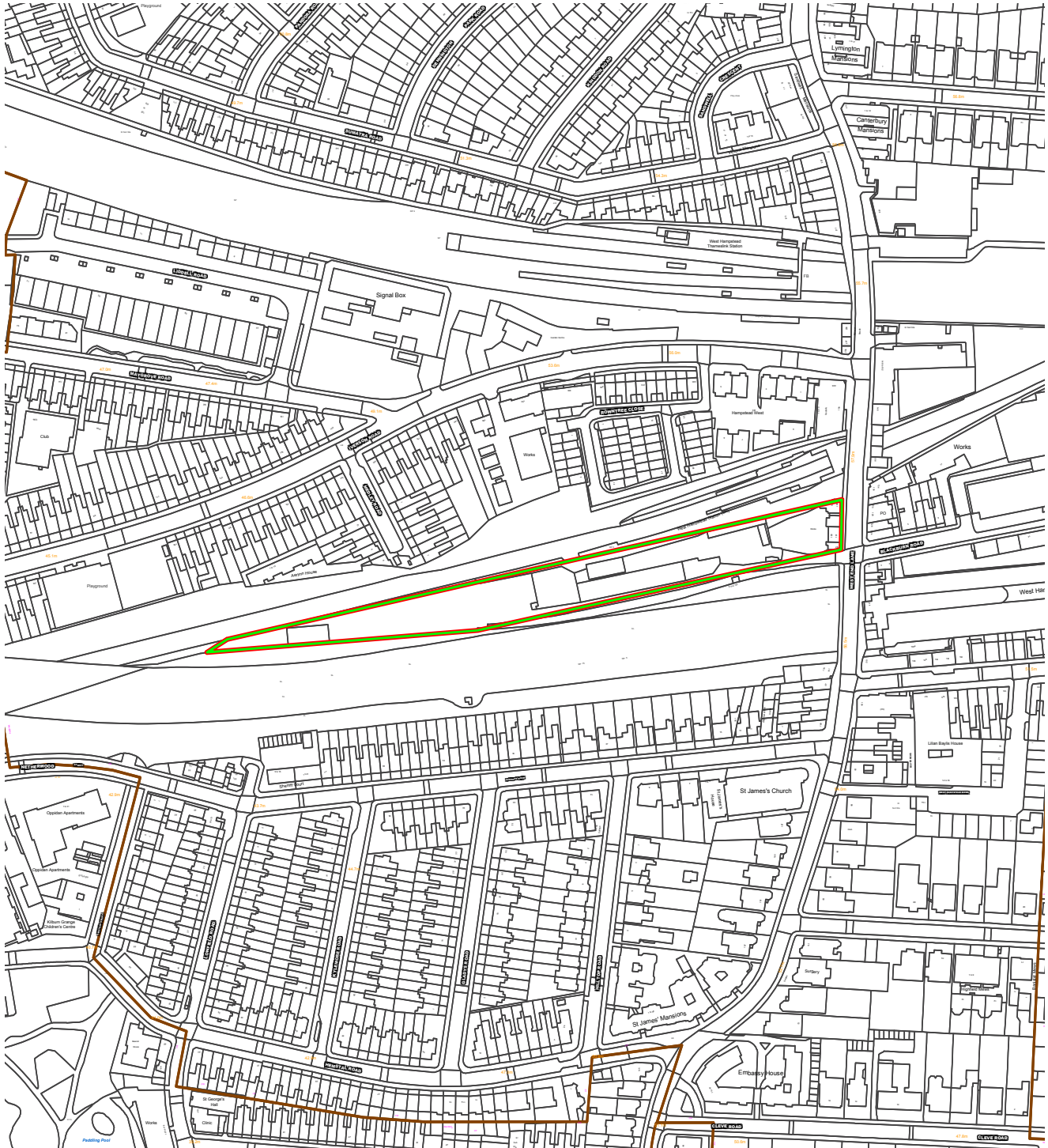


2013/6627/P -187-199 West End Lane Site Location Plan



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

2013/6627/P -187-199 West End Lane

Proposed Ground floor – site wide (showing removal of glazed link and parking)



Approved ground floor –side wide (showing parking)



Proposed south elevation - site wide



Proposed north elevation – site wide



North Site elevation

WHICH IS AN ACCESSIBLE
SOCIAL RECREATION UNIT
(THE JUDITH GLENN
FROM SUITE 2)

ADDITIONAL STAIRS
AND LIFT IN CLOSET.

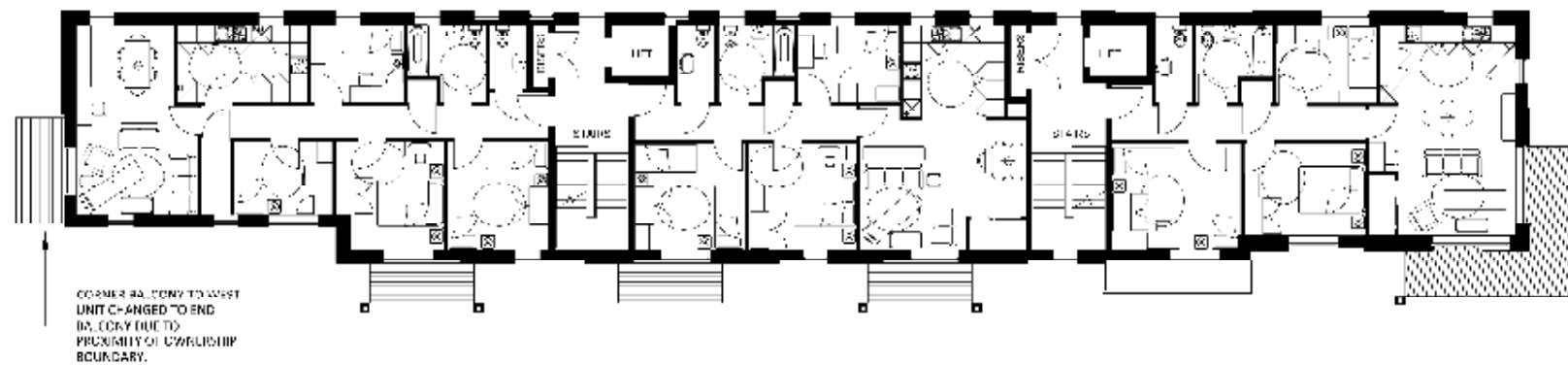
REAR AREA REMOVED
FROM SUITE 112.

