

Planning Context

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2.1 Planning Context

2.1 Planning Policy Framework

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.

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.

The statutory Development Plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 comprises:

- The London Plan 2021;
- LBC's Development Plan which consists of the Local Plan (2017), Policies Map, Site Allocation Document (2013) and various Area Plans;
- The Fortune Green and West Hampstead Neighbourhood Plan (2015).

Both the London and LBC's Development Plan are supported by various adopted Supplementary Planning Guidance documents which are also material considerations

2.2 Legislative Context – Heritage

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.

2.3 National Planning Guidance

National Planning Policy Framework (NPPF) December 2024

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.

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.

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.

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)

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.

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.

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2.4 Regional Planning Policy – The London Plan (2021)

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.

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.

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.

2.5 Local Planning Policy – Camden Local Plan (2017)

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.

2.6 Site Specific Designations

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

2.7 West Hampstead Interchange – Growth Area

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.

2.8 Camden’s Site Allocations (2013) – Site 29: O2 Centre Car Park

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”.

2.1 Planning Context

2.9 Fortune Green and West Hampstead Neighbourhood Plan (NP) (2015)

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.

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".

2.10 Other Material Considerations

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

Camden Supplementary Planning Documents

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.

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

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

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

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2.11 Emerging London Plan

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.

2.12 Emerging Local Plan

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.

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.

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).

2.2 Planning Timeline

Planning Timeline

The masterplan was submitted for the first time in January 2022. It was subsequently revised three times, in October 2022, December 2022 and February 2023.

The masterplan received a 'resolution to grant' at Camden's Planning Committee in March 2023. Full planning permission was granted in December 2023 following the completion of a S106 Legal Agreement

Both during and after the determination period, there were significant changes to the design of residential buildings in response to new legislation and regulations

This led the applicant to revisit the detailed elements designs for the detailed element, to bring them in line with current guidance and optimise the proposals in other ways.

The revised proposals went through several iterations which were developed through regular sessions with LBC planning officers throughout 2024. Additional consultations took place with the GLA and other stakeholders, as well as public consultation events.

(For further information refer to the planning statement addendum prepared by Newmark and submitted with the S73 application).

