects.

## 10. Heritage, Townscape and Views

10.1	This section assesses the Proposed Development within the context of its historic environment and the statutory duty to have special regard to the desirability of preserving conservation area and listed buildings, their settings, or any features of special architectural or historic interest. This chapter sets out the significance of the designated and non-designated heritage assets (the adjacent conservation areas and surrounding listed buildings) in order to inform an assessment of the proposals according to the criteria set out in the NPPF in relation to harm and benefit. The proposals are then considered against relevant national, regional and local heritage planning policy and guidance.
10.2	A full analysis of the impact of the Proposed Development on designated heritage assets is included within the submitted Townscape, Visual Impact and Heritage Assessment Addendum (“TVIHA”), prepared by the Tavernor Consultancy and submitted as part of the S73 Application and should be read alongside this Section of this Addendum Statement.
10.3	Section 66(1) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
10.4	Section 72 of the 1990 Act also provides that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area.
10.5	The Government has attached great importance to conserving and enhancing the historic environment at Chapter 16 of the NPPF.
10.6	Paragraph 207 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets

affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

10.7 As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

10.8 Paragraph 210 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

10.9 Paragraph 212 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.10 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.11 PPG on Conserving and Enhancing the Historic Environment provides further guidance in assessing the impact of development proposals which effect heritage assets. It sets out that “significance” derives not only from a heritage asset’s physical presence, but also from its setting. It sets out that “Public Benefits” may follow from many developments and could be anything that delivers economic, social or environmental objectives as described at Paragraph 8 of the NPPF.
- 10.12 London Plan Policy HC3 states that strategic views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. They are seen from places that are publicly-accessible and well-used. Development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Further guidance is set out within the London View Management Framework (LVMF).
- 10.13 Policy D2 of the Local Plan states that the Council will preserve, and where appropriate, enhance Camden’s rich and diverse heritage assets and their settings. In respect of designated heritage assets, the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.
- 10.14 In respect of archaeology, the policy states that the Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.
- 10.15 Policy 3 of the Fortune Green and West Hampstead NP sets out that development that enhances or preserves conservations areas and heritage assets in the neighbourhood area as well as their distinct character, appearance, and setting will be supported. The policy goes on to outline that those proposals which detract from the special character, and/or, architectural and/or historic significance, and setting of conservation areas and heritage assets in the area will not be supported.

10.16 LBC draft new Local Plan Policy D1 (Part iii & iv) (Achieving Design Excellence) states that the Council will require development to preserve or enhance the historic environment and heritage assets and respond to local views and preserve protected views.

10.17 LBC draft new Local Plan Policy D5 (Heritage) notes that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets. Paragraph 12.62 advises that the Council will not permit harm to a designated heritage asset unless the public benefits of the proposal outweigh the harm.

### **Policy Assessment**

10.18 A Townscape Heritage and Visual Impact Assessment (THVIA) Addendum has been prepared by Tavernor Consultancy and Cityscape and forms part of the S73 Application submission. The THVIA Addendum assesses the impact of the increased height of the blocks and design refinements on townscape, built heritage and views.

10.19 The TVHIA Addendum concludes that the proposed amendments to the Approved Masterplan would be perceptible in local and middle distance views surrounding the Site, and barely perceptible within long distance views such as LVMF 5A.2 from Greenwich Park. The proposed minor amendments to the height and scale of the buildings within the Detailed Element and the proposed design refinements have been assessed to be appropriate and of a high-quality in regard to townscape, built heritage and visual effects.

10.20 It is noted that the proposed amendments would not materially alter the assessment of the magnitude of impact or the significance of effects of the Approved Masterplan, in isolation or cumulatively, on any townscape, built heritage and visual receptors set out in the December 2022 THVIA which was approved as part of the original planning permission for the Site.

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**Planning Statement Addendum**

10.21 Accordingly, the S73 Application amendments are considered to accord with relevant statute and planning policies at all levels.

10.22 Please refer to the submitted THVIA Addendum for further detail on townscape, heritage and views associated with the S73 Application amendments.

10.23 With regards to archaeology, this is covered within ES Addendum that accompanies the S73 Application. The ES Chapter 6.6 concludes that the proposed S73 Application amendments introduce no new or additional impacts on archaeology than was the case within the 2022 ES Chapter and the proposals do not change the summary and conclusions of that chapter. Please refer to Chapter 6.6 of the ES Addendum for further information.

## 11. Residential Design

11.1 This section assesses the proposed residential units in design terms and considers the following:

- a) Unit Mix
- b) Housing Quality / Design Standards
  - i. Unit sizes and configuration
  - ii. Amenity space
  - iii. Playspace
  - iv. Aspect and privacy
  - v. Daylight, sunlight and overshadowing

11.2 This section does not consider the external building design of the residential spaces, these details are assessed within the Design, Bulk and Massing chapter of this statement and further details are included within the submitted Design and Access Statement Addendum prepared by Grid Architects.

### **a. Unit Mix**

11.3 Policy H10 of the London Plan states that “schemes should generally consist of a range of units sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision makers should have regard to:

- 1) Robust local evidence of need where available or, where this is not available, the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment
- 2) The requirement to deliver mixed and inclusive neighbourhoods
- 3) The need to deliver a range of unit types at difference price points across London
- 4) The mix of uses in the scheme

- 5) The range of tenures in the scheme
- 6) The nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity
- 7) The aim to optimise housing potential on sites
- 8) The ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock
- 9) The need for additional family housing and the role of one and two bed units in freeing up existing family houses.

11.4 Camden's Local Plan Policy H6 states that "the Council will aim to minimize social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs".

11.5 Policy H6 also states that the Council "will seek to secure a variety of housing suitable for existing and future households overall across the development in the borough". It goes on to state that "where housing is proposed as part of development with a site area of 0.5ha or greater, we will expect development to make provision for particular housing needs". As part of this, the Council may seek the inclusion of housing for older people or vulnerable people, student housing, or other housing with shared facilities. In considering the scale and nature of provision for particular housing needs, the Council will take into account the character of the development, the site and the area, site size and any constraints on development the site for a mix of housing, the impact on creation of mixed, inclusive and sustainable communities, the impact of provision for particular housing needs on the efficiency and overall quantum of development, the economics and financial viability of the development including any particular costs associated with it, and whether an alternative approach could better meet the objectives of this policy and the Local Plan.

11.6 Policy H7 of Camden’s Local Plan states that “the Council will aim to secure a range of homes of different sizes that will continue to creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply”. Housing developments will be expected to contribute to meeting the priorities set out in the Dwelling Size Priorities Table and include a mix of large and small homes.

11.7 Policy H7 goes on to state that the Council will take a flexible approach to assessing the mix of dwelling sizes proposed in each development, but having regard to the different dwelling size priorities for different tenures, evidence of local needs from borough wide priorities, the character of the development, the site and the area, including the impact of the mix on child density, site size and any constraints on developing the site for a mix of homes of different sizes, the economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors such as build-to-let housing and the extent to which flexibility around the mix of market homes could secure the delivery of additional affordable housing.

11.8 Camden’s Dwelling Size Priorities Table is as follows:

	<b>1-bedroom (or studio)</b>	<b>2-bedroom</b>	<b>3-bedroom</b>	<b>4-bedroom (or more)</b>
<b>Social-affordable rented</b>	Lower	High	High	Medium
<b>Intermediate affordable</b>	High	Medium	Lower	Lower
<b>Market</b>	Lower	High	High	Lower

11.9 Policy 1 of the NP states that “residential development shall provide a range of housing types, to meet a range of needs, as appropriate, related to the scale of development”.

11.10 Camden’s draft Local Plan Policy H6 states that the Council will aim to “minimise social polarisation and create mixed, inclusive, sustainable and multi-generational communities by seeking a variety of housing suitable for Camden’s existing and future households, having regard to household type, size, income and any particular housing needs”.

11.11 Draft Local Plan Policy H7 goes on to explain that the Council will aim to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce the imbalance between housing needs and existing supply.

11.12 Camden’s emerging Dwelling Size Priorities Table is as follows:

	<b>1-bedroom (or studio)</b>	<b>2-bedroom</b>	<b>3-bedroom</b>	<b>4-bedroom (or more)</b>
<b>Social-affordable rented</b>	Lower	Medium	High	Medium
<b>Intermediate affordable</b>	High	Medium	Lower	Lower
<b>Market</b>	Lower	High	High	Lower

**Unit Mix – Assessment**

11.13 The unit mix of the Detailed Element will continue to provide a range of unit sizes, as was the case with the Approved Masterplan. Overall, the percentages of each unit size forming part of the Detailed Element are very similar to that of the Approved Masterplan albeit with some minor adjustments. With regards to the Outline Proposals, the unit mix percentages remain as per the Approved Masterplan.

– The proposed unit mix of the Detailed Element is set out in Table 7 below.

**Table 7: Detailed Element Unit Mix**

Type of Housing	Private	Low Cost Rent	Intermediate Rent
Studio	77 (18%) (+4%)	0	0
1 bedroom	120 (27%) (-10%)	4 (3.5%) (-9.5%)	39 (40%) (+3%)
2 bedroom	206 (47%) (+2%)	45 (39%) (+4%)	46 (47.5%) (+17.5%)
3 bedroom	36 (8%) (+4%)	66 (57.5%) (+5.5%)	12 (12.5%) (-0.5%)
Total	439	115	97

11.14 The percentage change from the Approved Masterplan are shown in brackets and italics in the above table.

– The greatest change is a reduction in number of 1-bedroom Low-Cost Rent units, with a corresponding increase in number of 2 and 3-bedroom Low-Cost Rent units. Within the private tenure, there will be a greater number of studios and 2 and 3-bedroom units and less 1-bedroom units. Within the Intermediate Rent tenure, there will be a greater number of 1 and 2-bedroom units and a very marginal reduction in 3-bedroom units.

11.15 In the Detailed Element, 57.5% of the Low-Cost Rent housing will be family, three-bedroom homes (an increase of 7% from the Approved Masterplan which sought to provide 50%). This is in accordance with the adopted and emerging Local Plan dwelling size priorities for the delivery of 3-bedroom units in this tenure within the borough.

11.16 Having regard to Camden’s adopted and emerging Dwelling Mix Priorities Table, the Proposed Amendments have sought to improve on the approved unit mix across the Detailed Element to provide more 3-bedroom units within the Low-Cost Rent and Private tenures and a greater proportion of 1 and 2-bedroom units within the Intermediate Rent tenure.

11.17 Accordingly, it is considered that the unit mix of the Proposed Amendments aligns with the adopted and emerging aspirations of the Camden’s Dwelling Mix Priority Tables. The

proposed mix continues to provide a mix of unit sizes which would help to create a vibrant new community and would provide a significant amount of family sized housing appropriate to the Site's location. Therefore, the unit mix proposed is considered to align with planning policy.

**b. Housing Quality / Design Standards**

11.18 London Plan Policy D6 provides very detailed guidance on housing quality and standards, requiring that “housing development should be of a high-quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures”. Table 3.2 specifies the key qualitative aspects which should be addressed in the design of housing developments.

11.19 Camden's Local Plan Policy H6 states that “the Council will aim to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs”.

11.20 Policy H6 goes on to state that in order to achieve this, the Council will encourage design of housing to provide functional, adaptable, and accessible spaces, expect all self contained homes to meet the nationally described space standard, require 90% of new build self-contained homes to be accessible in accordance with Building Regulations M4(2) and 10% to be suitable for occupation by a wheelchair user or easily adapted in accordance with Building Regulations M4(3).

11.21 Paragraph 7.32 of Camden's Local Plan states that “all residential developments are required to be designed and built to create high quality homes. The Council will seek to ensure that residential development, both new build and change of use:

- is self contained and has its own secure private entrance;

- has good ceiling heights and room sizes;
- is dual aspect except in exceptional circumstances;
- has good natural light and ventilation;
- has a permanent partition between eating and sleeping areas (Studio flats are acceptable where they provide adequate space to separate activities);
- incorporate adequate storage space;
- incorporate outdoor amenity space including balconies or terraces; and
- is accessible and adaptable for a range of occupiers.”

*i. Unit sizes and configuration*

11.22 Policy D6 of the London Plan requires all housing developments to have adequately sized rooms in line with the minimum internal space standards for new dwellings set out at Table 3.1 of the London Plan.

11.23 Paragraph 7.33 of Camden’s Local Plan states that “new dwellings and conversions to residential use will be expected to meet the government’s nationally described space standard as set out in the London Plan. The Council will also require development to adhere to the Mayor’s Housing Supplementary Planning Guidance”.

11.24 Draft new Local Plan Policy D3 requires all self-contained homes to meet the nationally described space standard and requires 90% of new build self-contained homes to be accessible and adaptable in accordance with Building Regulation M4(2); and 10% of new build self-contained homes to be wheelchair user dwellings in accordance with Building Regulation M4(3).

Assessment

11.25 An Access Statement forms part of Grid Architect’s DAS Addendum. The Approved Masterplan and S73 Application proposals have been designed to ensure that a good

level of inclusive design would be achieved by the overall scheme.

11.26 As per the Approved Masterplan the S73 Application seeks to ensure that the Detailed Element continues to provide 90% of dwellings as accessible and adaptable (M4(2)) and 10% as wheelchair user dwellings (M4(3)). This principle is repeated across the Outline Elements and remains unchanged from the Approved Masterplan.

11.27 For the Detailed Element these units are distributed across the three plots and across all three of the tenures (market, intermediate rent and low-cost rent).

11.28 The Detailed Element will provide 20 blue badge parking bays (an uplift of two spaces compared to the Approved Masterplan), which equates to 3% of the increased number of dwellings (651) sought by the S73 Application within the Detailed Element. The provision of blue badge parking is therefore policy compliant.

11.29 Consistent with the Approved Masterplan, no blue badge car parking will be provided internally within Plot N3E and parking for N3E will be provided within Plot N5. To assist users with mobility impairments travelling between Plot N3E and Plot N5, regularly spaced benches will be provided in the public realm to reduce the travel distance between resting points. Six of the spaces will be provided internally within Plot N4, and 10 of the spaces will be provided internally within Plot N5. Whilst in the Approved Masterplan, the internal car parking was located in the centre of the buildings, the internal car parking for Plot N4 is now located in the south of the building to accommodate layout changes. Four blue badge parking spaces will be provided externally in the Neighbourhood Lane between Plots N4 and N5.

11.30 All other accessibility provisions will be as per the Approved Masterplan and reference should be made to the Planning Statement and Access Statement submitted with the Approved Masterplan for further information.

*ii. Amenity space including Open Space and Playspace*

11.31 The London Plan requires the provision of amenity space as part of residential development. Policy D6 outlines that where there are no higher local standards in the borough, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. This does not count towards the minimum GIA.

11.32 Policy D1 of Camden's Local Plan states that the Council will seek to secure high quality design in development and will require that development incorporates outdoor amenity space. Paragraph 7.32 states that new residential development should incorporate outdoor amenity space including balconies or terraces.

11.33 Policy A2 of Camden's Local Plan states that in order to secure new and enhanced open space and ensure that development does not put unacceptable pressure on the Borough's network of open spaces, the Council will "apply a standard of 9sqm per occupant for residential schemes and 0.74sqm for commercial developments".

11.34 London Plan Policy S4 sets out that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and enable children and young people to be independently mobile. Additionally, Policy S4 states that residential development proposals should incorporate good quality and accessible play provision for all ages. The GLA sets out that:

"at least 10 square metres of playspace should be provided per child that:

- a) Provides a stimulating environment
- b) Can be accessed safely from the street by children and young people independently
- c) Forms an integral part of the surrounding neighbourhood
- d) Incorporates trees and/or other forms of greenery
- e) Is overlooked to enable passive surveillance
- f) Is not segregated by tenure."

11.35 The Camden Local Plan seeks to secure new and enhanced open space and ensure that development does not put unacceptable pressure on the Borough's network of open spaces. Policy A2 sets out that the Council will give priority to play facilities and the provision of amenity space which meet residents' needs where a development creates a need for different types of open space.

11.36 The CPG mirrors the open space requirements set out in Policy A2 and the London Plan standards on play space (10sqm per child). The CPG does, however, make an exception by recognizing that the 9sqm of open space requirement per resident would, reasonably, already include an allowance for play provision and consequently the Council will seek an additional 6.5sqm per child (instead of the Mayor's 10sqm per child).

11.37 Draft new Local Plan Policy SC3 sets out that the Council will require developments that meet the thresholds set out in Table 8, to contribute towards the provision of public open space using the following standards:

- a. Residential (all types) – 9sqm per occupier; and
- b. Commercial development and higher education – 0.74sqm per worker

11.38 Part v. of the draft policy states that priority should be given to play facilities and the provision of amenity spaces which meet resident's needs where a development creates a need for different types of open space.