REAR RE-ENTRY AND
STAIRS TO RE-ENTRY.

COMMUNITY PARKING STOPS
RELOCATED UNDER STAIRS.

ENTRANCE RELOCATED IN LIRE
WHICH PROVIDED LIFT AND CLOSET
AND RE-ENTRY AND STAIRS
TO LIFT PROVIDER.

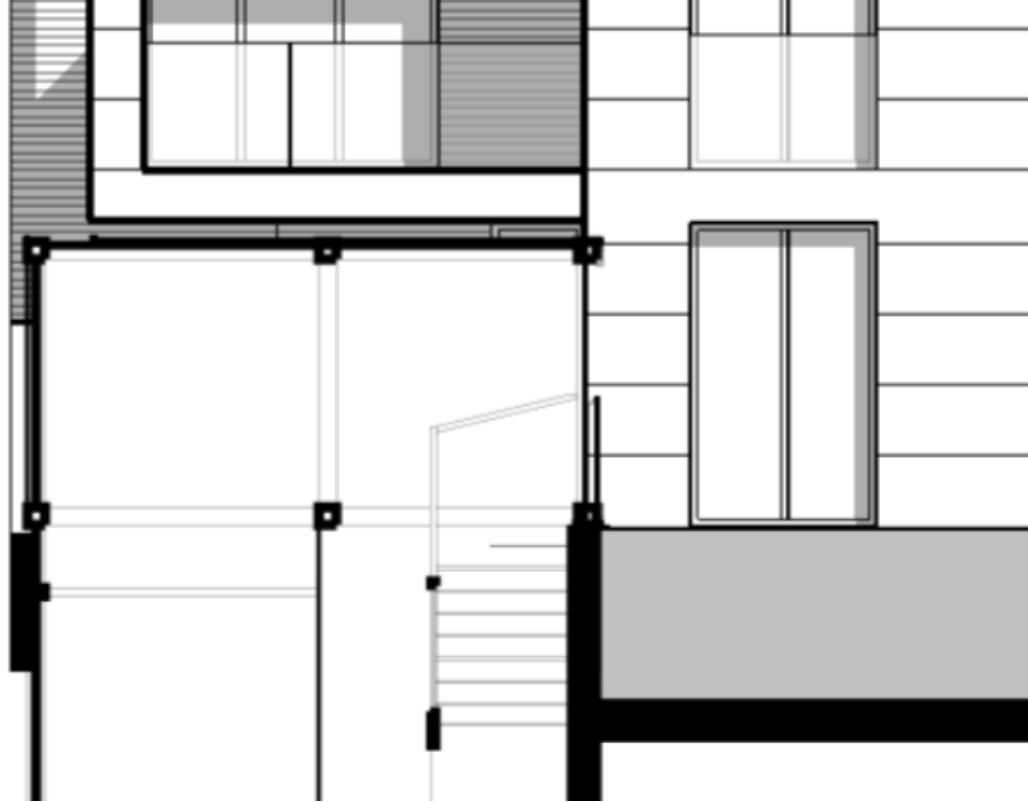
First floor



NB: Also See MB pack for the previous amendments for detail of the previously approved elevations and photos of the site.