Assessment

11.39 Both the Approved Masterplan and the S73 Application proposals have been designed around the provision of open and inclusive spaces, creating as much publicly accessible open and green space wherever possible at ground level. The Approved Masterplan included a series of public amenity spaces across the Site and this will not change as a result of the S73 Application proposals. As per the Approved Masterplan, over 50% of the Site will be public realm. There will be some semi-private amenity spaces for residents within podium gardens. Each residential unit will continue to have access to its own

private amenity space in the form of a balcony.

11.40 The S73 Application proposals result in the removal of Block N4D and the reconfiguration of Blocks N4B and N4C such that there is the opportunity to significantly widen the Linear Park which runs along the southern boundary of the Site. The Linear Park is widened by approximately 5m and this widening creates approximately 300sqm of additional public realm and open space.

11.41 Further detail on the changes to the overall quantum of public realm within the Detailed Element of the Site is set out within the Open Space and Landscape Explanatory Note Addendum prepared by Townshend Architects and submitted with the S73 Application.

11.42 The S73 Application proposals result in an increase in residential dwellings within the Detailed Element of 43 units. Whilst the overall quantum of residential floorspace across the Detailed and Outline Elements remains unchanged from the Approved Masterplan, these additional residential units in the Detailed Element generate a requirement to provide 418sqm of additional play space which have been provided for within the Detailed Element of the Site. The play space provision for the Approved Masterplan was policy compliant in terms of quantum and will continue to be as a result of the S73 Application proposals. Overall, the Detailed Element will provide 2,548qm of play space (against the policy requirement of 2,548sqm).

*iii. Aspect and privacy*

11.43 Policy D3 of the London Plan requires development proposals to deliver appropriate outlook, privacy and amenity.

11.44 The GLA Housing Design Standards LBG 2023 sets out guidance to optimise design quality. The recently published Accelerating Housing Delivery Practice Note 2024 responds to this guidance and explains that the whilst the intention is to aim for new homes to be dual aspect and single aspect units should be kept to a minimum, this will

vary according to the specifics of each site, the design rational for their uses and the impact on key objectives.

11.45 Camden Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours, outlining that the GLA will grant permission for development unless it causes unacceptable harm to amenity. Policy A1 highlights that visual privacy and outlook will be considered when seeking to ensure that the amenity of communities, occupiers and neighbours is protected.

11.46 Camden's Amenity CPG states that developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings. Mitigation measures should be put in place to reduce the ability to overlook.

11.47 Draft new Local Plan Policy A1 sets out that when assessing planning applications, privacy, overlooking and outlook are key factors the Council will consider.

#### Assessment

11.48 The plan form of S73 Application amendments gives many opportunities to provide dual aspect dwellings. A comparison of the dual-aspect provision to the Approved Masterplan is provided within the DAS Addendum prepared by Grid Architects.

11.49 The Proposed Amendments result in a reduction of 3.7% of dual aspect homes across all tenures. Whilst the overall quantum of the dual aspect units has decreased, the quality of the retained units is superior to the Approved Masterplan. The removal of Block N4D has provided a much better outlook for a significant number of units within Plot N4, the majority of which are affordable, and for occupiers of Plot N5. The opportunities to deliver dual aspect dwellings have been maximised whilst balancing other benefits across the Detailed Element and protection of privacy between buildings.

*iv. Daylight, sunlight and overshadowing*

11.50	Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that have a high standard of amenity for existing and future users.
11.51	London Plan Policy D3 sets out that development proposals should deliver appropriate outlook, privacy and amenity.
11.52	Policy A1 emphasises that the Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected. In particular, the Council will consider sunlight, daylight and overshadowing.
11.53	The Amenity CPG expects applicants to consider the impact of development schemes on daylight and sunlight levels and that the 45 degree and 25 degree tests cited in the BRE guidance should be used to assess whether a sunlight and daylight report is required.
11.54	Draft new Local Plan Policy A1 explains that the Council will seek to protect the quality of life of future and existing occupiers in Camden and seek to ensure that development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of the local area.
<u>Assessment</u>	
11.55	Daylight, sunlight and overshadowing was scoped into the 2022 ES that was submitted with the Approved Masterplan. The changes proposed as part of the S73 Application have the potential to impact daylight, sunlight and overshadowing and accordingly it is assessed within the ES Addendum accompanying the S73 Application.
11.56	Chapter 6.7 of the ES Addendum concludes that given the nature of the proposed S73 Application amendments to the Detailed Element and the minimal differences in anticipated effects from the Approved Scheme, the conclusions of the 2022 ES chapter remain valid.

- 11.57 The S73 Application proposals offer benefits in certain aspects, such as an increase in the number of properties expected to experience less adverse effects, for instance, some reductions in significance have improved from minor negative to negligible, making them imperceptible to occupants. Importantly, for the remaining assessed properties, none are anticipated to experience a worsening of effects, such as a change from minor negative to moderate negative significance.
- 11.58 An updated Internal Daylight and Sunlight report has been prepared by Point 2 to accompany the S73 Application amendments. This considers the potential levels of daylight, sunlight and overshadowing that will be enjoyed within the Proposed Development accounting for the S73 Application amendments.
- 11.59 In accordance with the BRE Guidelines (2022), Climate Based Daylight Modelling (CBDM) calculations in respect of the Detailed Elements show that 74.6% of all proposed habitable rooms will meet the suggested daylight standards and when a target of 150 Lux for combined kitchen elements is considered, as there are no separate kitchens in the proposals, the results show 76.8% will meet the BRE guidelines criteria. These results are an improvement when compared to the Approved Masterplan for the Detailed Element (60.9% and 64.1% with the target 150 Lux). This shows a good level of compliance with the recommended standards.
- 11.60 The sunlight results show that 80.3% of the living rooms will enjoy a good level of sunlight in accordance with the BRE guidelines (previously 65%). This is a good level of compliance and a notable improvement from the Approved Masterplan Detailed Element figures.
- 11.61 In summary, whilst the majority of the S73 Application amendments lead to improvements compared to the Approved Masterplan scheme, the overall effects are considered to be acceptable for an urban context, in accordance with the relevant planning policies and BRE guidance.

## 12. Landscape, Public Realm and Trees

### **Landscape and Public Realm**

- 12.1 This section considers the landscaping and public realm in respect of the Proposed Development.
- 12.2 Paragraph 164 of the NPPF states that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions, such as through its location, orientation and design.
- 12.3 Policy G1 Part D of the London Plan requires that development proposals include appropriate elements of green infrastructure, such as street trees, green roofs, and natural or semi-natural drainage features.
- 12.4 Policy G5 of the London Plan sets a new requirement for major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature based-sustainable change. The policy advises boroughs to set their own scores but advise an Urban Greening Factor (UGF) score of 0.4 for developments that are primarily residential, providing details on how this score is calculated.
- 12.5 At a local level, Camden Local Plan Policy A2 Open Space seeks to protect and enhance access to open space and green infrastructure within the Borough. Policy A2 (M) states that new development proposals within the LBC will be required to apply a standard of 9sqm per occupant for residential schemes and 0.74sqm for commercial developments. The CPG mirrors the open space requirements set out in Policy A2 and the London Plan standards on play space, which seeks 10sqm per child.

12.6	Local Plan Policy A2 is supported by Camden’s Planning Guidance (CPG) document “Public open space” (January 2021). The CPG noted that playspace should be calculated in addition to open space. It does however make an exception to the policy by recognising that the 9sqm of open space per resident would, reasonably, already include an allowance for play provision and consequently the Council will seek an additional 6.5sqm per child (instead of the 10sqm per child).
12.7	Local Plan Policy A2 (N) states that priority will be given to securing new public open space on-site, with provision off-site near to the development only considered acceptable where provision on-site is not achievable. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of provision.
12.8	Paragraph 6.49 of the Local Plan specifically references the use of financial contributions to create useable spaces such as widening of pavements as it is identified that this can often be a challenge in densely developed areas.
12.9	Policy 17 of the Fortune Green and West Hampstead NP sets out that development shall protect and improve, where appropriate, existing green/open space. It also sets out that development that increases the demand for recreation or amenity shall provide for new green/open space.
12.10	Draft New Local Plan Policy SC3 sets out the Council’s open space standards which align with the adopted policy and CPG.
<u>Policy Assessment</u>	
12.11	The Approved Masterplan was a landscape-led proposal, and a core principle of this was to deliver over 50% of the Site as public realm, excluding the podium gardens and roof gardens. This principle is retained within the S73 Application proposals.
12.12	The S73 Application proposals have provided the opportunity to make enhancements to the landscaping and public realm of the Detailed Element proposals. The removal of

Block N4D and the southern façade of Block N4B being pushed northwards, has provided the opportunity to increase the open space and public realm provision within the Detailed Element (compared with the Approved Masterplan).

12.13 As set out within the Open Space and Landscape Explanatory Note Addendum prepared by Townshend Architects, and submitted with the S73 Application, the public realm within the Detailed Element consists of the roads, shared surface, pavement and paths and parks and squares. The parks and squares are publicly accessible landscaped areas offering varied and rich greenery.

12.14 As was the case with the Approved Masterplan, within the Detailed Element the parks and squares category principally consists of the Linear Park, running along the southern boundary of the Site, and the Central Square, to the south of Block N3E. The Detailed Element also contains part of Blackburn Road (within the roads category), two Park Streets and a Neighbourhood Lane (within the shared surface / pavement and paths categories).

12.15 The Linear Park is a tree lined green and naturally landscaped linear route with pockets of greenery for seating and relaxing, some playful equipment is proposed amongst denser planting. The Central Square offers a combination of play and community space amongst a planted green park with permeable pathways and soft edges to buildings. The Park Streets and Neighbourhood Lane are internal streets designed to create a vibrant, cohesive environment that connects the various uses and areas of the development and provide a smooth transition between Blackburn Road and the green spaces. Blackburn Road is the main northern connection which will accommodate car traffic whilst also offering a green, pedestrian and cycle friendly street with rain gardens and sustainable drainage systems.

12.16 As was the case with the Approved Masterplan, private amenity space is also proposed within the Detailed Element in the form of podium gardens. These are private green spaces at podium level on Plots N4 and N5 and are designed for relaxation, informal gatherings and private play areas.

- 12.17 The key principles of the landscaping proposals of the Approved Masterplan are maintained within the S73 Application proposals. However, one of the key changes is the meandering Linear Park. This route provides clear, accessible connections for pedestrians while offering a more dynamic and engaging experience. Secondary paths will branch off, weaving through the landscape and connecting the main path to the three Detailed Element Plots.
- 12.18 Overall, the Detailed Element will provide 6,537sqm within the parks and squares category, including 1,985sqm of play space (this doesn't include play space provided within the podium gardens which are private amenity spaces). This is an increase of 312sqm within the parks and squares category compared with the Approved Masterplan, which consists of an additional 346sqm of Linear Park and -34sqm of Central Square. There will be no change to the quantum of area within the parks and squares category of the Outline Elements despite the reduction in maximum residential floorspace within the Outline Elements. Accordingly, overall, the S73 Application proposals will increase the quantum of parks and squares to 16,834sqm (from 16,522sqm within the Approved Masterplan).
- 12.19 Whilst the proposals will fall short of the policy required level of open space, over 50% of the Site will continue to be provided as publicly accessible open space. As was the case with the Approved Masterplan, and secured in the signed S106 Agreement, the shortfall against policy requirements will be offset through a payment in lieu of the policy required level of open space.
- 12.20 With regards to play space, the S73 Application proposals result in an increase in residential dwellings within the Detailed Element of 43 units. Whilst the overall quantum of residential floorspace across the Detailed and Outline Elements remains unchanged from the Approved Masterplan, these additional residential units generate a requirement to provide 418sqm of additional play space in the Detailed Element which have been provided for. The play space provision for the Approved Masterplan was policy compliant in terms of quantum and will continue to be as a result of the S73 Application proposals. Overall, the Detailed Element will provide 2,548qm of play space (against the

policy requirement of 2,548sqm).

12.21 Accordingly, the physical open space and play space provision, and proposed contribution to public open space, is considered to accord with the relevant planning policies.

### **Trees**

12.22 Policy G7 of the London Plan states that trees should be protected, and where new trees are planted, this should be in appropriate locations. Therefore, developments should aim to protect trees where possible and if this is not possible, adequate replacements are required.

12.23 Camden Local Plan Policy A3 states that the Council will protect, and seek to secure additional, trees and vegetation. Specifically, Policy A3 stipulates that the Council will [inter alia]:

- “expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development
- expect developments to incorporate additional trees and vegetation wherever possible”.

12.24 Camden has published a Trees CPG which highlights the Council’s aim to preserve existing tree and canopy coverage where possible as well as increase and improve tree coverage in the design of new developments and through planning contributions.

12.25 Policy 18 of the Fortune Green and West Hampstead NP requires development to protect trees in good health that contribute to the character of the neighbourhood area, individual streetscapes, and green spaces.

12.26 Draft new Local Plan Policy NE3 sets out that the Council will seek to protect and seek to secure additional trees and vegetation where possible as part of a detailed landscaping

scheme for the site.

**Policy Assessment**

12.27 The Approved Masterplan was accompanied by an Arboricultural Impact Assessment prepared by Pell Frischman. As the S73 Application proposals will not change the findings of this report, it has not been updated as part of the S73 Application and reference should be made to the approved document. The AIA survey identified 110 trees on the Site. The existing identified Category A and B trees have been incorporated into the development proposals wherever possible.

12.28 Whilst some of the existing trees will be lost as a result of the proposals, a total of 216 replacement trees were included within the Outline Elements of the scheme and will not change as part of the S73 Application.

12.29 A total of 250 replacement trees are included within the Detailed Elements. Standard trees planted on natural soils will account for 172 trees. Standard trees planted in pits will be on the terraces within raised planters and will account for 78 trees.

12.30 A CAVAT Assessment has been prepared by Pell Frischmann and this is submitted with the S73 Application. This concludes that there will be a final project CAVAT value of £2,181,217 when assessing both the Outline and Detailed Elements.

12.31 Whilst some trees are to be lost as a result of the proposals, these have been minimised as far as possible and significant uplift in tree provision is proposed as a result of the Outline and Detailed Elements. Accordingly, it is considered that the proposals accord with the relevant planning policies.

## 13. Energy and Sustainability

13.1	This section assesses the proposed energy and sustainability strategy and its acceptability in planning policy terms. It concludes that the Proposed Development is highly sustainable in accordance with relevant adopted and emerging planning policies.
13.2	At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.
13.3	NPPF paragraph 124 encourages development that makes as much use as possible of previously developed or 'brownfield' land.
13.4	NPPF Paragraph 161 sets out that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change.
13.5	Paragraph 164 of the NPPF sets out that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and help to reduce greenhouse gas emissions.
13.6	The London Plan sets out the Mayor's vision to ensure that London becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.
13.7	As identified in London Plan Policy SI 2, major development should be net-zero carbon. This means reducing greenhouse gas emissions in operation and minimising energy demand in accordance with the following hierarchy: <ol style="list-style-type: none"><li>1. Be lean: use less energy and manage demand during operation</li><li>2. Be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly</li><li>3. Be green: maximise opportunities for renewable energy by producing, storing and</li></ol>

	using renewable energy on-site
	4. Be seen: monitor, verify and report on energy performance.
13.8	Policy SI 2 (c) of the London Plan sets a minimum on-site reduction of at least 35 per cent beyond Building Regulations as being required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures.
13.9	Policy SI 3 of the London Plan requires energy masterplans to be developed for largescale development locations which establish the most effective energy supply options.
13.10	Policy SI 4 of the London Plan notes that development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. Major development proposals should demonstrate, through the submission of an energy strategy, how they will reduce the potential for internal overheating and reliance on air conditioning systems.
13.11	Policy SI 7 focuses on reducing waste and supporting the circular economy. The Mayor seeks to achieve resource conservation, waste reduction, increases in material re-use and recycling and reductions in waste going for disposal.
13.12	Policy G5 of the London Plan states that major development proposals should contribute to the increased greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green walls and nature-based sustainable drainage.
13.13	The LPG Energy Assessment Guidance (2022) states that all major developments must continue to meet the London Plan net zero carbon target by following the energy hierarchy targets (Policy SI2), the heating hierarchy (Policy SI3) as part of their energy strategy.
13.14	At a local level, Local Plan Policy CC1 requires all development to minimise the effects of climate change and encourages developments to meet the highest feasible

environmental standards that are financially viable during construction and occupation. Moreover, all development is required to reduce carbon dioxide emissions in line with the targets set out within the London Plan. The policy requires all proposals for substantial demolition to demonstrate that it is not possible to retain the existing building.