2013/1924/P - 187-199 West End Lane

Proposed and approved drawings
comparisons and site photos



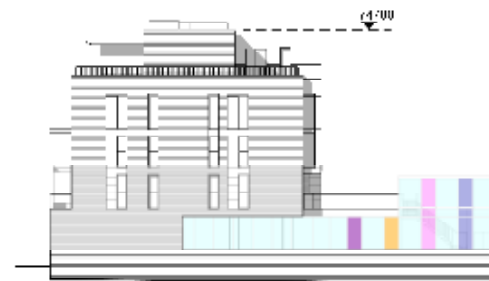
EAST ELEVATION
SCALE: 1:200



SOUTH ELEVATION
SCALE: 1:200



WEST ELEVATION
SCALE: 1:200



NORTH ELEVATION
SCALE: 1:200

Approved Block B elevations



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

Proposed Block B elevations



SOUTH ELEVATION
SCALE: 1/200



EAST ELEVATION
SCALE: 1/200



NORTH ELEVATION
SCALE: 1/200



WEST ELEVATION
SCALE: 1/200

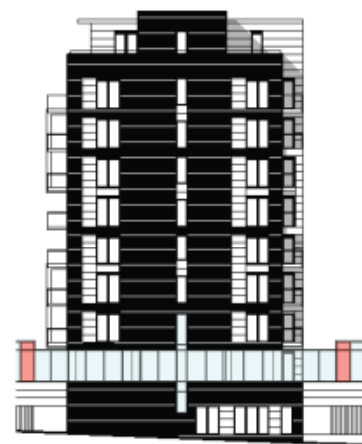
Approved Block C elevations



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

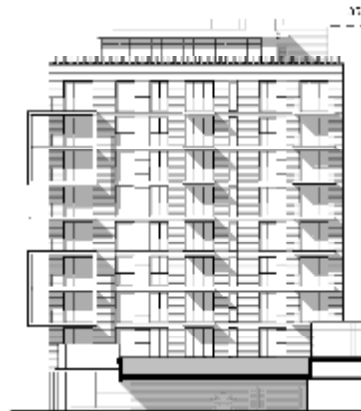


WEST ELEVATION

Proposed Block C elevations



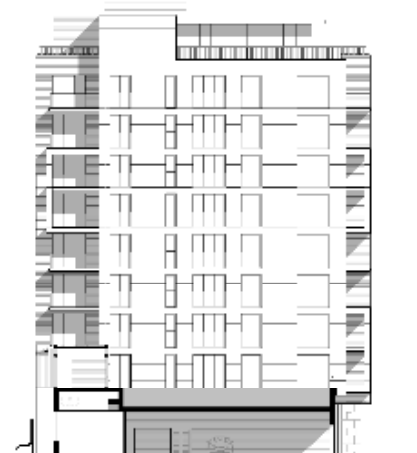
SOUTH ELEVATION
SCALE: 1:200



EAST ELEVATION
SCALE: 1:200



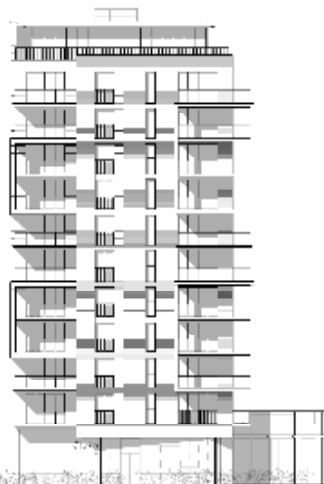
NORTH ELEVATION
SCALE: 1:200



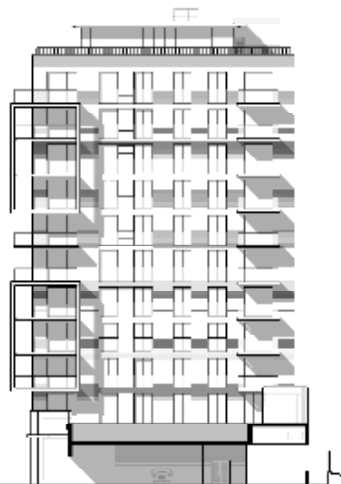
WEST ELEVATION
SCALE: 1:200



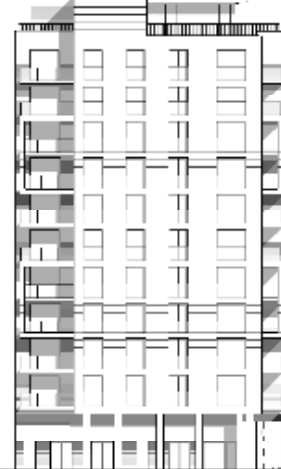
63025



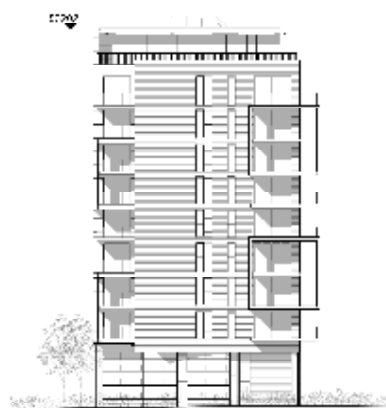
SOUTH ELEVATION
SCALE: 1:200



PART ELEVATION
SCALE: 1:500



WEST ELEVATION
SCALE: 1:200



SOUTH ELEVATION
SCALE: 1:200



EAST ELEVATION
SCALE: 1:200



NORTH ELEVATION
SCALE: 1:200



WEST ELEVATION
SCALE: 1:200

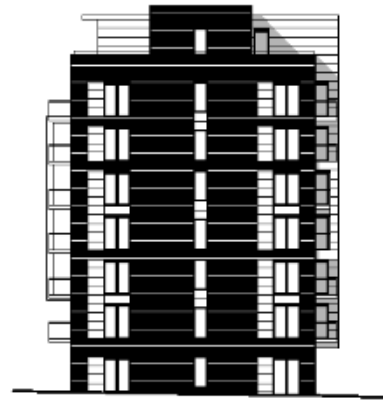
Approved Block F elevations



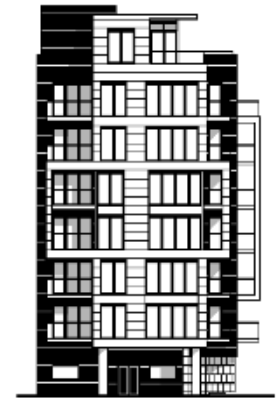
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