13.15 Local Plan Policy CC2 requires all development to be resilient to climate change through the adoption of appropriate climate change adaptation measures. Local Plan Policy CC2 also promotes the incorporation of sustainable design and construction measures within developments.

13.16 LBC Draft New Local Plan Policy CC1 notes that the Council will prioritise the provision of measures to mitigate and adapt to climate change and require all development in Camden to respond to the climate emergency.

13.17 LBC Draft New Local Plan Policy CC4 notes that the Council will seek to ensure that all development minimises carbon emissions over the lifespan of the building. In doing so, the Council will require applicants for all new development and all development proposing substantial demolition to submit a whole life carbon emissions assessment and demonstrate that they have done all they can to minimise carbon emissions over the lifespan of the buildings, targeting the GLA Whole Life Carbon benchmark modules B-C.

13.18 LBC Draft New Local Plan Policy CC5 sets out criteria (i-vi) in which the Council will seek when supporting adaptations and improved to existing buildings to make them more energy efficiency and reduce the energy needed to occupy the building.

Policy Assessment

13.19 An Energy Statement Addendum, Whole Life Carbon Assessment Addendum, Sustainability Strategy Addendum and Circular Economy Statement Addendum have been prepared by Buro Happold and are submitted with this S73 application to assess the Proposed Amendments to the Detailed Element.

## Energy

- 13.20 The Energy Strategy Addendum assesses the Proposed Amendments to the Detailed Element in the context of the Approved Energy Strategy. The Outline Elements are not affected by the Proposed Amendments which form part of this application and therefore the conclusions set out in the Approved Planning Statement remain valid.
- 13.21 The addendum assesses the predicted energy performance, associated carbon dioxide emissions and overheating risk of the Detailed Elements. Results of the assessments are compared to the commitments made in the Approved Energy Strategy prepared by Hoare Lea and relevant planning policy and Building Regulations.
- 13.22 The proposed Energy Strategy Addendum for the Detailed Element follows the London Plan Energy Hierarchy of be Lean, be Clean, be Green and be Seen. Passive design strategies have been prioritised and include glazing ratios designed to balance energy, overheating and daylight, high performance façade specification and efficient building systems with heat recovery. High efficiency communal electric air source heat pumps will provide heating, hot water and cooling to all buildings. Residential units in Plot N3E and Plot N5 will have space heating and cooling provided by ambient loop system, whereas residential units in Plot N4 will have radiators and trim cooling units integrated into the ventilation system. Photovoltaic arrays will be provided on all available roof spaces.
- 13.23 Since the submission of the approved Energy Strategy 2022 prepared by Hoare Lea, there has been a change to Building Regulations and Approved Documents Part L1 and L2 2021 are now enforceable, superseding Part L 2013. The buildings within the Detailed Element have been designed to comply with Part L 2021.
- 13.24 The estimated regulated carbon emissions at each stage of the Energy Hierarchy have been calculated using the SAP10.0 carbon emission factors in line with the approved Energy Strategy and GLA Energy Assessment Guidance 2020, as per the Approved Masterplan.

13.25 The Detailed Element (including the Proposed Amendments) proposals have been fully assessed using the Part L methodology and specific carbon reduction percentages:

- Be Lean – The Approved Masterplan achieved a regulated energy carbon reduction of 13% CO<sub>2</sub> savings for residential areas and 17% reduction in non-residential areas for the Detailed Element. The Proposed Amendments to the Detailed Element are anticipated to still meet the London Plan targets by achieving more than a 10% and 15% reduction in CO<sub>2</sub> emissions for the residential and non-residential parts of the scheme respectively, prior to the consideration of any low or zero-carbon technologies. The equivalent carbon emission reductions at Lean stage for the Detailed Element are a 13.9% reduction in CO<sub>2</sub> savings in residential areas and 15.1% reduction in non-residential areas. The results demonstrate a minor overall improvement in carbon savings percentage at the Be Lean stage of the Detailed Element in comparison to the Approved Masterplan. There is a minor reduction in carbon savings percentage for the non-domestic areas however the results are still compliance with the 15% policy target.
- Be Clean – As per the Approved Masterplan, there are no connection opportunities to district heat networks in the vicinity of the Site and therefore no carbon savings are achieved for this step of the energy hierarchy,
- Be Green - In accordance with the Approved Energy Strategy, space heating cooling and hot water is provided by electric Air Source Heat Pump systems. The design of the ASHP systems has been adapted from the Approved Energy Strategy to provide space cooling in response to the implementation of Building Regulations Part O and noise constraints of the Site. The changes to the ASHP systems have not impacted the predicted generation efficiency and the system performance is expected to be broadly equivalent to the Approved Energy Strategy. Solar PVs have been provided wherever feasible. The proposed area for PVs would provide approximately circa. 237 sqm of PVs and would reduce CO<sub>2</sub> emissions of the whole development by 1.5% (compared to 2.6% in the Approved Masterplan). The reduction in PV capacity is due to the updated massing and due to the more developed design at this stage, there is a reduction in available roof area. The inclusion of these technologies is expected to

lead to a further 46.8% site-wide reduction in CO2 emissions beyond Part L (compared to a 53.3% reduction in the Approved Masterplan). This is made up of a 62.3% reduction for residential elements and a 35% reduction for non-residential elements). This still far exceeds the policy position of a minimum of 35% reduction over the Part L baseline.

- Be Seen - energy consumption would be monitored and reported to a level of granularity consistent with the Be Seen requirements. Effective energy metering in line with Be Seen requirements would be enabled by the provision of suitable infrastructure within the buildings services systems.

13.26 Overall, it is anticipated that the Detailed Element proposals would achieve in the region of a 61% reduction in CO2 emissions beyond the baseline, through ASHPs and PVs. The development is proposed to deliver buildings which are very energy efficient, resulting in a reduction in energy consumed and carbon emitted by the Site. It would also target improvements over what is required by Building Regulations.

13.27 The zero-carbon target shortfall (accounting for the on-site savings) is likely to result in a carbon offset payment for the Detailed Element of circa £666,851 (which consists of £610,626 for the residential elements and £56,225 for the non-residential elements). This is a reduction in the previous set carbon offset payment set out in the Approved Energy Strategy (£828,345) as the proposed S73 scheme results demonstrate a notable reduction in net regulated carbon in comparison to the approved Energy Strategy for both the Baseline and Lean emissions. This is due in part to the higher level of detail of the assessment completed for the S73 scheme, but it has also been identified that there is a reduction in the modelled total area of the residential portion of the development. For the approved Energy Strategy, a total area of 53,790 sqm for the domestic elements was modelled (a GIA figure that included residential car parking and back of house) whereas for the proposed S73 addendum, the equivalent figure is 56,477 sqm (i.e. total residential GIA minus car parking and back of house). The NIA figure is approximately 42,923 sqm as measured by GRID. This figure has been used in the Energy Statement Addendum calculations.

### **Overheating**

13.28 The Energy Statement Addendum includes an overheating study which has been undertaken for a sample of apartments from all residential plots within the Detailed Element. The assessment carried out demonstrates that 96% of assessed spaces are anticipated to meet the thermal comfort criteria through passive design measures, compared to 86% in the Approved Masterplan. The results for the Proposed Amendments demonstrate an increased compliance compared to the Approved Energy Strategy without relying on internal blinds as an internal mitigation measure. Moreover, the proposed cooling strategy of the MVHR units with trim cooling to Plot N4 and active cooling to Plot N5 and Plot N3E are currently sufficient for meeting comfortable thermal comfort conditions against the mandatory DSY1 2020s weather file and the more onerous weather files of DSY2 and DYS3, demonstrating that the solutions proposed are future proofed against extreme weather conditions.

### **Sustainability**

13.29 A Sustainability Strategy Addendum and Circular Economy Statement have been prepared by Buro Happold and are submitted in support of this S73 application.

13.30 The Addendum follows the key themes set out in the Approved Sustainability Strategy and sets out where there are key changes in relation to the Proposed Amendments to the Detailed Element as part of this S73 Application and are set out below. The Outline Elements are not affected by the Proposed Amendments which form part of this application and therefore the conclusions set out in the Approved Planning Statement remain valid.

### Operational Energy and Carbon

13.31 The Proposed Amendments continue the 'Fabric First' strategy however there are minor amendments to the carbons savings. The Approved Masterplan achieved a regulated energy carbon reduction of 13% CO2 savings for residential areas and 17% reduction in non-residential areas for the Detailed Element. The Proposed Amendments to the Detailed Element are anticipated to still meet the London Plan targets by achieving more than a 10% and 15% reduction in CO2 emissions for the residential and non-residential parts of the scheme respectively, prior to the consideration of any low or zero-carbon technologies. The equivalent carbon emission reductions at Lean stage for the Detailed Element are a 13.9% reduction in CO2 savings in residential areas and 15.1% reduction in non-residential areas. The results demonstrate a minor overall improvement in carbon savings percentage at the Be Lean stage of the Detailed Element in comparison to the Approved Masterplan. There is a minor reduction in carbon savings percentage for the non-domestic areas however the results are still compliance with the 15% policy target.

13.32 The all-electric strategy for the Site is unchanged however the contribution to carbon reduction from renewables differs slightly due to the reduced capacity for PVs at roof level. The newly proposed areas for PVs in the Detailed Element is approximately 237 sqm. The proposed carbon reduction figures achieved across the Detailed Element equate to a 61% site wide carbon reduction over Part L baseline, compared to the 66% carbon reduction in the Approved Masterplan for the Detailed Element.

#### Climate Change Resilience

13.33 There is a minor change to the Climate Change Resilience Strategy compared to the Approved Masterplan for the Detailed Element. This is due to the introduced requirements of the Approved Building Regulation Document Part O. A greater number of apartments in the Detailed Element were tested during the overheating risk assessment. Part O dictates conformity without including blinds or relying on the opening of windows as a mitigation measure for overheating and therefore alternative measures have been incorporated.

13.34 The alternative measures include active cooling strategies such as MVHR units with trim cooling to Plot N4 and active cooling to Plot N5 and Plot N3E. The analysis confirmed full compliance with CIBSE TM59 and Approved Document Part O for the mechanically ventilated spaces, ensuring comfortable thermal conditions against the mandatory DSY1 2020s weather file and the more onerous weather files of DSY2 and DSY3 making sure the solutions proposed are future proofed against extreme weather conditions.

13.35 The passive design principles implemented are similar to the Approved Masterplan with optimised similar u-values triple glazing, low y-values, low window-to-wall ration, recess glazing and effective balcony design to reduce solar gains and cooling demands. The overheating risk has been mitigated for 96% of assessed spaces, compared to 86% in the Approved Masterplan, providing a more robust strategy.

Biodiversity

13.36 The Proposed Amendments to the Detailed Element seek to increase on the Approved Masterplan's aim to enhance the abundance and diversity of plant and animal species appropriate to local ecology. The Proposed Amendments target a Biodiversity Net Gain increase of circa 282%, compared to the 165% increase in the Approved Masterplan, and an Urban Greening Factor of 0.37 as per the Approved Masterplan for the Detailed Element.

Water and Surface Water Run-Off

13.37 There are no changes to the Drainage Strategy as part of the Proposed Amendments to the Detailed Element. The Proposed Amendments include improvements to the Water Run Off Strategy. The proposed drainage strategy is based on restricting surface water runoff rates to greenfield rates, This will deliver a significantly greater reduction than 50% in comparison to existing run off and the current proposal is in line with a 95% reduction

Health, Safety and Well-being

13.38 The Proposed Amendments to the Detailed Element continue to seek to improve the mental and physical wellbeing of Site visitors, users and residents, as well as the wider economy. The opportunities to provide dual aspect units has been maximised whilst balancing other benefits across the Detailed Element and protection of privacy between buildings, this has resulted in a 3.7% reduction compared to the Approved Masterplan. Whilst the overall quantum of the dual aspect units has decreased, the quality of the retained units is superior to the Approved Masterplan. The removal of Block N4D has provided a much better outlook for a significant number of units within Plot N4, the majority of which are affordable, and for occupiers of Plot N5.

13.39 The Proposed Amendments to the Detailed Element also include an increase to the size of the community centre.

Mobility

13.40 There are no changes to the Public Transport strategy for the site. A manual assessment reflecting the actual existing routes available at the time of writing, and routes that will be available once the Masterplan is complete indicates a PTAL score of 6a – 6b ('Excellent') throughout. The health centre and bus stop are a part of the Outline Elements and so remain unchanged from the Approved Masterplan.

13.41 The Proposed Amendments to the Detailed Element include an increase in the number of cycle parking spaces to 1,159 long-stay cycle spaces and 106 short-stay cycle parking spaces to reflect in increase of 43 units in the Detailed Element.

Air Quality

13.42 There are no changes to the Air Quality Strategy as part of the Proposed Amendments.

Social Value

13.43 The Proposed Amendments will continue to provide 36% affordable housing across the Detailed Element, of which 60% will be Low-Cost Rent and 40% Intermediate Rent. The Public Realm proposals form 55% of the total Site area (the Approved Masterplan comprised 50%), including a significant provision for landscaped public realm, playspaces and natural green spaces. It is proposed that Block N4D is replaced with a two-storey community (Class F2) pavilion building, increasing the community (Class F2) use floorspace by 46sqm GIA. The scheme will continue to provide a public art strategy and public events programme which will be secured through the Estate Management Plan and the Applicant is committed to a long-term stewardship of the Site and its services.

**Whole Life Carbon**

13.44 An update to the Whole Lifecycle Carbon Assessment has been carried out by Buro Happold for the Proposed Amendments to the Detailed Element and is submitted to support this S73 Application.

13.45 It should be noted that since the WLC assessment reported in the Approved Sustainability Statement, there have been notable regulatory changes, trends in construction and updated industry guidance documents which influence the WLC assessment results.

13.46 The Applicant and Buro Happold have conducted a dedicated study to assess the collective impact of these changes on the upfront embodied carbon for residential buildings. The outcome of the study suggested that the changes could collectively result in an increase of upfront embodied carbon [modules A1-A5] of up to ~230 kgCO<sub>2</sub>/m<sup>2</sup>.

13.47 To overcome this significant carbon uplift, the Applicant and Buro Happold have subsequently identified a series of carbon savings opportunities, which can be implemented on all residential apartment buildings. Additional savings opportunities adopted for the Proposed Amendment to the Detailed Element include:

- Placing stair cores back-to-back to reduce core walls required;
- Reducing typical slab thickness to 225mm and fix the column grid;
- Reducing concrete mix CO2 intensity;
- Avoiding duplication of equipment by combining heating and cooling generators and emitters.

13.48 The updated assessment for the Proposed Amendments shows a 12-14% increase in embodied carbon in comparison to the approved Sustainability Statement. This is not a direct result of the proposed scheme architectural changes, but is a combination of factors including:

- Additional stair cores as a result of the Building Safety Act 2022;
- Additional cooling systems as a result of the implementation of Part O 2021;
- The cement replacement assumptions in the approved Sustainability Statement have been shown to be unrealistic based on industry feedback;
- Additional details have been included in the cost plan, such as the coverage of internal finishes and FFE has increased.

13.49 Although the updated WLC assessment shows an increase in carbon results, Plot N3E, Plot N4 and Plot N5 achieve A1-A5 embodied carbon results significantly below the GLA Benchmark and within 25% of the GLA Aspirational Benchmark.

13.50 The design team will continue to explore further opportunities to reduce the embodied carbon in future design stages with a design target of <600kgCO<sub>2</sub>e/m<sup>2</sup> GIA.

13.51 On the basis above, it is considered that the Proposed Amendments to the Detailed Element would meet the local, regional and national policy requirements for energy and sustainability.

## 14. Transport, Servicing and Waste

14.1 This section of the Town Planning Statement Addendum assesses the acceptability of the proposed transport, access, servicing, refuse and trip generation of the S73 Application amendments in planning policy terms. It concludes that the transport principles accord with relevant adopted and emerging planning policies. A comprehensive approach has been taken to traffic, transport and highway related matters and further detail is provided within the relevant submission documents produced by Arup in relation to the Detailed Element revisions. The Outline Elements are unchanged from the Approved Masterplan and so the conclusions of the 2022 Town Planning Statement remain valid.

14.2 This section covers the following key changes in relation to the Detailed Element:

- a) Transport Strategy Overview and Trip Generation
- b) Vehicular Access and Highway Network
- c) Parking
  - i. Car parking
  - ii. Cycle parking
- d) Sustainable Transport Initiatives
  - i. Buses
  - ii. Rail
  - iii. Walking and Cycling
- e) Travel Plans
- f) Delivery, Waste and Servicing
- g) Construction

**a) Transport Strategy Overview and Trip Generation**

14.3	Chapter 9 of the NPPF sets out the Government’s policies relating to sustainable transport. The overall aims are to promote solutions that support a reduction in greenhouse gas emissions and reduce congestion and will contribute to wider sustainability and health objectives.
14.4	Paragraph 111 states that planning policies should support a mix of uses across an area so that people can be encouraged to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities. In addition, attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking should also be provided.
14.5	Paragraph 116 of the NPPF is clear that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts, following mitigation, on the road network would be severe.
14.6	At a regional level, one of the strategic objectives of the London Plan is to improve accessibility, making London an easier city to move around and making public transport and the pedestrian environment accessible to everyone. The Mayor’s Transport Strategy sets out policies and proposals to achieve the goals set out in the Plan.
14.7	At a local level, Camden Local Plan Policy T1 prioritises walking, cycling and public transport in the borough. In pursuance of this Camden will seek to ensure developments improve pedestrian environments. The delivery of improved walkways, wide pavements and safe and permeable developments is supported.
14.8	To assess the overall implications of developments LBC, under Policy T4, expects the submission of a Transport Assessment, Delivery and Servicing Management Plan and Construction Management Plan where the implications of proposals are significant
14.9	Camden’s Transport CPG provides information on the application of Camden’s transport policies, including all types of detailed transport issues including assessing transport impact, travel plans, delivery and servicing plans and cycling facilities.

14.10 Policy 7 of the Fortune Green and West Hampstead NP outlines the approach to sustainable transport and encourages the safe movement of traffic on roads within the neighbourhood area and promotes a reduction in car use.

14.11 LBC draft new Local Plan Policy T2 notes that the Council will promote active travel by prioritising walking, wheeling and cycling in the borough, to improve health and wellbeing, reduce harmful emissions, improve air quality, help to tackle climate change and deliver sustainable communities.

14.12 LBC draft new Local Plan Policy T5 (Parking and Car-free Development) advises that the Council will limit the availability of parking and require all new developments in the borough to be car-free, to reduce car ownership and vehicle use and encourage the use of alternative, sustainable modes of travel.

Policy Assessment

14.13 A Transport Statement Addendum (TA Addendum) has been prepared by Arup and is submitted in support of the S73 application. Arup have also prepared a Waste Management Plan (WMP) Addendum. The revised proposals related to transport are summarised in the TA Addendum.

14.14 The Approved Masterplan vision to create a vibrant, inclusive, mixed-use development with Healthy Streets principles embedded within the design is carried through in the S73 Application amendments.

14.15 With regard to the travel demand associated with the Detailed Element proposals, the amendments would result in a small increase in trips of 24 two-way trips in AM peak hours and 20 two-way trips in peak PM hours compared with the Approved Masterplan Detailed Element proposals. When split across modes, the largest increase would be walking trips (11 additional trips in the AM peak hour and nine additional trips in the PM peak hour). In the context of the excellent public transport and active travel connections that the Site benefits from, the increase in trips across each mode is considered to be negligible.

14.16 As the amendments proposed to the Detailed Element result in a negligible change in travel demand and the overall quantum of development is largely unchanged across the whole masterplan, no further assessment of travel demand is considered necessary.

**b) Vehicular Access and Highway Network**

14.17 London Plan Policy T1 requires development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

14.18 Policy T4 Part A of the London Plan sets out that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Part F of Policy T4 states that development proposals should not increase road danger.

14.19 Camden Local Plan Policy T3 seeks improvements to transport infrastructure in the borough. The Council will not grant planning permission for proposals which are contrary to the safeguarding of strategic infrastructure improvement projects and will protect existing and proposed transport infrastructure, particularly routes and facilities for walking, cycling and public transport, from removal or severance.

14.20 The Transport CPG sets out that consent from the Highway Authority is required for any works affecting the public highway.

Policy Assessment

14.21 The principles of the access strategy remain consistent with the Approved Masterplan.

14.22 The locations of the pedestrian access points at ground floor level to Plots N3E, N4 and N5 have been amended to reflect the updates to the internal layout and design. The primary changes relate to the revised community centre located on the south-west corner

of Plot N4 (previously in the south-east corner of Plot N4).

14.23 The Approved Masterplan included a single wide (minimum 4.0m) east-west walking and secondary cycling route through the Linear Park to the south of the Detailed Element Plots. The S73 Application proposes two east-west routes through the Linear Park, the wider of the two routes is a minimum of 3.5m throughout. Consistent with the principles of the Approved Masterplan, this route is intended to form a secondary east-west cycle route through the Site (with Blackburn Road continuing to form the primary cycle route). The two cycle routes are designed to be meandering to encourage slow and considerate cycling whilst sharing the routes with pedestrians.

14.24 As set out in the Transport Addendum, Cycle Infrastructure Guidance (LTN 1/20) states where cycle flows are less than or balanced with pedestrian flows (up to 300 cyclists sharing a footway with up to 300 pedestrians), a minimum width of 3m for a shared route is acceptable. The whole Site is expected to generate up to 225 cycling trips in peak hours, the vast majority of which are expected to use the primary Blackburn Road cycle route. Based on this, it is likely there would be substantially less than the recommended capacity of cyclists using a shared route with a minimum width of 3m. Therefore, the proposed widths of the secondary cycle route is considered suitable as a shared route.

**c) Parking**

*i. Car Parking*

14.25 Part A of London Plan Policy T6 states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.

14.26 Table 10.3 of London Plan Policy T6.1 outlines the maximum residential car parking standards which should be applied to development proposals and used to set local standards with Development Plans. For those sites located in the Central Activities Zone, Inner London Opportunity Areas, Metropolitan and Major Town Centres, Inner London

PTAL 4 and all areas of PTAL 5 and 6, the maximum car parking provision standard is to be car free.

14.27 Part E of London Plan Policy T6 states that appropriate disabled persons parking for Blue Badge holders should be provided as set out in the London Plan.

14.28 Policy T6.1 of the London Plan expects disabled parking to be provided for new residential developments. It states that residential development proposals delivering ten or more units must ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset and demonstrate as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient. It is expected that this is secured at the planning stage.

14.29 Policy T6.1 of the London Plan also sets out that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

14.30 London Plan Policy T6.2 and Table 10.4 outline the maximum parking standards which should be applied to new office development. For sites located within inner London, the maximum office parking standard is car free.

14.31 London Plan Policy T6.3 and Table 10.5 detail the maximum parking standards which should be applied to new retail development. For sites located within all areas of PTAL 5-6, the maximum retail parking standard is car free.

14.32 London Plan Policy T6.5 and Table 10.4 sets out the non-residential disabled persons parking which should be provided. These standards ensure that all non-residential elements should provide access to at least one on or off-street disabled persons parking bay.

14.33	Camden Local Plan Policy T2 clarifies that the Council will limit the availability of parking and require all new development in the borough to be car-free.
14.34	The Camden CPG states that for residential developments that demonstrate a requirement for parking spaces designated for disabled people, the quantity of parking will be as set out in the London Plan. In addition, for all major developments, the Council will expect that disabled car parking is accommodated on-site.
14.35	LBC draft new Local Plan Policy T5 (Parking and Car-free Development) advises that the Council will limit the availability of parking and require all new developments in the borough to be car-free, to reduce car ownership and vehicle use and encourage the use of alternative, sustainable modes of travel.
<u>Policy Assessment</u>	
14.36	Consistent with the Approved Masterplan and local planning policy, the S73 Application proposals will remain car-free, with the exception of blue badge parking spaces.
14.37	The Detailed Element will provide 20 blue badge parking bays (an uplift of two spaces compared to the Approved Masterplan), which equates to 3% of the increased number of dwellings (651) sought by the S73 Application within the Detailed Element. The provision of blue badge parking is therefore policy compliant.
14.38	16 blue badge spaces would be provided within Plots N4 and N5. The accessible bays for Plot N3E will be provided in Plot N5 (as per the Approved Masterplan).
14.39	Four accessible spaces will be provided externally in the Neighbourhood Lane between Plots N4 and N5. In accordance with the London Plan, these four spaces will be provided with Electric Vehicle Charging Points (EVCPs) from the outset, which equates to 20%.
<i>ii. Cycle Parking</i>	

14.40 Policy T5 and Table 10.2 of the London Plan set out minimum cycle parking standards for new developments. The relevant standards are summarised in the table below.

**Table 8: London Plan 2021 Policy T5 Cycle Parking Standards**

Land Use	Long-stay provision	Short-stay provision
Residential (C3)	1 space per studio or 1 person 1 bedroom dwelling 1.5 spaces per 2 person 1 bedroom dwelling 2 spaces per all other dwellings	5 to 40 dwellings: 2 spaces Thereafter: 1 space per 40 dwellings
Food Retail (A1) above 100sqm	From a threshold of 100sqm: 1 space per 175sqm GEA	Areas with higher cycle parking standards: First 750sqm: 1 space per 20sqm; thereafter: 1 space per 150sqm (GEA)
Financial / professional services; cafes & restaurants; drinking establishments; take-aways above 100sqm (A2-A5)	From a threshold of 100sqm: 1 space per 175sqm (GEA)	From a threshold of 100sqm: Areas with higher cycle parking standards: 1 space per 20sqm (GEA)
Other (e.g. library, church, etc) (D1)	1 space per 8 FTE staff	1 space per 100sqm (GEA)

14.41 Policy T5 of the London Plan states that cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

- 14.42 Camden Local Plan Policy T1 sets out that the Council will promote sustainable transport by prioritising cycling in the borough and ensuring a safe and accessible environment for cyclists.
- 14.43 Policy 8 of the Fortune Green and West Hampstead NP highlights that developments shall promote improved provision for cycling throughout the neighbourhood area and encourage cycling.
- 14.44 In addition, the Transport CPG states that the Council will seek high quality cycle parking facilities for development, including redevelopments and in applications that change travel patterns and the travel profile or increase the numbers of people travelling to a site, applicants must provide, as a minimum, the quantity of cycle parking set out in the London Plan and applicants will provide cycling facilities that are fully inclusive and accessible by step free access.

Policy Assessment

14.45 Consistent with the Approved Masterplan, cycle parking will continue to be provided in accordance with the London Plan 2021 Policy T5 standards. The table below sets out the policy requirement for long-stay and short-stay cycle parking provision for the Detailed Element.

**Table 9: Policy Requirement for the Detailed Element long-stay and short-stay cycle parking provision**

Plot	Land Use	Proposal	Long-stay Requirement	Short-stay Requirement
N3E	Residential (C3)	76 dwellings (12 x studio, 30 x 1B2P, 34 x 2B+)	125	3
	Retail (E(a))	197sqm GEA	1.1	9.9
	Food & Drink	107sqm GEA	1	5.4

	(E(b))			
N4	Residential (C3)	212 dwellings (43 x 1B2P, 169 x 2B+)	402.5	6.3
	Retail (E(a))	334sqm GEA	1.9	16.7
	Office (E(c))	165sqm GEA	1	8.25
	Community (F2)	358sqm GEA	2	4
N5	Residential (C3)	363 dwellings (65 x studio, 90 x 1B2P, 208 x 2B+)	616	10
	Retail (E(a))	863sqm GEA	4.9	38.3
<b>Total</b>			1,155	102

14.46 The S73 Application amendments will comprise the following proposed long-stay and short-stay cycle parking provision for the Detailed Element. The proposed long-stay and short-stay cycle parking provision for the Detailed Element is compliant with policy and exceeds the minimum requirements set out in London Plan Policy T5.

**Table 9: Proposed Cycle Parking Provision**

Plot	Land Use	Proposal	Long-stay provision	Short-stay provision
N3E	Residential (C3)	76 dwellings (12 x studio, 30 x 1B2P, 34 x 2B+)	125	19
	Retail (E(a))	197sqm GEA	2	
	Food & Drink (E(b))	107sqm GEA	2	
N4	Residential (C3)	212 dwellings (43 x 1B2P, 169 x 2B+)	403	37

	Retail (E(a))	334sqm GEA	2	
	Office (E(c))	165sqm GEA	2	
	Community (F2)	358sqm GEA	2	
N5	Residential (C3)	363 dwellings (65 x studio, 90 x 1B2P, 208 x 2B+)	616	50
	Retail (E(a))	863sqm GEA	5	
<b>Total</b>			1,159	106

14.47 The cycle parking locations and access arrangements remain similar to the Approved Masterplan. The proposed long-stay cycle parking store locations are located in the ground floor of Plots N4 and N5, and the basement of Plot N3E.

14.48 The design of the cycle parking stores follows the principles of the Approved Masterplan and 5% of long-stay cycle parking spaces will be provided in the form of Sheffield type stands, helping to meet the needs of all cycle users by providing space for larger or adapted cycles.

14.49 As per the Approved Masterplan, the long-stay cycle parking for the commercial uses will be incorporated as part of the internal fit out within each unit. This is appropriate given the low number of long-stay cycle parking spaces required for the proposed uses.

14.50 Consistent with the Approved Masterplan, the short-stay cycle parking for all land uses will continue to be provided in the form of Sheffield stands within the public realm. The stands will be located as close as reasonably possible to building entrances.

14.51 The indicative cycle parking proposals for the Outline Elements remain consistent with the Approved Masterplan and the final development quantum per plot will be established through the submission of reserved matters applications.

**d) Sustainable Transport Initiatives**

- 14.52 Policy T1 of the London Plan sets out that development proposals should facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041.
- 14.53 Policy T1 goes on to state that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 14.54 London Plan Policy T2 requires that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.
- 14.55 Policy T3 of the London Plan states that development proposals should support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed.
- 14.56 London Plan Policy T4 sets out that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.
- 14.57 When required, in accordance with national or local guidance, Policy T4 states that transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network at the local, networkwide and strategic level, are fully assessed. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance.
- 14.58 Camden Local Plan Policy T1 outlines that in order to safeguard and promote the provision of public transport in the borough, the Council will seek to ensure that development contributes towards improvements to bus network infrastructure.

Contributions will be sought where the demand for bus services generated by the development is likely to exceed existing capacity. Contributions may also be sought towards the improvement of other forms of public transport in major developments where appropriate.

14.59 Camden Local Plan Policy T1 sets out that where appropriate, development will also be required to provide for interchanging between different modes of transport including facilities to make interchange easy and convenient for all users and maintain passenger comfort.

14.60 Camden Local Plan Policy T1 seeks to promote walking in the borough and improve the pedestrian environment.

14.61 The Council promotes cycling in the borough and wishes to ensure a safe and accessible environment for cyclists.

14.62 Policy T3 of the Camden Local Plan seeks to ensure improvements are made to transport infrastructure in the borough. The Council will not grant planning permission for proposals which are contrary to the safeguarding of strategic infrastructure improvements projects and protect existing and proposed transport infrastructure, particularly routes and facilities for walking, cycling and public transport, from removal or severance.

14.63 The Transport CPG sets out a key message that all developments must have due regard to safety, ease of movement and the quality of pedestrian and cycle facilities for people moving to and within a site.

14.64 In addition, the Transport CPG states that travel plans enable a development to proceed without adverse impact on the transport network through promoting a greater use of sustainable travel and thereby helping to tackle congestion and air pollution. The requirements of any travel plan will be tailored to the specific characteristics of the site and nature of the development.

14.65 Policy 5 of the Fortune Green and West Hampstead NP outlines that development shall make appropriate provision for, and/or contribute towards, improvements to the public transport infrastructure of the neighbourhood area.

14.66 NP Policy 6 sets out what public transport facilities in the neighbourhood area, the neighbourhood forum will support the improvement of.

14.67 Policy 7 of the NP states that in order to encourage the safe movement of traffic on roads in the neighbourhood area, and to promote a reduction in car use, development will be supported which includes the appropriate provision of:

- i. Car-free or car-capped developments
- ii. Car club spaces
- iii. Charging points and dedicated parking spaces for electric cars
- iv. Contributions to safe road layouts, traffic calming, and the removal of rat-runs
- v. Proposals which will result in a reduction in air pollution caused by vehicle emissions
- vi. The appropriate provision of loading bays for commercial use that requires regular deliveries

14.68 Policy 8 of the NP promotes the improved position for cycling throughout the Area and encourages cycling. The policy sets out that this will be achieved, where appropriate, by:

- i. Contributions to the improvement of existing bicycle lanes and paths
- ii. Contributions to the provision of safe and well designated cycle routes, especially on the main roads through the neighbourhood area as well as on the Main Roads on the boundary of the neighbourhood area
- iii. Contributions to the provision of new bicycle lanes and paths
- iv. Contributions to the provision of new bicycle stands in all parts of the neighbourhood area and particularly in town and neighbourhood centres
- v. The provision of appropriate bicycle storage in residential and commercial

development.