Proposed Block F elevations

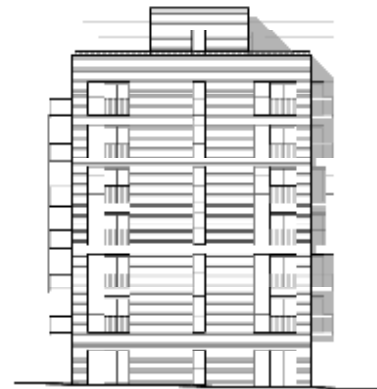
77950



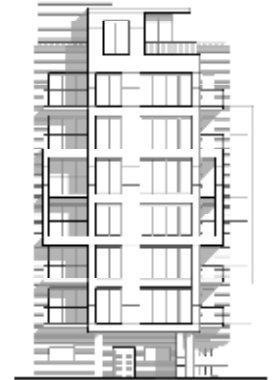
SOUTH ELEVATION
SCALE: 1:200



EAST ELEVATION
SCALE: 1:200

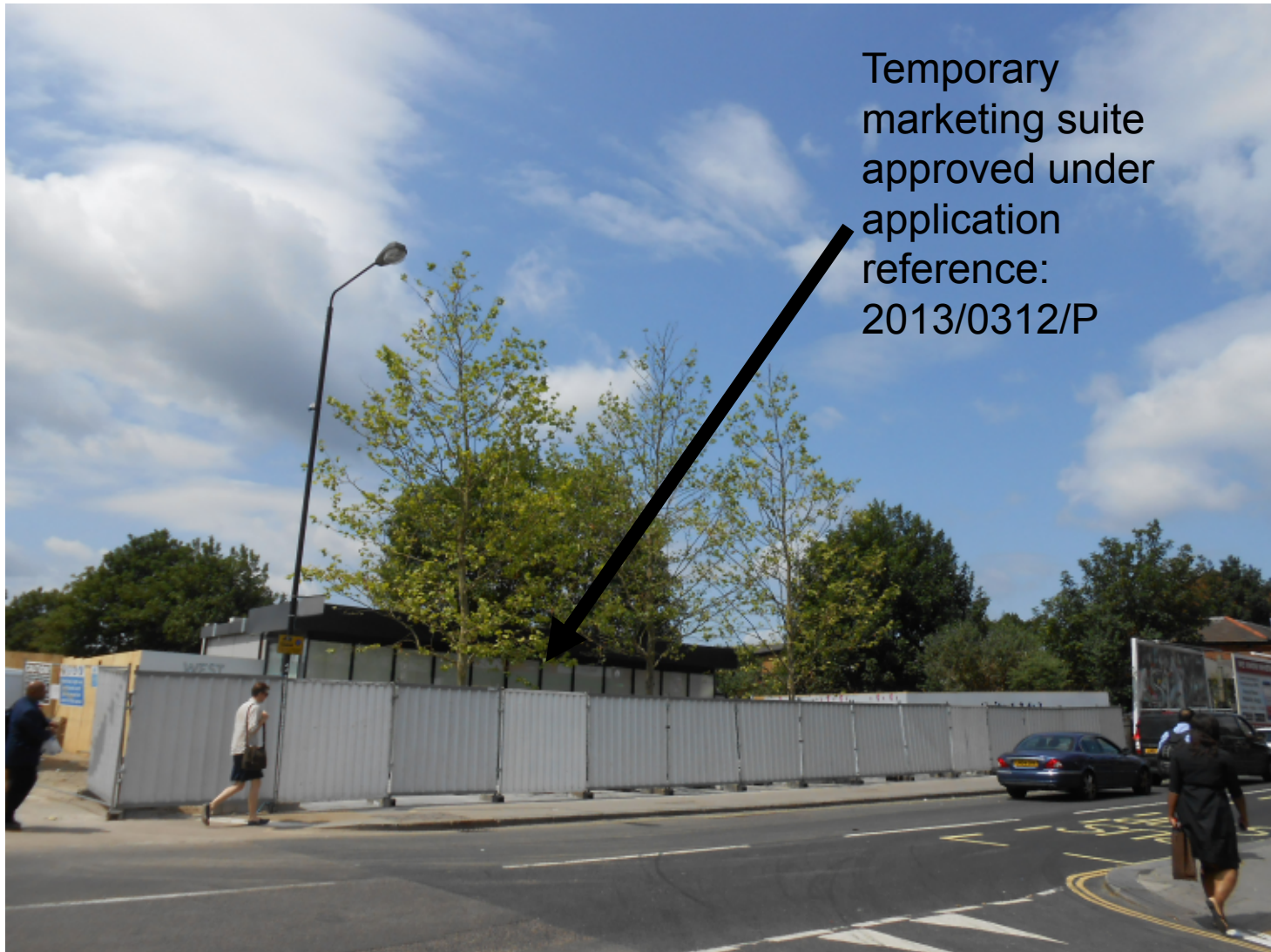


NORTH ELEVATION
SCALE: 1:200



WEST ELEVATION
SCALE: 1:200

Photos from West End Lane



Temporary
marketing suite
approved under
application
reference:
2013/0312/P

Photos from West End Lane



Photos from West End Lane



Photos from West End Lane



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	04/03/2014
		N/A		Consultation Expiry Date:	06/02/2014
Officer			Application Number(s)		
Jenna Litherland			2013/6627/P		
Application Address			Drawing Numbers		
187-199 West End Lane West Hampstead London NW6 2LJ			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Variation of condition 11 (approved plans) and condition 13 (London Underground structures) to planning permission 2011/6129/P granted on 30/03/2012 for redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units, namely alteration to entrances and layouts at ground floor level block A-E, alteration to fenestration and layouts to all level block F and G, and alteration to landscaping.					
Recommendation(s):		Grant conditional permission subject to a deed of variation			
Application Type:		Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	496	No. of responses	08	No. of objections	08
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 08/01/2014 until 29/01/2014 and a Press Notice was placed in the Ham and High 09/01/2014 (expired 30/01/2014). 496 neighbours were notified by letter. 8 letter of objection have been received.</p> <p>Objections are as follows:</p> <p>Overground Station</p> <ul style="list-style-type: none">The alterations to Block A and the residential bins store by the stairs may encroach of the Overground Station safeguarded land show on plan MP_04A of the approved application. The opportunity for this access must be protected to prevent congestion. (See Sections 4.1-4.3 for the Case Officer's response) <p>Trees and Landscaping</p> <ul style="list-style-type: none">The proposal makes no effort to retain the existing trees on site.<i>The loss of trees in not acceptable, they currently prevent soil erosion from the railway embankment. (Case Officer's response: The loss of on-site trees was considered at the time of the original application and therefore cannot be addressed as part of this proposal.)</i> <p>Design</p> <ul style="list-style-type: none">The design in bland and will be a blot on the landscape.The loss of windows will result in the buildings appearing dense and overbearing. (See Sections 2.1-2.4 for the Case Officer's response) <p>Land use/transport</p> <ul style="list-style-type: none">There appears to be more and larger retail units, this will result in noise from deliveries and refuse collections which will impact on traffic. (See Section 3.5 and 5.2 for the Case Officer's response)The increase in residential units in block G will put a strain on local facilities and transport infrastructure. (See Section 4.2 for the Case Officer's response)The proposal will put strain on the existing transport infrastructure. (See Section 3.1-3.6 for the Case Officer's response)There is an increase in car parking contrary to policy (See Section 3.1-3.3 for the Case Officer's response) <p>Amenity</p> <ul style="list-style-type: none">Concerned that the proposal will increase the noise from the railway as noise will be reflected by the proposal building resulting in further noise disturbance to the residential on Sherriff Road. (Case Officer's response: Noise to neighbouring properties was considered at the time of the original application and therefore cannot be addressed as part of this proposal.)The proposed building will block views and daylight to the surrounding properties. (See Section 6.1 for the Case Officer's response)					