14.69 NP Policy 9 seeks to improve pedestrian access in the neighbourhood area, by ensuring that developments take into account the following:

- Provide safe and wide pavements, giving the maximum possible space to pedestrians
- Is set well back from the pavement, where appropriate, with the aim of giving additional pavement space
- Improves accessibility for disabled people and those with push chairs
- Contributes to improved and safer pedestrian crossings
- Increases the amount of space for pedestrians around public transport facilities
- Improves the existing network of paths in the neighbourhood area
- Contributes to the provision of new paths and, where viable, new crossings over the railway lines.

Policy Assessment

14.70 The S73 Application amendments seek to ensure the Detailed Element continues to deliver the sustainable transport principles established in the Approved Masterplan.

14.71 The Approved Masterplan included a single wide (minimum 4.0m) east-west walking and secondary cycling route through the public realm to the south of the Detailed Element Plots. The amendments to the Detailed Element propose two east-west routes, the wider of the two routes is a minimum of 3.5m throughout. Consistent with the Approved Masterplan, this is intended to form a secondary east-west cycle route through the Site (with Blackburn Road continuing to form the primary cycle route). The two cycle routes are designed to be 'meandering' in order to encourage slow and considerate cycling whilst sharing the space with pedestrians.

14.72 The full Masterplan is forecast to generate up to around 225 cycling trips in peak hours, the vast majority of which are expected to use Blackburn Road as the primary cycle route. Based on this, it is likely that there would be substantially less than 300 cyclists an hour using the secondary east-west cycle route, therefore the proposed width of the secondary cycle route is suitable for a shared route.

**e) Delivery, Servicing and Waste**

14.73 London Plan Policy SI 7 seeks to achieve resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal.

14.74 Policy SI 7 clarifies that referable applications should promote circular economy outcomes and aim to be net zero-waste. As such, a Circular Economy Statement should be submitted.

14.75 London Plan Policy T7 sets out that development proposals should facilitate sustainable freight movement by rail, waterways and road. Development proposals should facilitate safe, clean and efficient deliveries and servicing. The provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible.

14.76 As required in London Plan Policy T7, Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

14.77 Camden Local Plan Policy CC5 seeks to make Camden a low waste borough. The Council will aim to reduce the amount of waste produced in the borough and increase recycling and the reuse of materials to meet the London Plan targets of 50% of household waste recycled/composted by 2020 and aspiring to achieve 60% by 2031.

14.78 Policy CC5 will also ensure that developments include facilities for the storage and collection of waste and recycling.

14.79 Camden Local Plan Policy T4 outlines that developments of over 2,500sqm are likely to generate significant movement of goods or materials by road (both during construction and operation) will be expected to minimise the impact of freight movement via road by prioritising use of the Transport for London Road Network or other major roads, accommodate goods vehicles on site and provide Construction Management Plans, Delivery and Servicing Management Plans and Transport Assessments where appropriate.

14.80 LBC draft new Local Plan Policy T6 B advises that where developments are likely to generate significant movement of goods, services or materials by road (both during construction and operation), applicants will be expected to minimise the impact of freight via road by prioritising use of the Transport for London Road Network or other major roads, accommodate goods vehicles on site and provide Construction Management Plans, Delivery and Servicing.

Policy Assessment

14.81 The delivery and servicing strategy remains the same as the Approved Masterplan for the Detailed Element. In summary, the strategy includes the following:

- A loading bay is provided on the Neighbourhood Lane. The loading bay is adjacent to a shared concierge facility, which will include a parcel storage area.
- Kerbside loading opportunities are also present on Blackburn Road close to the entrances to Plot N4 and N5.
- A move-in / move-out space is provided in the car park within Plot N5, for use by vans assisting with longer duration move-in / move-out activities.
- Parcel lockers are proposed to be provided within the Plot N4 entrance lobbies.

14.82	Details of waste proposals including management and collection arrangements are covered in the Waste Management Plan Addendum prepared by Arup which has been submitted in support of the S73 Application. The commercial waste generation and storage requirements have been calculated in accordance with the approach taken in the Approved Masterplan.
14.83	The Approved Masterplan Detailed Element had two retail units in Plot N3E, three commercial areas in Plot N4, and five retail units in Plot N5. The amendments to the Detailed Element result in one retail unit in Plot N3E, four commercial areas in Plot N4 and four retail units in Plot N5. A commercial waste room will be provided in Plot N3E for use by N3E and N4, and a commercial waste room will be provided in Plot N5.
14.84	As per the Approved Masterplan, commercial tenants will have space within their unit to store waste during the day and will be responsible for arranging the transfer of this waste to the dedicated waste rooms.
14.85	The Approved Masterplan Detailed Element had commercial waste being collected from Blackburn Road. Whilst this remains the same for the Plot N3E waste room, the Plot N5 commercial waste room is located off the Neighbourhood Lane and it is now practicable for the commercial refuse collector to collect from the Neighbourhood Lane.
14.86	The other parameters and assumptions included in the original WMP (2022) and subsequent WMPs, such as collection hours and strategies for missed collections, remain unchanged. There are no changes to commercial waste disposal in the revised S73 Application proposals.
14.87	The residential waste generation and storage requirements have been calculated in accordance with the approach taken in the Approved Masterplan.
14.88	The locations of the residual waste rooms at ground floor have been amended to reflect changes to the internal layouts.

14.89	The Approved Masterplan provided residential waste rooms in building cores of Blocks N3E, N4-A, N4-B, N4-D, N5-A, N5-B, N5-C, and were sized to hold seven days' worth of waste. Interim waste rooms sized to hold three-days' worth of waste were provided in Blocks N4-B and N5-D, with seven days' worth of waste of N4-B and N5-D to be added to N4-D and N5-A respectively.
14.90	The previous strategy involved residents in N4-B and N5-D taking waste directly from the waste storage in their home to an interim waste room in their core, sized to hold three-days' waste. The onsite management team were then to regularly move waste from these interim waste rooms to the larger waste rooms in N4-D and N5-A respectively which were sized to hold seven-days' waste. Empty bins were then to be returned by the management team from the secondary waste room to interim waste room.
14.91	Due to the revised ground floor layouts, it is no longer necessary to provide an interim waste room in Block N4-B, improving the management and maintenance solution; the residents still have access to a waste room which is close to their lift / stair cores. This removed the need to provide duplicated waste storage and is considered an improvement to the approach as it eliminates the need for double handling of waste (i.e. tenant from unit to interim waste room, followed by management contractor from interim waste room to secondary waste room).
14.92	An interim (three-day) waste room is still provided in N5-D, with waste moved to N5-A by the management team using the strategy described above.
14.93	In summary, there are now residential waste rooms in the cores of Blocks N3E, N4-A and N4-B (shared), N4-C, N5-A and N5-C (shared), N5-B and N5-D (shared) plus the additional three-day interim waste room in Block N5-D.
14.94	The revised residential waste collection strategy will have the waste from N3-E and N4-A collected from Blackburn Road and waste from N4-C, N5-A and N5-B collected from the Neighbourhood Lane. Consistent with the Approved Masterplan, residential waste will be collected weekly by Camden-Veolia.

14.95 A Circular Economy Statement Addendum prepared by Buro Happold also accompanies the application and sets out how the Proposed Amendments promote circular economy principles.

14.96 The amendments to the Detailed Element in terms of delivery, servicing and waste are largely consistent with the Approved Masterplan and are acceptable in policy terms.

**f) Construction**

14.97 London Plan Policy T7 states that Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

14.98 Policy T7 Part K sets out that during the construction phase of development, inclusive and safe access for people walking or cycling should be prioritised and maintained at all times.

14.99 Camden Local Plan Policy T4 outlines that developments of over 2,500sqm are likely to generate significant movement of goods or materials by road (both during construction and operation) will be expected to minimise the impact of freight movement via road by prioritising use of the Transport for London Road Network or other major roads, accommodate goods vehicles on site and provide Construction Management Plans, Delivery and Servicing Management Plans and Transport Assessments where appropriate.

Policy Assessment

14.100 The Proposed Amendments do not affect the construction principles established in the Approved Masterplan.

**Summary**

14.101 The Proposed Amendments are consistent with the principles established in the Approved Masterplan. Overall, it can be concluded that the Proposed Amendments continue to deliver a sustainable scheme which supports the Healthy Streets Approach, Mayor's Transport Strategy, and London Plan. Furthermore, the Proposed Amendments would not have adverse impacts on capacities or the safe operation of the surrounding transport networks.

14.102 The Proposed Amendments are compliant with current national, regional and local planning policy and transport policy and guidance.

## 15. Other Technical Considerations

15.1 This section of the Town Planning Statement Addendum sets out the policy associated with other technical considerations and provides an assessment for each. The following topics are covered in this chapter:

- a) Basements
- b) Noise and vibration
- c) Flooding, drainage and SUDS
- d) Fire
- e) Ground Conditions and Land Contamination
- f) Ecology and Biodiversity
- g) Wind Microclimate
- h) Air Quality

### **Basements**

15.2 Camden Local Plan Policy A5 states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a) neighbouring properties;
- b) the structural, ground, or water conditions of the area;
- c) the character and amenity of the area;
- d) the architectural character of the building; and
- e) the significance of heritage assets.

15.3 Camden Basements CPG gives detailed guidance with respect to new basement development, specifically their siting, location, scale and design.

15.4	The CPG advises that the Council strongly encourages applicants to use the Council's Basement Impact Assessment ('BIA') proforma to ensure that all aspects of potential impact are addressed.
<u>Policy Assessment</u>	
15.5	A Basement Impact Assessment Addendum, prepared by Pell Frischmann has been submitted in support of this S73 Application. The addendum specifically addresses revisions to the proposed basement configurations within the Detailed Element Plots N3-E, N4 and N5. All other aspects and conclusions of the Approved Basement Impact Assessment remain valid and continue to support the Approved Masterplan.
15.6	The revised basement layouts for the Detailed Element plots include an increase in basement depth for Plots N4 and N5 from 2m to 2.5m below ground level, and a reduction for Plot N3E from 6m to 3.5m below ground level. The BIA Addendum confirms that the amendments remain compliant with the Camden Planning Guidance and local planning policies.
15.7	The assessment confirms that the design modifications will not result in significant adverse impacts on groundwater conditions, land stability, or the structural integrity of surrounding infrastructure. The maximum excavation depth evaluated as part of the Detailed Element plots in the BIA was 6m below ground level. The updated proposal now includes a reduced maximum excavation depth of 3.5m below ground level. Given this reduction and the previously assessed negligible impact, the conclusions presented in the BIA remain unchanged and the basement proposals accord with Camden Local Plan Policy A5.
<b>Noise and Vibration</b>	
15.8	The NPPF contains guidance on noise management in planning decisions. Paragraph 198 of the NPPF requires planning decisions to ensure that new development is

appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development, including noise.

15.9 London Plan Policy D14 places the responsibility for mitigating impacts from existing noise on the proposed new development. New noise and nuisance-generating development proposed close to noise sensitive uses should put measures in place to mitigate and manage any noise impacts.

15.10 Policy A4 of Camden's Local Plan is clear that the Council will seek to ensure that noise is controlled and managed, and that development should have regard to LBC's Noise and Vibration Thresholds.

15.11 Policy A5 of the Local Plan outlines that planning permission for noise generating development will only be granted if it can be operated without causing harm to amenity. The Council will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.

15.12 LBC draft new Local Plan Policy A4 (Noise and Vibration) states that the Council will seek to ensure that noise and vibration is controlled and managed to avoid significant adverse impact on health and quality of life. In assessing applications, the Council will have regard to the noise and vibration thresholds set by LBC, and other relevant national and regional policy and guidance and British Standards.

#### Policy Assessment

15.13 With regards to noise and vibration, this is covered within the ES Addendum that accompanies the S73 Application. The ES Chapter 6.1 considers the potential changes to noise and vibration impacts and effects that may arise at the relevant receptors from the S73 Application amendments. The ES Addendum concludes that the proposed scheme changes do not alter the conclusions of the assessment presented in the 2022

ES. Please refer to Chapter 6.1 of the ES Addendum for further information.

**Flooding, Drainage and SUDs**

15.14 The NPPF identifies that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

15.15 At a national level, paragraph 182 of the NPPF specifies that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.

15.16 At a local level, Camden Local Plan Policy CC2 advises that all development should adopt appropriate climate change adaptation measures, including not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems.

15.17 Camden Local Plan Policy CC3 seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible.

15.18 The Water and Flooding CPG (2019) states that the Council expects all developments, whether new or existing buildings, to be designed to be water efficient by minimising water use and maximising the re-use of water.

15.19 Emerging draft Local Plan Policy CC11 sets out that the Council will seek to ensure that development addresses and reduces flood risk to mitigate the impact of flooding on Camden's communities. The Council will require site specific flood risk assessments to be submitted for all sites of 1 hectare or greater.

15.20 Emerging draft Local Plan Policy CC12 seeks to control water run-off from development to reduce the risk of flooding. The Council will require all development to include

sustainable drainage methods to be documented within a Drainage Report if required and requires all major development to reduce surface water run off rates to greenfield run-off rates.

Policy Assessment

15.21 A Flood Risk Assessment Addendum prepared by Pell Frischmann has been submitted with this S73 Application.

15.22 The FRA Addendum confirms that the amendments to the Detailed Element do not include any material changes in relation to the consideration of flood risk and as such all sources of flood risk have been considered in line with the approved Flood Risk Assessment, with the overall risk remaining low.

15.23 A Drainage Statement Addendum prepared by Pell Frischmann is also submitted in relation to the amendments. There have been no material amendments to the drainage strategy since the Approved Masterplan scheme. The strategy has been updated to reflect changes to the landscaping proposals however the principles of the approved strategy remain the same. A summary of the proposed drainage strategy is provided below, which highlights the approved strategy remains unaffected by the proposed S73 Application:

- The location of surface water discharge remains as per the approved strategy, in that the existing connection to the public sewer network will be used for the surface water discharge.
- Discharge from the whole Site will be restricted to an equivalent greenfield rate, as per the Approved Masterplan.
- Surface water storage will be provided on Site through cellular storage tanks, brown roofs, green roofs, permeable paving, swales and ponds in accordance with the approved design.
- Both the Approved Masterplan and S73 Application amendments present a significant

improvement in surface water runoff rate in comparison to the existing arrangement.

15.24 The amendments do not result in any changes to the approved drainage strategy and are consistent with the objectives of the NPPF, regional and local planning policy.

### **Fire Safety**

15.25 Policy D12 of the London Plan requires that developments proposals must achieve the highest standards of fire safety. Part B of Policy D12, states that all major development proposals should be submitted with a Fire Statement produced by a third party suitable qualified assessor.

15.26 Part B (5) of the London Plan Policy D5 requires that for all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

### Policy Assessment

15.27 A Fire Statement has been prepared by Jensen Hughes to support this S73 Application and relates specifically to the amendments to the Detailed Element. The Fire Statement reflects changes to regulations, standards and emerging best practice since the grant of planning permission for the Approved Masterplan.

15.28 The Fire Statement for the Outline Elements will be reviewed and updated at the time of reserved matters application submission.

15.29 The Fire Statement demonstrates that the amendments have considered fire safety at the earliest stage. The Fire Statement will form part of the Building Regulations Application and will continue to be used to ensure the buildings meet the requirements of the fire strategy.

### **Ground Conditions and Land Contamination**

15.30 Policy A1 of the Camden Local Plan stipulates that the Council will seek to protect the quality of life of occupiers and neighbours. The factors the Council will consider include [inter alia] contaminated land.

#### Policy Assessment

15.31 With regards to ground conditions and land contamination, this is covered within ES Addendum that accompanies the S73 Application. The ES Chapter 6.5 considers the potential changes to ground conditions and contamination that may arise from the proposed amendments. The ES Addendum concludes that the amendments will not alter the conclusions of the assessment presented in the 2022 ES. Please refer to Chapter 6.5 of the ES Addendum for further information.

### **Ecology and Biodiversity**

15.32 London Plan Policy G6 sets out the expectation that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. It is stated that this should be informed by the best available ecological information and addressed from the start of the development process.

15.33 Policy A3 of the Camden Local Plan outlines that the Council will protect and enhance sites of nature conservation and biodiversity. The Council will grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species.

15.34 Additionally, Local Plan Policy A3 states the Council will assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development,

proportionate to the scale of development proposed.

15.35 Camden published a Biodiversity CPG in March 2018 which sets out that development proposals must demonstrate how biodiversity considerations have been incorporated into the development, how the five point mitigation hierarchy has been addressed and what positive measures for enhancing biodiversity are planned.