<p>Statutory Consultee and Local groups comments:</p>	<p>London Underground Limited: No objection: The planning applicant is in communication with London Underground engineers with regard to the development above. Therefore, we have no comment to make on the application except that the developer should continue to work with LU engineers.</p> <p>Tfl: No response</p> <p>Thames Water Utilities: No comment</p> <p>Environmental Agency: No response</p> <p>Natural England: No objection.</p> <p>Metropolitan Police: No concerns raised.</p> <p>GLA: The proposals do not raise any strategic planning issues, no objection.</p> <p>West Hampstead Gardens and Residential Association: Object</p> <ul style="list-style-type: none"> • The design alterations result in the dumbing down of the original design. (See Section 2.1-2.5 for the Case Officer's response) • The proposal adds bulk and significantly increases the size & number of commercial and retail units. This will result in the requirement for more plant room, storage and out of hours delivery provision and will increase traffic and circulation problems within the site with only one access road. (See Section 5.1-5.6 for the Case Officer's response) • The GLA Planning Report of 25 January 2012 PDU/2832/01 highlights the need for 2 lifts in blocks on 8 stories – has this been addressed in the modifications to public access arrangements in this variation application. • The duplex/maisonette design of the affordable housing block G has been lost and there are now more individual flats on each floor as well as changes in 'elevational treatment'. This is a poor compromise in the space management (blamed on A2 Dominion requirements but driven we expect by construction cost factors). (See Section 4.1-4.4 for the Case Officer's response) • Undercroft parking bays have been introduced at Ground Floor Block C & D. This is a material change in external arrangements which should be looked at closely. (See Section 3.1-3.3 for the Case Officer's response) • The Mayoral CIL : All applications for the removal of variation of conditions should be accompanied by a completed CIL Additional Information Requirement Form. Can you confirm that this has been submitted?
--	---

Site Description

The application site comprises a 0.9 hectare wedge of land bounded by a London Overground railway line to the north, the Metropolitan and Jubilee lines to the south and West End Lane to the east. The site was previously occupied by a number of commercial uses including a vehicle recovery company, a car wash and a motorbike sales and repair centre (falling within use classes B1 and B2). There are also six retail units fronting onto West End Lane. The buildings on the site were limited to single storey functional commercial structures of no architectural or historical interest. The site has now been largely cleared to make way for the development. The far western tip of the site is undeveloped and is designated as a Site of Nature Conservation Importance (SNCI).

The site is within a wider 'Area of Intensification' in the London Plan 2011 and a Growth Area in Camden's Core Strategy. The retail units at the eastern edge of the site are within the West Hampstead Town Centre, as defined by Camden's Local Development Framework. The site has a Public Transport Accessibility Level of 6A (Excellent), being in close proximity to three stations providing access to the London Underground, Overground and Thameslink, and bus services on West End Lane.

Relevant History

2013/1924/P: Variation of condition 11 (approved drawings) of planning permission 2011/6129/P dated 30/03/2012 (Redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units (Class C3), retail, financial and professional services and food and drink floorspace (Class A1, A2, A3 and A4), flexible employment/healthcare floorspace (Class B1/D1) along with associated energy centre, storage, parking, landscaping and new public open space (existing buildings to be demolished).(Class B1/D1) along with associated energy centre, storage, parking, landscaping and new public open space (existing buildings to be demolished)) namely alterations to approved elevations including window layout. **Granted subject to a Deed of Variation.**

2011/6129/P: Redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units (Class C3), retail, financial and professional services and food and drink floorspace (Class A1, A2, A3 and A4), flexible employment/healthcare floorspace (Class B1/D1) along with associated energy centre, storage, parking, landscaping and new public open space (existing buildings to be demolished). **Granted subject to a S106 agreement on 30/03/2012**

2006/4851/P: Temporary use of the site for the storage and maintenance of vehicles in connection with the removal services, chauffeur car hire, and self-drive van hire within the boundaries of the site (for a period of three years). **Granted 19/04/2007.**

8400196: Change of use for the purpose of the storage and repair of motor vehicles. **Granted 27/03/1984.**

Relevant policies

National Planning Policy Framework 2012

The London Plan 2011

LDF Core Strategy and Development Policies 2011

- CS1 – Distribution of growth
- CS2 – Growth Areas
- CS5 – Managing the impact of growth and development
- CS6 – Providing quality homes
- CS7 - Promoting Camden's centres and shops
- CS8 – Promoting a successful and inclusive Camden economy
- CS10 – Supporting community facilities and services
- CS11 – Promoting sustainable and efficient travel
- CS13 – Tackling climate change through providing higher environmental standards
- CS14 – Promoting high quality places and conserving our heritage
- CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity.

CS16 – Improving Camden’s health and well-being.
CS17 – Making Camden a safer place.
CS18 – Dealing with waste and encouraging recycling.
CS19 – Delivering and monitoring the Core Strategy

DP1 – Mixed use development
DP2 – Making full use of Camden’s capacity for housing
DP3 – Contributions to the supply of affordable housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair homes
DP10 – Helping and promoting small and independent shops.
DP11 - Markets
DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses.
DP13 – Employment sites and premises
DP15 – Community and leisure uses
DP16 – The transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and the availability of parking
DP19 – Managing the impact of parking
DP20 – Movement of goods and materials
DP21 – Development connecting to the highway network
DP22 – Promoting sustainable design and construction.
DP23 – Water
DP24 – Securing high quality design
DP26 – Managing the impact of development on occupiers and neighbours
DP28 – Noise and vibration
DP29 – Improving access
DP30 – Shopfronts
DP31 – Provision of, and improvements to, public open space and outdoor sport and recreation facilities.
DP32 – Air quality and Camden’s Clear Zone

LDF Site Allocations Development Plan Document.

Camden Planning Guidance 2011 (updated 2013)

CPG1- Design
CPG2 – Housing
CPG3 – Sustainability
CPG4 – Basements and lightwells
CPG5 – Town Centres, Retail and Employments
CPG6 – Amenity
CPG7 – Transport
CPG8 – Planning Obligations.

Assessment

1.1 This application seeks minor amendments to the scheme granted planning permission in 2011 for redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units (Class C3), retail, financial and professional services and food and drink floorspace (Class A1, A2, A3 and A4), flexible employment/healthcare floorspace.

1.2 This is the second application for amendments to this scheme. In 2013 permission was granted for amended to the elevational treatment and fenestration patterns of blocks A, B, C, D, E and F and the internal layouts of blocks A, B, C, D, E and F. See planning history (ref: 2013/1924/P).

1.3 The current application seeks amendments to the floorplan layout and external elevational treatment mainly at ground and first floor level in blocks: A, B, C, D, E, F and G. This is described in detail below:

1.4 Public realm

- Addition of timber feature screens to screen the podium courtyards between blocks.

1.5 Block A

Internal

- Increasing the size of the retail unit at ground floor level.
- Relocation of residential bin store.
- Addition of fire escape stair case.
- Entrance to block A apartments relocated to block B.

External

- Colonnade to main entrance of the large retail unit amended.
- Removing the glazed access path for the private units along the northern side of the site so that all units are accessed via the internal access road to the south of the site.
- Alterations to fenestration: -solid to void ratio increased on ground floor level of south elevation.
- Plant screen increased in height by 1 metre to be 1.6 metres above the roof level.

1.6 Block B

Internal

- B1 office space relocated from the ground floor of block B to block E.
- Additional area for plant at ground floor level.
- Block B becomes the main entrance for residents in block A.
- Bin stores relocated to the undercroft.

External

- Alterations to doors and windows at ground floor level including enlarging the entrance.
- Removal of glazed links as above.
- Minor amendments to roof level plant enclosure, there is no increase in height.

1.7 Block C

Internal

- Addition of plant area at ground floor level.
- Alterations to the layout of the bin store and segregation of the resident and commercial bins.
- One larger commercial unit split into two smaller commercial units either side of the new access.

External

- Creation of a new central access to the residential units and associated alterations to fenestration.
- Removal of glazed links as above.
- Alterations to design of plant enclosure at roof level, there is no increase in height.

1.8 Block D

Internal

- Addition of plant area at ground floor level.
- Alterations to the layout of the bin store and segregation of the resident and commercial bins.
- Wheelchair accessible social rented unit moved from the ground floor of block D to block G.

- One larger commercial unit split into two smaller commercial units either side of the new access.

External

- Creation of a new central access to the residential units and associated alterations to fenestration.
- One larger commercial unit split into two smaller commercial units either side of the new access.
- Removal of glazed links as above.
- Alterations to design of plant enclosure at roof level, there is no increase in height.
- Ground floor columns removed on the west elevation.

1.9 **Block E**

Internal

- Addition of plant area at ground floor level.
- Bin store relocated.
- Two duplex units removed from the ground floor.
- Commercial unit added from block B.

External

- Alterations to main entrance including fenestration amendments.
- The brick overhang on the south elevation and the panel west elevation which previously terminated at first floor will now terminate at ground floor level.
- Balcony added at first floor level on the east elevation.
- Minor amendments to roof level plant enclosure, there is no increase in height.

1.10 **Block F**

Internal

- Plant and electrical sub-station introduced.

External

- Bin and bike store relocated externally.
- Entrance amended and increasing size of windows at ground floor level.
- Window apertures amended on east, west and north elevations.
- Balconies to the northern side of the west elevation removed.

1.11 **Block G**

Internal

- Replacement of duplex units with single level units.
- Relocation of a social rented wheelchair unit from block D to ground floor level block G.
- Additional stair core and lift.
- Plant area removed and relocated to block F.

External

- Footprint at ground floor amended to accord with the floors above.
- Removal of the rear deck access.
- Amendments to fenestration.
- Main entrance relocated more centrally on the south elevation.
- Reduction in size on balcony on west elevation at first, second and third floor level.
- Amendments to fenestration design on all elevations.

1.12 **Other**

- Amendments to the parking layout – no increase in parking spaces.

1.13 **Amendments** – During the course of the application amendments have been made to the proposal at the request of the case officer, this includes a reduction in car parking spaces and altering the proportion of disabled parking on accordance with the original proposal. Further clarification on the plant enclosures and floor areas of the residential and commercial units has also been provided.

1.14 The matters materials to the consideration of these amendments are as follows:

- Detailed design;

- Transport;
- Standard of accommodation and mix of units;
- Commercial floorspace;
- Neighbour amenity;
- Variations to condition 13;
- Other matters.

1.15 The proposed amendments are not considered to impact on other materials consideration which were taken into account in the assessment of the original proposal. For a full understanding of the assessment of the application please see the Committee Report for the original scheme which is appended to this report.

2. Detailed Design

2.1 The proposal to remove the glazed link and change the ground floor treatment of Blocks B, C, D and E providing the primary entrance to these blocks on the south elevation is considered to be an improvement on the originally approved design. The removed glazed link is replaced by a 'feature' timber fence, the details of which will be controllable in any submission for the approval of details for materials.

2.2 Changes to the patterns of fenestration have resulted in a simplification of the fenestration patterns for each of the blocks and a higher degree of regularity in the pattern. The more marked change is on west elevation where it was originally intended that this elevation would be more contemporary in character with an irregular fenestration pattern. The proposed changes have resulted in the pattern of openings becoming less irregular and similar in character to the other elevations. Whilst this might be construed as less interesting than the originally proposed west elevations this change will result in a greater unity of character of the individual blocks. The introduction of greater regularity in the fenestration pattern is not considered to be detrimental to the appearance of these blocks. It provides a more literal response to the character of mansion block prevalent in the area, which have provided the basis for the design of the character and appearance of these blocks.

2.3 The proposed changes to the plant enclosures associated with each block are considered to be acceptable. There is no increase in height to the plant proposed for Blocks B, C, D and E the additional plant is integrated within the main mass of the building. There is an increase in height by circa 1.2 m to Block A to a total height of 1.6m. This change is not considered to introduce a significantly detrimental addition to the height and mass of this building.