15.36 LBC draft new Local Plan Policy SC3 aims to protect, enhance and improve access to Camden's high-quality public open spaces, to promote health and well-being, enhance biodiversity and make space for nature within Camden.

#### Policy Assessment

15.37 With regards to ecology and biodiversity, this is covered within ES Addendum that accompanies the S73 Application and the Biodiversity Net Gain Assessment prepared by Pell Frishmann. ES Chapter 6.9 considers the ecological effects that may arise as a result of the proposed amendments. The ES Addendum sets out that since the Approved Masterplan was granted planning permission, there have been changes to relevant policy frameworks and assessment methodologies, most notably the adoption of the mandatory Biodiversity Net Gain (BNG) and the release of the Statutory Biodiversity Metric tool. However, as this is a S73 Application to an Approved Masterplan which pre-dates the statutory BNG requirement, BNG does not apply.

15.38 The Approved Masterplan Preliminary Ecological Appraisal remains current and applicable. Given the urban context of the Site, which is predominantly a car park, the baseline ecological conditions are unlikely to have changed. Overall, the amendments do not materially alter the ecological assessment findings presented in the 2022 ES.

15.39 An updated BNG Assessment has also been prepared by Pell Frischmann and submitted to support this S73 application. Using the landscape plans prepared by Townshend Architects for the Detailed Element, and the landscape plans prepared by East Architects

for the Approved Masterplan for Outline Elements, the BNG calculations indicate that the S73 Application amendments are likely to continue to result in a net gain in habitat units. The BNG calculations demonstrate that accounting for the amendments to the Detailed Element, the O2 Masterplan (both Detailed and Outline Elements) will generate a 282.17% BNG within the Site (compared within >165% BNG for the Approved Masterplan). This is achieved by the conversion of a predominantly hardstanding Site to a well landscaped residential development.

15.40 Accordingly, the ecological proposals and BNG of the scheme is considered to accord with relevant planning policies.

### **Wind Microclimate**

15.41 Policy D8 of the London Plan sets out that development proposals should ensure buildings are of a design that activates and defines the public realm and provides natural surveillance. Consideration should also be given to the local microclimate created by buildings.

15.42 Local Plan Policy A1 'Managing the impact of development' states that the Council will seek to protect the quality of life of occupiers and neighbours. Microclimate is listed as a consideration taken into account in assessing the impacts from the development on amenity.

15.43 The Amenity CPG seeks new developments to consider the local wind environment, local temperature, overshadowing and glare, both on and off the site.

### Policy Assessment

15.44 With regards to wind, this is covered within ES Addendum that accompanies the S73 Application. ES Chapter 6.8 considers the key changes in relation to the Approved Masterplan and identifies any changes to the findings and conclusions associated with Chapter 13 (Wind) of the 2022 ES.

15.45	An updated Wind Microclimate Assessment was undertaken for the Site using Computational Fluid Dynamic (CFD) modelling of the existing Site and the Proposed Development (Outline and Detailed Elements) accounting for the S73 Application amendments.
15.46	The conclusions from the Wind Microclimate Assessment in the ES Addendum are mostly in agreement with the findings in Chapter 13 of the 2022 ES.
15.47	The assessment found generally comfortable wind conditions for pedestrian activities are expected on the Site with the S73 Application amendments.
15.48	A moderate adverse effect was identified at the eastern entrances of Plot N3E and suitable mitigation has been incorporated in the proposed landscaping strategy to enhance the wind conditions at this location to meet the intended use category.
15.49	A major adverse effect was identified on several balconies of Plot N4 and Plot N5 of the Detailed Element. Solid balustrades have been integrated into these balconies. These updated balustrades are effective at mitigating this adverse effect.
15.50	No safety or comfort concerns were found on the podiums and roof terraces of Plots N4 and N5.
15.51	With the suggested mitigation in place in the Detailed Element and the design of the Outline Elements to be reviewed at the reserved matters submission stage, it is expected that no significant cumulative effects were identified and the areas in and around the Site will be suitable for their intended use.
<b>Air Quality</b>	
15.52	London Plan Policy SI 2 'Minimising greenhouse gas emissions' requires major developments to be net zero-carbon, through reducing greenhouse gas emissions during operation through being lean, clean and green. Major proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met.

- 15.53 London Plan Policy SI 1 states that masterplans and development briefs for large scale development proposals subject to an EIA should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. To achieve this a statement should be submitted demonstrating how the proposals have considered ways to maximise benefits to local air quality and what measures or design features will be put in place to reduce exposure to pollution and how they will achieve this.
- 15.54 The GLA Housing SPG Standard 33 requires development to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality: be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)).
- 15.55 At a local level, Local Plan Policy CC4 requires development to provide air quality assessments where the proposed scheme is likely to expose residents to high levels of air pollution.
- 15.56 The Air Quality CPG was published by LBC in January 2021 and states that Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). As such, all developments are to limit their impact on local air quality. An Air Quality Assessment is required to support any scheme which proposes uses susceptible to poor air quality, such as housing.
- 15.57 The Air Quality CPG prepared by LBC outlines that the Council's overarching aim is for new development to be 'air quality neutral', not lead to further deterioration of existing poor air quality and, where possible, to improve local air quality ('air quality positive'). The demolition and construction phases of development on air quality must be taken into account as part of planning applications. Mitigation and offsetting measures to deal with any negative air quality impacts associated with development must be implemented.
- 15.58 LBC draft new Local Plan Policy A3 requires all major development to submit an Air Quality Assessment. Further, Part iii of Policy A3 requires all development to use design solutions to reduce exposure to existing poor air quality and address local problems of air

pollution.

Policy Assessment

15.59 With regards to air quality, this is covered within ES Addendum that accompanies the S73 Application. The ES Chapter 6.2 considers the potential changes to air quality impacts and effects that may arise at the relevant receptors from the amendments proposed to the Approved Masterplan. The ES Addendum concludes that the proposed scheme changes do not alter the conclusions of the assessment presented in the 2022 ES and it is considered that there are no material constraints to the S73 Application as a result of air quality. Please refer to Chapter 6.2 of the ES Addendum for further information.

## 16. Planning Obligations and Community Infrastructure Levy

- 16.1 Under Section 106 of the Town and Country Planning Act 1990, Local Planning Authorities may enter into planning obligations with any person with an interest in land for the purpose of restricting or regulating the development or use of the land.
- 16.2 In accordance with Regulations 122 of the Community Infrastructure Levy Regulations 2010, the law states that a planning obligation may only constitute a reason to grant planning permission where it meets all of the following tests. The legal position is reinforced by paragraph 204 of the NPPF, which says that a planning obligation should only be sought where it is:
- a) Necessary to make the proposed development acceptable in planning terms;
  - b) Directly related to the proposed development; and
  - c) Fairly and reasonably related in scale and kind to the development.
- 16.3 Paragraph 56 of the NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 16.4 Paragraph 57 of the NPPF sets out that planning obligations should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It goes on to state that agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is clear justification.
- 16.5 Policy DF1 of the London Plan 'Delivery of the Plan and Planning Obligations' states that when setting planning obligations in Local Development Plan Documents, and in situations where it has been demonstrated that planning obligations cannot viably be supported by a specific development, applicants and decision-makers should first apply priority to affordable housing and necessary public transport improvements, and

following this, health and infrastructure, affordable workspace, culture and leisure facilities, in delivering good growth.

16.6 The use of planning obligations is specifically required through Local Plan Policy DM1 'Delivering and Monitoring' although a range of individual development policies may be used to justify an obligation.

16.7 Local Plan Policy DM1 states that the Council will use planning obligations, and other suitable mechanisms, where appropriate, to support sustainable development; secure any necessary and related infrastructure, facilities and services to meet the needs generated by development; and to mitigate the impact of development.

16.8 Emerging draft Local Plan Policy DM1 states that the Council will use CIL, planning contributions and legal agreements where appropriate to:

- a. support healthy and sustainable development;
- b. secure the infrastructure, facilities and services to meet the needs generated by the development;
- c. mitigate the impact of development.

16.9 Emerging draft Local Plan Policy DM1 will also require applications that amend a consent to comply with all development plan policies, and where appropriate, secure the delivery of additional requirements using planning obligations.

### **Community Infrastructure Levy (CIL)**

16.10 Since 2012, all developments in London which result in the addition of over 100sqm GIA floorspace (with some exceptions including affordable housing) have been eligible to pay Mayoral CIL. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and supersedes MCIL1 and the associated Crossrail Funding SPG. The relevant MCIL2 rates are as follows:

- All Development (excluding health and education) - £80 per sqm

16.11 Alongside the Mayoral CIL, the Camden CIL came into effect on 1 October 2020. The CIL tariff for sites located within Zone B (within which the location of the Site) are charged at the following rates:

- Residential of 10 or more dwellings (or above 1000sqm) - £332
- Retail (including bar/restaurant/entertainment and other town centre uses) - £32
- Office - £32
- Health, education, community meeting spaces etc. - £0
- Industry, warehousing, research and development - £0
- Other commercial uses - £32

16.12 Policy 19 of the Fortune Green & West Hampstead Neighbourhood Plan provides a list of priorities where CIL monies collected should be directed at locally. The Priorities are split into three bands:

1. Category A – Most urgent;
2. Category B – Should be provided; and
3. Category C – Also needed,

#### **Developer Contributions CPG (March 2019)**

16.13 The CPG sets out how the Council will use Section 106 Contributions and CIL to fund infrastructure in the Borough. It states that planning obligations may be sought in respect of affordable housing, open space, and infrastructure to address the site specific and related impacts of development which may include financial, and non-financial contributions. Detailed guidance for calculating specific financial obligations is set out within the relevant CPGs.

**S106 Agreement**

16.14 Following the signing of the Section 106 Agreement dated 20 December 2023 in relation to the Approved Masterplan, the Applicant anticipates entering into an updated legal agreement with LBC to secure the reasonable and necessary planning obligations associated with the proposals forming part of this S73 Application in accordance with Regulation 122 of the CIL Regulations and LBC's Developer Contributions CPG.

16.15 The Applicant is in discussions with LBC to agree the amendments required to the Section 106 Agreement to reflect the S73 Application proposals.

## 17. Summary and Conclusions

- 17.1 This Town Planning Statement Addendum (the “Addendum Statement”) has been prepared by Newmark on behalf of LS (Finchley Road) Limited (the “Applicant”), to support an application pursuant to Section 73 (“S73”) of the Town and Country Planning Act 1990 (as amended) (the “TCPA”) to amend planning permission ref. 2022/0528/P (the “Approved Masterplan”), in respect of the O2 Masterplan Site (“the Site”) within the London Borough of Camden (“LBC”).
- 17.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. This Addendum Statement has assessed the Proposed Amendments against the development plan and other relevant planning policy and guidance at national, regional and local policy level.
- 17.3 This Addendum Statement has provided a comprehensive review and analysis of national, regional, local, neighbourhood and emerging planning policy and guidance which applies to the Proposed Amendments. It sets out the planning case for the S73 Application amendments, having full regard to Development Plan policies and other material considerations and should be read in conjunction with the other supporting documents submitted in support of the S73 Application and the Approved Masterplan documents.
- 17.4 The Proposed Amendments are in accordance with the Statutory Development Plan, when read as a whole and on this basis planning permission should be granted without delay.
- 17.5 The S73 Application amendments include an update to the severable plots plan which shows an area relating to Plot S8 will remain severable. While it remains the applicants’ firm intention to deliver all plots in accordance with the approved parameter plans through submission of reserved matters pursuant to the Approved Masterplan (and that this will maximise the public benefits arising from the O2 Masterplan

development)), it is recognised that there are existing planning permissions relating this area of land which are capable of being brought forward. Assessment of the implications of the updated area of severability have been included in the materials submitted with the S73 Application and conclude no materially different adverse effects should this area of land being severed and the development under those existing consents comes forward.

17.6 The Proposed Amendments have been subject to extensive consultation up to the submission of this Application in January 2025<sup>1</sup>. The feedback received and the evolution of the proposals in response to the consultation is set out in this document, in the DAS Addendum prepared by GRID and in the Statement of Community Involvement prepared by SOCO.

17.7 The amendments proposed as part of the S73 Application refine and enhance the Approved Masterplan and assist with the commercial delivery of the Detailed Element, whilst also addressing fire safety issues.

17.8 The S73 Application will deliver the following additional public benefits, over and above the Approved Masterplan:

- Early delivery of 43 additional residential homes, which includes 20 affordable homes;
- A more prominently located and increased scale (+46sqm GIA) two storey community centre, within the heart of the Linear Park;
- Removal of Block N4D creating additional space and greater separation between the residential blocks, improving outlook and daylight for a significant number of the residential units, particularly the affordable homes;
- Enhanced landscape strategy providing approximately 300sqm of additional public open space and 5m increased width of the Linear Park;
- Approximately 400sqm of additional play space; and

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<sup>1</sup> See Chapter 5 of this Addendum Statement.

- An uplift in BNG to 268% (from >165%) across the Site (both Outline and Detailed Elements).

17.9 The S73 Application amendments are considered to accord with national, regional and local policy objectives, as well as the principles of the Approved Masterplan. Overall, the proposals will help to deliver a sustainable, mixed-use and balanced community, and should therefore be supported.

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APPENDIX A



APPENDIX B

O2 Masterplan Site, Finchley Road  
Planning History

LPA Reference	Address	Date Validated	Description of Development	Decision	Decision Date
2024/3534/P	The O2 Centre	28-08-2024	Reconfiguration of existing car park to provide a bus turning circle, landscaping works, and associated external works for a period of ten years (from 01/10/2024 to 01/10/2034).	Pending	N/A
2024/2863/P	The O2 Centre	17-07-2024	Installation of temporary substation and associated external works for a period of five years.	Granted	09-09-2024
2024/0727/P	The O2 Centre	04-03-2024	Details required by condition RM6 (Phasing Plan) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8).	Granted	30-05-24
2024/0665/P	The O2 Centre	04-03-2024	Details required by condition M16 (Basement Engineer) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8).	Granted	30-05-24
2024/0664/P	The O2 Centre	04-03-2024	Details required by condition M22 (Network Rail) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8), specifically relating to demolition phase only on plots N3E, N4, and N5.	Granted	04-07-2024
2024/0663/P	The O2 Centre	04-03-2024	Details required by part (a) of condition M21 (London Underground) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8), specifically relating to demolition associated with plots N3E, N4, and N5.	Granted	04-07-2024
2024/0662/P	The O2 Centre	04-03-2024	Details required by parts A and B of condition M26 (Land Contamination	Granted	08-10-2024

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			Risk Assessment) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8).		
2024/0661/P	The O2 Centre	04-03-2024	Details required by condition M19 (Air Quality Dust Monitoring) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8), specifically relating to demolition associated with plots N3E, N4, and N5.	Granted	04-07-2024
2022/2353/P	The O2 Centre	23-06-2022	Installation of 5 x printed artwork vinyl wraps to external columns, installation of 1 x noticeboard containing associated printed artwork, installation of wrapping to external planters, the installation of a painted forecourt surface and associated works	Granted	25-07-2022
2022/0528/P	The O2 Centre	16-02-2022	Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any	Granted Subject to a Section 106 Legal Agreement	20-12-2023

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			decision notice issued pursuant to the application would reflect that.		
2021/2770/P	The O2 Centre	08/06/2021	Request for scoping opinion under Paragraph 4, Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development involving delivering a significant number of homes to help meet the current housing shortfall in LBC as well as new commercial uses that will create local jobs.	Pending	
2020/1953/P	O2 Centre	22/04/2020	Use of premises for takeaway use (Class A5) for the duration of the deemed consent given under The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2020.	Notified	10/06/2020
2019/0684/P	Unit 8D, The O2 Centre	23/04/2019	Change of Use from A3 (restaurant) to a flexible A3/D2 (gym/spa) use.	Pending	
2018/1489/P	Unit 7c Level 2 The O2 Centre	25/04/2018	Change of use from A3 (restaurant) to D2 (gym) use.	Granted	24/05/2018
2016/6769/P	The O2 Centre	12/01/2017	Replacement of first floor 9no glazing panel window with new structural glazing window to commercial centre.	Granted	03/03/2017
2016/3536/P	The O2 Centre	29/06/2016	Replacement of the first floor glazing screen with a frameless structural glazing screen on Finchley Road elevation.	Withdrawn	
2015/4880/P	Starbucks rear of The O2 Centre	26/08/2015	Erection of glass barrier to surround external seating area and 2no. new umbrellas.	Granted	23/10/2015
2014/4396/P	Homebase Ltd	04/08/2014	Extension to first floor mezzanine for retail use and installation of two external fire exit doors.	Withdrawn	
2013/0932/P	The O2 Centre	02/04/2013	Details pursuant to condition 3 (sample material) of planning permission dated 23/10/2012 (ref:2012/1333/P) for alterations to front facade and extension to provide additional retail and restaurant floorspace.	Granted	09/05/2013