2.4 The proposed changes are considered to be acceptable and are not considered to result in a loss of design quality to the originally approved proposals.

3. Transport

Car Parking

3.1 The proposal result in amendments to the layout of the on-site parking. As part of the original application permission was granted for 17 disabled parking bays, 1 private bay and 2 car-club bays. The same number of parking spaces is still proposed.

3.2 The layout of the parking has been amended slightly in order to accommodate an electricity sub-station in the undercroft between block B and C. However, all parking would still be provided the undercrofts between block B and C and C and D and 3 spaces a ground floor level to the east of Block G.

3.3 As such, no more parking is proposed that previously approved therefore the proposal will not result in increased traffic to and from the site.

Cycle parking

3.4 The bike storage for block F has been relocated from within the building to the northern side of the building. It would be preferable for the bike storage to be within the building however, as the bike storage

is covered and secured within a structure it would still comply with policy. As such, no objection is raised.

Servicing

- 3.5 Concern has been expressed by local residents that the increase in commercial and retail space will put added strain on local traffic and cause congestion. The proposed increase of floorspace (278 sqm) is not considered to impact on the servicing arrangements. Servicing will be in accordance with the Servicing Management Plan secured by the S016 agreement.

Overground Station

- 3.6 The proposed amendments would not impact on the Overground Station Enhancement area. The eastern most retail unit in the block A wing at ground floor level will be reserved for use as an entrance to the Overground in accordance with the S106 agreement.

4. Standard of accommodation and mix of units

- 4.1 Changes in the residential accommodation include relocating a wheelchair social rented unit from block D to block G and replacement of the duplex units with single level units. These amendments have been requested by the Registered Provider, A2 Dominion. Their reason being that single aspect units would be more flexible in providing accommodation for a wider range of housing needs.
- 4.2 The proposed number of units, tenure and residential mix will remain the same as approved.
- 4.3 All units would continue to meet internal space standards in accordance with the London Plan, have good daylight levels, outlook and privacy.

Wheelchair Housing

- 4.4 10% of the units should be wheelchair accessible in line with policy DP6. In the original application the submitted drawings did not demonstrate that the allocated wheelchair units would fully meet the Wheelchair Homes standards, however it was secured through the S106 units that 3 intermediate units and 4 social rented units would be designed and fitted out to Camden Wheelchair Housing Brief 2010. In the current application the drawings have not fully demonstrated that the units meet the Wheelchair Homes standards, however the Access Officer has advised that the allocated units appear to be generally suitable for wheelchair housing, therefore, it is reasonable to secure full details through the S106 agreement as was agreed previously.

5. Commercial units

Retail and Financial Services Uses

- 5.1 The units in the wing of block A and ground floor and at first floor level of the main part of block A would remain near identical in floor area (see document 12-216 WHS – Comparison of Non Residential Areas for full details). They remain designated for flexible A1/A2 use. This remains subject to condition 17 of the original permission which ensure that no more than 3 of these units are used for A2 purpose.
- 5.2 In block A the proposed A1 retail units has increase in size from 468 sqm to 535 sqm at ground level and 111sqm at basement level for storage equating to a total shop size of 646 units. This increase in 178 sqm metres of retail use is not so significant that it would impact on the viability of the town centre or impact on servicing arrangements. It would complement the existing services of the Town Centre and provide for the new tenants.

Restaurant – Drinking Establishment Uses

- 5.3 Concern was raised at the original application stage that an increase in A3/A4 uses could impact on the vitality and viability of the West Hampstead Town Centre. Therefore, potential A3/A4 use was restricted to upper floor level wing in block A. As part of this proposal the potential A3 units has actually marginally decreased in size from 87.8 sqm to 81.2 sqm. As such, the proposal would not impact on the vitality and

viability of the Town Centre.

Office/ Heath care uses

- 5.4 The original proposal granted permission for 3 premises for flexible offices/healthcare use. One in block B (116.2 sqm), one in block C (253.3 sqm) and one in block D (78.0 sqm). 447.5 sqm in total. The current proposal seek create a number of smaller units proposing 5 units with floor areas ranging from 83.6 sqm to 138.5 sqm. The total office floor space would be 547 sqm, an increase of 100 sqm.
- 5.5 This increase in potential office floorspace is welcomed in line with policies DP13 and CS8. The provision of smaller units will also be also beneficial as it provides space which is suitable for small and medium sizes businesses.
- 5.6 At the time of the previous application it was noted that the Camden Infrastructure Study identified a need for further healthcare facilities created by new development in the Interchange area. However, a study was also undertaken by the applicant which suggests that there is sufficient capacity within local GP surgeries and dentists. Therefore, to allow for the possibility of an expansion of healthcare provision, the commercial units would be in a flexible B1/D1 use which would potentially allow one or more of them to be used as a GP surgery or dentist if sufficient demand existed as these fall within the D1 use class. Such uses would also provide some employment. This would remain subject to condition 5 of the original permission which restricts any D1 use to provision of a dentist or healthcare facility and not other D1 uses.

6. Neighbour amenity

Daylight/Sunlight and overshadowing

- 6.1 As the height, bulk and massing of the building remains the same as the previous scheme impact on neighbouring properties in terms of light and overshadowing will not be readdressed as part of the current application. A daylight and sunlight assessment was submitted with the original proposal which demonstrated that the design complies with the BRE guidelines.

Privacy, noise and disturbance

- 6.2 As the site is separated from neighbouring residential properties by the width of railway tracks and West End Lane, ample privacy distances would be maintained in all directions, despite the height of the largest blocks. These separation distances would also prevent significant noise or disturbance from the site affecting neighbours and minimise the effects of light overspill.

7. Condition 13

- 7.1 Condition 13 states, *'The development hereby permitted shall not be commenced until detailed design and method statements and assurances (in consultation with London Underground) for all of the following have been submitted to and approved in writing by the local planning authority.*
- *retaining structures, foundations, basement and ground floor structures*
 - *protection from vehicle incursion*
 - *fencing design, erection and maintenance adjacent to LU land*
 - *wall design, erection and maintenance adjacent to LU land on the approach to West End Lane*
 - *accommodation of existing London Underground structures*
 - *use of tall plant and erection of scaffolding*
 - *London Underground's right of access to its property*
 - *details of the management company have been provided.*

All works shall be completed in accordance with the approved details.