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2012/4271/P	Unit 4c The O2 Centre	17/08/2012	Non-material amendment to planning permission granted 28/01/11 (Ref: 2010/6578/P) for the installation of a new shop front to public house (Class A4), namely to replace glazed entrance on north elevation with full-height window and amend full height glazing to retain brick/stone banding detail at ground floor level.	Granted	30/08/2012
2012/4143/P	Unit 4c The O2 Centre	16/08/2012	Application to vary condition 2 (the development in accordance with approved plans) of planning permission dated 28/01/2011(Ref 2010/6578/P) for the installation of a new shop front to public house (Class A4). Amendment seeks to provide sliding doors at the front of the unit.	Granted	04/10/2012
2012/2763/P	The O2 Centre	30/05/2012	Amendment to planning permission granted on 31/01/2011 ((ref: 2010/6573/P) for the alterations to front elevation to include new double swing entrance doors at ground floor level to replace existing, realignment of external wall at ground and first floor level and new glass frame at first floor level above entrance doors and creation of door entrance for proposed lobby with new frameless glass at ground floor level) comprising the inserting of a shop window into the flank elevation of the front entrance in relation to Unit 3.	Granted	22/06/2012
2012/1531/P	The O2 Centre	22/03/2012	Alterations to front facade, including relocation of entrance lobby with level access, widening of fire escape stairs to Unit 3, re-alignment of external side wall leading to main entrance, and new entrance doors with level access to Unit 3 in relation to planning permission dated 31/1/2011 (ref. 2010/6573/P) for alterations to front elevation.	Granted	18/04/2012
2012/1334/P	The O2 Centre	14/03/2012	Alterations to front facade including installation of glazed entrance lobby and doors at ground floor level to shopping centre.	Granted	30/04/2012
2012/1333/P	The O2 Centre	14/03/2012	Alterations to front facade including infill extension beneath existing front roof canopy at ground and first floor levels to provide additional retail (class A1) and restaurant (Class A3)	Granted	23/10/2012

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			floorspace and creation of terrace at first floor level.		
2011/2641/P	The O2 Centre	16/06/2011	Retention of four ticket machines and associated shelter within car park of O2 Centre.	Granted	14/07/2011
2011/1169/P	The O2 Centre	24/03/2011	Alterations and infill extension beneath existing front roof canopy at ground and first floor levels to provide additional retail (Class A1) and restaurant (Class C3) floorspace, including the creation of first floor terrace area, and replacement and realignment of existing front facade with new glazed facade.	Withdrawn	
2010/6586/P	The O2 Centre	06/12/2010	Creation of restaurant (Class A3) by extending first floor over central atrium within the existing shopping mall (O2 Centre).	Granted	03/05/2011
2010/6578/P	Unit 4C The O2 Centre	06/12/2010	Installation of a new shop front to public house (Class A4).	Granted	28/01/2011
2010/6573/P	The O2 Centre	07/12/2010	Alterations to front elevation to include new double swing entrance doors at ground floor level to replace existing, realignment of external wall at ground and first floor level and new glass frame at first floor level above entrance doors and creation of door entrance for proposed lobby with new frameless glass at ground floor level.	Granted	2010/6573/P
2009/4698/P	Unit 2 O2 Centre	19/01/2010	Partial change of use from gym (Class D2) to Retail Shop (Class A1)	Granted	19/01/2010
2007/4847/P	The O2 Centre	24/10/2007	Installation of a new management suite mezzanine (Class B1)	Granted	06/12/2007
2007/4320/P	The O2 Centre	17/09/2007	Installation of mezzanine floor above Unit 3 for retail use (Class A1) within the O2 Centre.	Granted	21/12/2007

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2007/1386/P	The O2 Centre	30/04/2007	The erection of a mezzanine floor above part of the void created by the central atrium at first floor level, for use as a restaurant (Class A3)	Granted	15/06/2007
2007/1379/P	The O2 Centre	27/03/2007	Installation of a juice bar to the central atrium of the O2 Centre	Granted	11/05/2007
2007/1388/P	The O2 Centre	27/03/2007	Minor increase to Class A3 floorspace within the O2 Centre with the installation of a coffee shop to central atrium.	Granted	11/05/2007
2007/0239/P	231 Finchley Road	30/01/2007	Installation of a new shopfront.	Granted	01/03/2007
2006/1610/P	Unit 4, 4A, 4B, Level 1 The O2 Centre	26/04/2006	Creation of a new mezzanine floor plus a ground floor extension into the mall to provide additional Class A1 retail space, in association with the change of use of the ground floor from a restaurant (Class A3) to retail (Class A1) unit, together with alterations to the shopfronts facing Finchley Road	Granted	27/06/2006
2005/3702/P	279 Finchley Road	25/10/2005	Erection of a single storey car valet building on west rear side of car showroom and servicing dealership.	Granted	25/10/2005
2004/0246/P	The O2 Centre	28/01/2004	The construction of a mezzanine floor within unit 3 for dual Class A1/A3 use and insertion of entrance doorway to unit 3 on the Finchley Road elevation.	Granted	06/07/2004
2004/5103/P	277 Finchley Road	28/04/2005	Alterations to existing perimeter fence facing service road to create an opening and gate for refuse removal.	Granted	14/06/2005
2004/0246/P	The O2 Centre	28/01/2004	The construction of a mezzanine floor within unit 3 for dual Class A1/A3 use and insertion of entrance doorway to unit 3 on the Finchley Road elevation.	Granted	06/07/2004
2003/0909/P	The O2 Centre	28/07/2003	The construction of a mezzanine floor within Unit 3A, to provide an additional 52 square metres of Class A3 floorspace.	Granted	01/10/2003

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PWX0002896	The O2 Centre	02/03/2001	Erection of entrance lobby on Finchley Road elevation. As shown on drawing numbers LR1;1600/F/1,2,3 and 1600/P/003.	Granted	13/03/2001
PWX0002422	The O2 Centre	12/05/2000	Erection of additional Class A1 retail accommodation inside the Centre, in the form of 5 kiosks in the internal mall and one unit at the rear of it, As shown on drawing numbers; LR1; 1600/P/1 and 2.	Granted	04/09/2000
PW9802758	Land to R/O, 241-279 Finchley Road NW6	02/10/1998	Erection of a free standing canopy at the rear of the 'Homebase' store, as shown on drawing numbers: 1792/03, /11RB and /14RC.	Granted	14/01/1999
PW9802528R1	Unit 9, O2 Centre, 241-279 Finchley Road, NW3	15/09/1998	Provision of a mezzanine floor for use as additional restaurant floorspace, as shown on drawing numbers: L122.11/10; L122.11/02; TKP 002 D; TKP 004.	Granted	08/10/1998
PW9802301	Unit 7, Level 2, OZ Centre, 241-279 Finchley Road NW3	22/04/1998	Provision of a mezzanine floor for use as additional restaurant floorspace, as shown on drawing numbers; 9712.AN001A/AN002/EX001/L0001 /L0010.	Granted	13/08/1998
PW9802219	Land to r/o 241-279 Finchley Road	26/03/1998	Erection of a freestanding glazed canopy to the rear of the 'Homebase' store, as shown on drawing numbers: 1792/03, /11 and /14.	Granted	08/05/1998
9501238R2	Land to the rear of 241-279 Finchley Road NW3	30/04/1996	Redevelopment of land to the rear of 241-279 Finchley Road by the erection of a 3 storey development comprising a mix of retail, leisure and restaurant use and a Sainsbury's food store fronting Finchley Road, and by the erection of a non food retail store to the rear, together with the formation of a new access road and traffic light controlled junction with Finchley Road and the provision of a surface level car park for 561 cars. as shown on drawing no(s) A201J. A202J, A203J, A204J, A205, 230/04A, A302C, A301C, A401J, A402, A403, A220/A/B, 230/05A 4761/4P/H, 12073/18A, 12073/20B, A/500, A250/T, 12073/24.	Granted	13/09/1996

APPENDIX C

**O2 Masterplan – 2022/0528/P  
S73 Conditions Review**

This note summarises the anticipated amendments required to the planning conditions for the O2 masterplan site in response to the proposed Section 73 amendments.

Condition Ref	Approved Condition Wording	Proposed Condition Wording / Changes	Reason for change
I4	<p><b>“Severability” Condition – making each plot severable</b></p> <p>The development hereby permitted shall be built in accordance with the approved Plans (in relation to phase 1) and the approved Parameter Plans (in relation to the Outline phases 2 and 3) listed at Conditions AD1, AD2, and AD3, unless a further planning application specific to one or more of the severable areas shown on Drawing No: 19066 X (00) PO11 Rev. PO1 is submitted to and approved by the Council in substitution for that part of the approved development. If such further planning application is approved, the remaining severable areas may still be developed as approved in this Planning Permission, it being intended that this Planning Permission should permit each severable area separately and severably from the others.</p>	<p><b>“Severability” Condition – making <u>each plot relevant parts</u> severable</b></p> <p>The development hereby permitted shall be built in accordance with the approved Plans (in relation to phase 1) and the approved Parameter Plans (in relation to the Outline phases 2 and 3) listed at Conditions AD1, AD2, and AD3, unless a further planning <u>application permission</u> specific to <u>one or more of that part of the severable plot areas</u> shown on Drawing No: <u>4602_001-GRD-00-100L-DR-A-(00) P011 Rev. P1</u> is <u>submitted to and approved by the Council implemented</u> in substitution for that part of the approved development. If such further planning <u>application permission</u> is <u>implemented approved</u>, the <u>remainder of the development hereby approved may still be remaining severable areas may still be</u> developed as approved in this Planning Permission, it being intended that this Planning Permission should permit <u>the development of that part of the site each severable area</u> separately and severably from the <u>remainder of the site others</u>.</p>	<p>Wording of condition and drawing number to change to reflect updated approach to severability (i.e. only the land associated with the relevant part of Plot S8).</p>
AD1	<p><b>Approved drawings – Masterplan</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: 19066_X(00)_P001 P01, 19066_X(00)_P002 P01, 19066_X(00)_P003 P01, 19066_X(00)_P004 P01, 19066_X(00)_P005 P01, 19066_X(00)_P006 P01, 19066_X(00)_P007 P01, 19066_X(00)_P008 P01, 19066_X(00)_P031 P01, 19066_X(00)_P032 P01. Proposed Drawings:</p> <p>Site Wide 19066_X(00)_P100 P03, 19066_X(00)_P101 P03, 19066_X(00)_P102 P03, 19066_X(00)_P200 P03, 19066_X(00)_P301 P02.</p> <p>Documents: Revised Fire Safety Statement Rev 00 prepared by Hoare Lea Fire Engineering (dated 10 February 2023); Revised Fire Gateway One Form prepared by Leo Girling (dated 10 February 2023); Cover Letter V3 (Gerald Eve) February 2023, Town Planning Statement V1 (Gerald Eve) February 2022, Design and Access Statement V1 (AHMM) February 2022, Crime Impact Assessment V1 February 2022, DAS Addendum P03 (AHMM) February 2023, Design Codes P03 (AHMM) December 2022, Development Specification Document (GE) 14 March 2023, Health Impact Assessment V1 February 2022, Affordable Housing Assessment V1 February 2022, Affordable Housing Assessment Addendum V1 September 2022, Transport Assessment V1 (Ove Arup &amp; Partners Ltd) February 2022, Delivery and Servicing Plan V1 (Ove Arup &amp; Partners Ltd), Outline Construction Logistics Plan V1, Framework Travel Plan V1, Transport Assessment Addendum V2 (Ove Arup &amp; Partners Ltd) February 2023, Station Access Study V1 September 2022, Regeneration &amp; Town Centre Report V1 February 2022, Social Value Framework V1 February 2022, Energy Strategy V1 (Hoare Lea) February 2022, BREEAM Pre-Assessment V1 August 2022, Energy Strategy Addendum V1 (Hoare Lea) February 2023, Sustainability Strategy V2 (Buro Happold) December 2022, Whole Life Carbon Assessment V2, Flood Risk Assessment V1 February 2022, Flood Risk Addendum V1 April 2022, Drainage Strategy V10 December 2022, Surface Water Drainage Note V2 December 2022, Arboricultural Impact Assessment V2 April 2022, Tree</p>	<p><b>Approved drawings – Masterplan</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: 19066_X(00)_P001 P01, 19066_X(00)_P002 P01, 19066_X(00)_P003 P01, 19066_X(00)_P004 P01, 19066_X(00)_P005 P01, 19066_X(00)_P006 P01, 19066_X(00)_P007 P01, 19066_X(00)_P008 P01, 19066_X(00)_P031 P01, 19066_X(00)_P032 P01. Proposed</p> <p>Drawings:  Site Wide <u>[insert updated plan numbers]</u></p> <p>Documents <u>[insert updated document list]</u></p>	<p>References to site wide drawings and approved documents to be updated in line with S73 submission. No change to existing drawings.</p>

	<p>Protection Plan V1 April 2022, Statement of Community Involvement V1 February 2022, Fire Statement V1 February 2022, Fire Statement Addendum V1 February 2023, Gateway 1 Report V1 February 2023, Air Quality Positive Statement V1 February 2022, Basement Impact Assessment V3 September 2022, Waste Management Strategy V3 (Ove Arup &amp; Partners Ltd) February 2023, Employment, Skills and Supply Plan V1 February 2022, Viability Study V1 February 2022, Viability Study Addendum V1 November 2022, Utilities Statement V1 February 2022, Geotechnical Interpretative Report V1 August 2022, Pre-Demolition Audit V2 November 2022, CAVAT Assessment V3 September 2022, Urban Greening Factor Note V1 September 2022, Open Space Statement V1 September 2022, Accommodation Schedule V3 February 2023, Internal Daylight Sunlight Report Update V3 February 2023, Environmental Statement (January 2022) and Non-technical Summary, and the ES addendum (December 2022) and Non-technical Summary.</p>		
AD2	<p><b>Approved drawings – Reserved matters</b></p> <p>Parameter Plans (Outline Phases)  19066_X(02)_P100 P01, 19066_X(02)_P101 P01, 19066_X(02)_P102 P01, 19066_X(02)_P103 P01, 19066_X(02)_P104 P01, 19066_X(02)_P105 P01, 19066_X(02)_P106 P01, 19066_X(02)_P107 P02, 19066_X(02)_P108 P02, 19066_X(02)_P109 P02, 19066_X(02)_P110 P01, 19066_X(02)_P111 P01.</p> <p>Documents:  Revised Fire Safety Statement Rev 00 prepared by Hoare Lea Fire Engineering (dated 10 February 2023); Revised Fire Gateway One Form prepared by Leo Girling (dated 10 February 2023); Cover Letter V3 (Gerald Eve) February 2023, Town Planning Statement V1 (Gerald Eve) February 2022, Design and Access Statement V1 (AHMM) February 2022, Crime Impact Assessment V1 February 2022, DAS Addendum P03 (AHMM) February 2023, Design Codes P03 (AHMM) December 2022, Development Specification Document (GE) 14 March 2023, Health Impact Assessment V1 February 2022, Affordable Housing Assessment V1 February 2022, Affordable Housing Assessment Addendum V1 September 2022, Transport Assessment V1 (Ove Arup &amp; Partners Ltd) February 2022, Delivery and Servicing Plan V1 (Ove Arup &amp; Partners Ltd), Outline Construction Logistics Plan V1, Framework Travel Plan V1, Transport Assessment Addendum V2 (Ove Arup &amp; Partners Ltd) February 2023, Station Access Study V1 September 2022, Regeneration &amp; Town Centre Report V1 February 2022, Social Value Framework V1 February 2022, Energy Strategy V1 (Hoare Lea) February 2022, BREEAM Pre- Assessment V1 August 2022, Energy Strategy Addendum V1 (Hoare Lea) February 2023, Sustainability Strategy V2 (Buro Happold) December 2022, Whole Life Carbon Assessment V2, Flood Risk Assessment V1 February 2022, Flood Risk Addendum V1 April 2022, Drainage Strategy V10 December 2022, Surface Water Drainage Note V2 December 2022, Arboricultural Impact Assessment V2 April 2022,</p>	<p><b>Approved drawings – Reserved matters</b></p> <p>Parameter Plans (Outline Phases)  19066_X(02)_P100 P01, 19066_X(02)_P101 P01, 19066_X(02)_P102 P01, 19066_X(02)_P103 P01, 19066_X(02)_P104 P01, 19066_X(02)_P105 P01, 19066_X(02)_P106 P01, 19066_X(02)_P107 P02, 19066_X(02)_P108 P02, 19066_X(02)_P109 P02, 19066_X(02)_P110 P01, 19066_X(02)_P111 P01.</p> <p>Documents  [insert updated document list]</p>	<p>References to approved documents to be updated in line with S73 submission. No change to parameter plans.</p>
AD3	<p><b>Approved drawings – Phase 1</b></p> <p>Proposed Drawings:</p> <p>Plot N5  19066_N5_(00)_P100 P04, 19066_N5_(00)_P101 P03, 19066_N5_(00)_P102 P03, 19066_N5_(00)_P103 P03, 19066_N5_(00)_P108 P03, 19066_N5_(00)_P109 P03, 19066_N5_(00)_P110 P03, 19066_N5_(00)_P114 P03, 19066_N5_(00)_P115 P03, 19066_N5_(00)_P200 P03, 19066_N5_(00)_P201 P03, 19066_N5_(00)_P202 P03, 19066_N5_(00)_P203 P03, 19066_N5_(00)_P211 P02, 19066_N5_(00)_P212 P02, 19066_N5_(00)_P300 P03, 19066_N5_(00)_P301 P03.</p> <p>Plot N4  19066_N4_(00)_P100 P05, 19066_N4_(00)_P101 P08, 19066_N4_(00)_P102 P06, 19066_N4_(00)_P103 P06, 19066_N4_(00)_P108 P07, 19066_N4_(00)_P109 P04, 19066_N4_(00)_P110 P06, 19066_N4_(00)_P113 P04, 19066_N4_(00)_P114 P03, 19066_N4_(00)_P120 P03, 19066_N4_(00)_P121 P03, 19066_N4_(00)_P200 P03,</p>	<p><b>Approved drawings – Phase 1</b></p> <p>Proposed Drawings:</p> <p>Plot N5  [insert updated plan numbers]</p> <p>Plot N4  [insert updated plan numbers]</p> <p>Plot N3E  [insert updated plan numbers]</p> <p>Detailed Plot Sections  [insert updated plan numbers]</p> <p>Documents  [insert updated document list]</p>	<p>References to drawings and approved documents to be updated in line with S73 submission.</p>

	<p>19066_N4_(00)_P201 P03, 19066_N4_(00)_P202 P03,  19066_N4_(00)_P203 P03, 19066_N4_(00)_P211 P02,  19066_N4_(00)_P212 P02, 19066_N4_(00)_P300 P03,  19066_N4_(00)_P301 P03.</p> <p>Plot N3E  19066_N3E_(00)_P099 P03, 19066_N3E_(00)_P100 P03,  19066_N3E_(00)_P101 P03, 19066_N3E_(00)_P102 P03,  19066_N3E_(00)_P109 P03,  19066_N3E_(00)_P111 P03,  19066_N3E_(00)_P200 P03,  19066_N3E_(00)_P201 P03,  19066_N3E_(00)_P202 P03,  19066_N3E_(00)_P203 P03,  19066_N3E_(00)_P211 P02,  19066_N3E_(00)_P300 P03.</p> <p>Detailed Plot Sections  19066_X(00)_P310 P04, 19066_X(00)_P311 P04.</p> <p>Documents:  Revised Fire Safety Statement Rev 00 prepared by Hoare Lea Fire Engineering (dated 10 February 2023); Revised Fire Gateway One Form prepared by Leo Girling (dated 10 February 2023); Cover Letter V3 (Gerald Eve) February 2023, Town Planning Statement V1 (Gerald Eve) February 2022, Design and Access Statement V1 (AHMM) February 2022, Crime Impact Assessment V1 February 2022, DAS Addendum P03 (AHMM) February 2023, Design Codes P03 (AHMM) December 2022, Development Specification Document (GE) 14 March 2023, Health Impact Assessment V1 February 2022, Affordable Housing Assessment V1 February 2022, Affordable Housing Assessment Addendum V1 September 2022, Transport Assessment V1 (Ove Arup &amp; Partners Ltd) February 2022, Delivery and Servicing Plan V1 (Ove Arup &amp; Partners Ltd), Outline Construction Logistics Plan V1, Framework Travel Plan V1, Transport Assessment Addendum V2 (Ove Arup &amp; Partners Ltd) February 2023, Station Access Study V1 September 2022, Regeneration &amp; Town Centre Report V1 February 2022, Social Value Framework V1 February 2022, Energy Strategy V1 (Hoare Lea) February 2022, BREEAM Pre- Assessment V1 August 2022, Energy Strategy Addendum V1 (Hoare Lea) February 2023, Sustainability Strategy V2 (Buro Happold) December 2022, Whole Life Carbon Assessment V2, Flood Risk Assessment V1 February 2022, Flood Risk Addendum V1 April 2022, Drainage Strategy V10 December 2022, Surface Water Drainage Note V2 December 2022, Arboricultural Impact Assessment V2 April 2022, Tree Protection Plan V1 April 2022, Statement of Community Involvement V1 February 2022, Fire Statement V1 February 2022, Fire Statement Addendum V1 February 2023, Gateway 1 Report V1 February 2023, Air Quality Positive Statement V1 February 2022, Basement Impact Assessment V3 September 2022, Waste Management Strategy V3 (Ove Arup &amp; Partners Ltd) February 2023, Employment, Skills and Supply Plan V1 February 2022, Viability Study V1 February 2022, Viability Study Addendum V1 November 2022, Utilities Statement V1 February 2022, Geotechnical Interpretative Report V1 August 2022, Pre-Demolition Audit V2 November 2022, CAVAT Assessment V3 September 2022, Urban Greening Factor Note V1 September 2022, Open Space Statement V1 September 2022, Accommodation Schedule V3 February 2023, Internal Daylight Sunlight Report Update V3 February 2023, Environmental Statement (January 2022) and Non-technical Summary, and the ES addendum (December 2022) and Non-technical Summary.</p>		
RM1	<p><b>Parameter Plans and Development Specification</b></p> <p>The outline elements of the development shall be carried out in accordance with the approved Parameter Plans and as described in the specified paragraphs of the approved Development Specification Document dated March 2023.</p>	<p><b>Parameter Plans and Development Specification</b></p> <p><u>Subject to Condition I4 (Severability Condition)</u>, the outline elements of the development shall be carried out in accordance with the approved Parameter Plans and as described in the specified paragraphs of the approved <b>Development Specification Document dated January 2025</b>.</p>	<p>Reference to approved Dev Spec document to be updated in line with S73 submission.</p>

	<p>For each reserved matters application, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>• A compliance report detailing how it complies with the approved parameter plans.</li> <li>• A compliance report detailing how it complies with the approved design codes.</li> <li>• A compliance report detailing how it complies with the approved Development Specification Document.</li> </ul>	<p>For each reserved matters application, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>• A compliance report detailing how it complies with the approved parameter plans.</li> <li>• A compliance report detailing how it complies with the approved design codes.</li> <li>• A compliance report detailing how it complies with the approved Development Specification Document.</li> </ul>	
RM6	<p><b>Phasing Plan</b></p> <p>Prior to the commencement of development an updated Phasing Plan (including Phase 0 - infrastructure) shall be submitted to and approved in writing by the Council. Thereafter the phasing plan may be varied from time to time following resubmission to and approval in writing by the Council. In the event the Phasing Plan is different to the illustrative phasing plan 19066_X(00)_P008_PO2 and the changes are likely to result in new or different significant environmental impacts to those assessed at the time of the determination of the planning application then such Phasing Plan shall be accompanied by an Environmental Statement or Supplemental Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>The development shall thereafter be carried out in accordance with the approved Phasing Plan and subject to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 applying to any such amended or updated Phasing Plan.</p>	<p><b>Phasing Plan</b></p> <p>Prior to the commencement of development an updated Phasing Plan (including Phase 0 - infrastructure) shall be submitted to and approved in writing by the Council. Thereafter the phasing plan may be varied from time to time following resubmission to and approval in writing by the Council. In the event the Phasing Plan is different to the approved phasing plan 19066_X(00)_P008_PO2 and the changes are likely to result in new or different significant environmental impacts to those assessed at the time of the determination of the planning application then such Phasing Plan shall be accompanied by an Environmental Statement or Supplemental Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>The development shall thereafter be carried out in accordance with the approved Phasing Plan and subject to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p>	To reflect that the phasing plan has already been approved under Condition RM6.
RM11	<p><b>Reserved matters – Access Statement</b></p> <p>Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an access statement for the development in those reserved matters. Each access statement shall:</p> <p>(a) address the relevant design principles for those reserved matters;  (b) highlight any areas where technical or other constraints have prevented or constrained the application of these design principles; and  (c)</p> <p>The proposals will thereafter be constructed and maintained in line with the approved Access Statement.</p>	<p><b>Reserved matters – Access Statement</b></p> <p>Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an access statement for the development in those reserved matters. Each access statement shall:</p> <p>(a) address the relevant design principles for those reserved matters;  (b) highlight any areas where technical or other constraints have prevented or constrained the application of these design principles; and  <del>(c)</del></p> <p>The proposals will thereafter be constructed and maintained in line with the approved Access Statement.</p>	Removal of erroneous part (c)
RM21	<p><b>Reserved matters – total floorspace</b></p> <p>The total floorspace of the outline phases shall not exceed a maximum of 132,410sqm.</p>	<p><b>Reserved matters – total floorspace</b></p> <p>The total floorspace of the outline phases shall not exceed a maximum of 126,636sqm.</p>	To reflect the update in floorspace within the outline phases.
D20	<p><b>Phase 1 – Photo-voltaic cells</b></p> <p>Prior to occupation of each development plot, drawings and data sheets showing the location, extent (at least 645m2) and predicted energy generation of photovoltaic cells (at least 92kWp) and associated equipment 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. A site- specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p>	<p><b>Phase 1 – Photo-voltaic cells</b></p> <p>Prior to occupation of each development plot, drawings and data sheets showing the location, extent (up to at least 237m2) and associated equipment 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. A site- specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p>	Reference to PV capacity to be consistent with S73 submission.

D21	<p><b>Phase 1 – Long stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following bicycle parking shall be provided:</p> <p>Secure cycle parking of 1059 long stay spaces</p> <p>Plot N3(E): Residential – 111 long stay spaces (including 6 spaces for larger adaptable bikes) Commercial/retail – 2 long stay spaces</p> <p>Plot N4: Residential – 429 long stay spaces (including 22 spaces for larger adaptable bikes) Commercial/retail – 2 long stay spaces</p> <p>Plot N5: Residential –508 long stay spaces (including 264 spaces for larger adaptable bikes) Commercial/retail – 7 long stay spaces.</p> <p>All such facilities shall thereafter be maintained and retained.</p>	<p><b>Phase 1 – Long stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following bicycle parking shall be provided:</p> <p>Secure cycle parking of 1,159 long stay spaces</p> <p>Plot N3(E): Residential – 125 long stay spaces (including 8 spaces for larger adaptable bikes) Commercial/retail – 4 long stay spaces</p> <p>Plot N4: Residential – 403 long stay spaces (including 21 spaces for larger adaptable bikes) Commercial/retail – 6 long stay spaces</p> <p>Plot N5: Residential – 616 long stay spaces (including 31 spaces for larger adaptable bikes) Commercial/retail – 5 long stay spaces.</p> <p>All such facilities shall thereafter be maintained and retained.</p>	References to cycle parking numbers to be updated to be consistent with S73 submission.
D22	<p><b>Phase 1 – Short stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following parking shall be provided :</p> <p>86 short-stay cycle parking spaces: Plot N3(E): 17 short-stay spaces</p> <p>Plot N4: 19 short-stay spaces</p> <p>Plot N5: 50 short-stay spaces</p> <p>All such facilities shall thereafter be maintained and retained.</p>	<p><b>Phase 1 – Short stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following parking shall be provided :</p> <p>106 short-stay cycle parking spaces: Plot</p> <p>N3(E): 19 short-stay spaces</p> <p>Plot N4: 37 short-stay spaces</p> <p>Plot N5: 50 short-stay spaces</p> <p>All such facilities shall thereafter be maintained and retained.</p>	References to cycle parking numbers to be updated to be consistent with S73 submission
D24	<p><b>Phase 1 – disabled car parking</b></p> <p>Prior to first occupation, of each development plot, the relevant disabled parking spaces to serve that plot shall be provided. The number of spaces provided shall be as follows:</p> <p>Plot N4: 8 spaces</p> <p>Plot N5: 10 spaces</p> <p>All such facilities shall thereafter be permanently maintained and retained.</p>	<p><b>Phase 1 – disabled car parking</b></p> <p>Prior to first occupation, of each development plot, the relevant disabled parking spaces to serve that plot shall be provided. The number of spaces provided shall be as follows:</p> <p>Plot N4: 6 spaces</p> <p>Plot N5: 10 spaces</p> <p>Neighbourhood Lane External Spaces: 4 spaces</p>	References to disabled car parking numbers to be updated to be consistent with S73 submission

D26	<p><b>Phase 1 - Fire safety – implementation of approved measures</b></p> <p>The Phase 1 detailed part of the development must be implemented in accordance with the provisions of the Revised Fire Safety Statement Rev 00 prepared by Hoare Lea Fire Engineering (dated 10 February 2023) and the Revised Fire Gateway One Form prepared by Leo Girling (dated 10 February 2023).</p>	<p><b>Phase 1 - Fire safety – implementation of approved measures</b></p> <p>The Phase 1 detailed part of the development must be implemented in accordance with the provisions of the <b>Fire Statement prepared by Jensen Hughes (January 2025) and the Fire Gateway One Form prepared by Jensen Hughes (January 2025)</b></p>	References to approved document to be updated in line with S73 submission.
M6	<p><b>Enabling works</b></p> <p>Details of the Enabling Works, including layout, designs, and specifications shall be submitted to and approved in writing by the local planning authority before commencement of those works. All works shall be carried out in accordance with the details as approved.</p> <p><b>[Suggest removal of condition]</b></p>	<p><b>Enabling works</b></p> <p><del>Details of the Enabling Works, including layout, designs, and specifications shall be submitted to and approved in writing by the local planning authority before commencement of those works. All works shall be carried out in accordance with the details as approved.</del></p> <p><b>[Suggest removal of condition]</b></p>	Suggest removal of this condition. It is not clear what works this condition is referring to. Separate planning applications were submitted for the substation and the temporary car park.
M7	<p><b>Major utilities infrastructure</b></p> <p>Details of all major utilities infrastructure (including substations and other permanent structures and excluding temporary structures) including the consent of relevant utility companies to those works, shall be submitted to and approved in writing by the local planning authority prior to any works taking place in relation to such structures. All works shall be carried out in accordance with the details as approved.</p> <p><b>[Suggest removal of condition]</b></p>	<p><b>Major utilities infrastructure</b></p> <p><del>Details of all major utilities infrastructure (including substations and other permanent structures and excluding temporary structures) including the consent of relevant utility companies to those works, shall be submitted to and approved in writing by the local planning authority prior to any works taking place in relation to such structures. All works shall be carried out in accordance with the details as approved.</del></p> <p><b>[Suggest removal of condition]</b></p>	Suggest removal of this condition. It is not clear what works this condition is referring to. Agreed with LBC on 25/11/2024.
M28	<p><b>Phase-wide Lighting Strategy</b></p> <p>Prior to the commencement of development on each development plot hereby permitted (excluding demolition), a Phase-wide Lighting Strategy shall be submitted to and approved in writing by the local planning authority.</p> <p>The Phase-wide Lighting Strategy shall be used to inform the Detailed Lighting Strategy prepared for each development plot.</p>	<p><b>Phase-wide Lighting Strategy</b></p> <p><b>Prior to the superstructure works</b> on each development plot hereby permitted (excluding demolition), a Phase-wide Lighting Strategy shall be submitted to and approved in writing by the local planning authority.</p> <p>The Phase-wide Lighting Strategy shall be used to inform the Detailed Lighting Strategy prepared for each development plot.</p>	Trigger of condition wording to be updated to be later in the construction process. These details are unlikely to be available prior to commencement.
<b>INFORMATIVES TO ADD</b>			
1	<p>Details for conditions M16 (LPA ref: 2024/0727/P), M19 (LPA ref: 2024/0661/P), M21 (Part A) (LPA ref: 2024/0663/P), M22 (LPA ref: 2024/0664/P), and M26 (Parts A and B) (LPA ref: 2024/0662/P) have been approved in relation to the Detailed Element (Plots N3E, N4 and N5).</p>		Reference to approved AOD applications to be included as an Informative to confirm discharge for Detailed Element.