Reason: To safeguard the safety and structural stability of the adjoining railway network in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy.'

- 7.2 The developer has been working closely with London Underground in accordance with the above requirements and London Underground are satisfied with progression this far.
- 7.3 The current condition requires all of the above detailed design and method statements and assurances for all points raised above prior to commencement. In practical terms this is not possible as this is an on-going process through-out the pre-construction, construction and post-construction phases. As such, the applicant is required that the condition is re-worded to reflect the ongoing nature of the works. London Underground have been consulted on this proposal and raise no objection.
- 7.4 As such, Condition 13 should be amended to read:

Prior to commencement of the relevant part of the works detailed design and method statements and assurances (in consultation with London Underground) for all of the following have been submitted to and approved in writing by the local planning authority:

- a) retaining structures, foundations, basement and ground floor structures;*
- b) protection from vehicle incursion;*
- c) fencing design, erection and maintenance adjacent to LU land;*
- d) wall design, erection and maintenance adjacent to LU land on the approach to West End Lane;*
- e) accommodation of existing London Underground structures;*
- f) use of tall plant and erection of scaffolding;*
- g) London Underground's right of access to its property;*
- h) details of the management company have been provided.*

All works shall be completed in accordance with the approved details.

Reason: To safeguard the safety and structural stability of the adjoining railway network in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy.

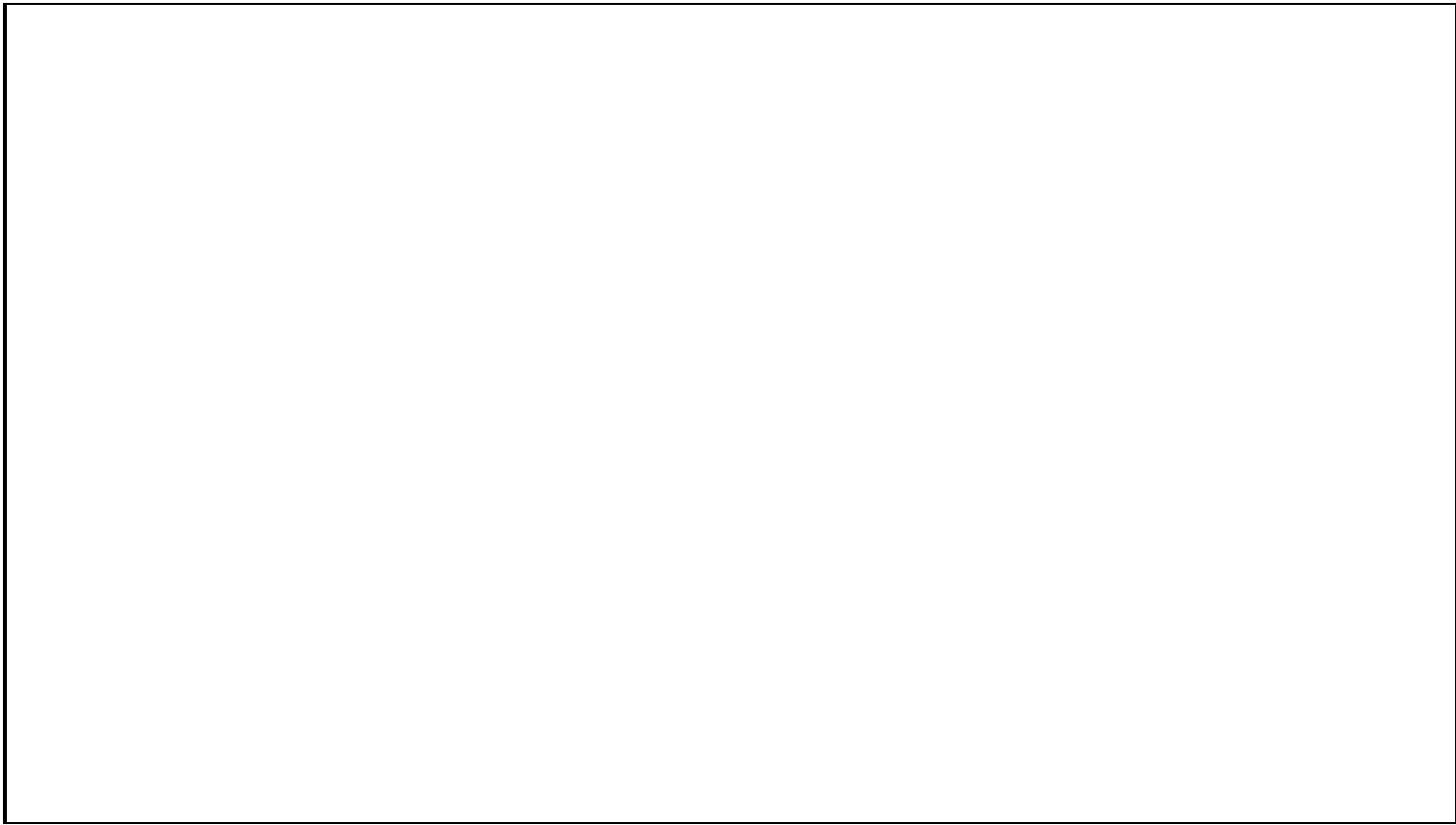
8. Other Matters

- 8.1 The original approval was subject to a S106 agreement. This application, if approved, will be subject to a Deed of Variation to the Original S106 agreement to ensure all matters secured by the original S106 are complied with.
- 8.2 It is also noted that the additional floorspace created will be liable for CIL contributions.

Recommendation: Grant conditional permission subject to a Deed of Variation to the S106 agreement.

DISCLAIMER

Decision route to be decided by nominated members on Monday 3rd 2014. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.



WCEC ARCHITECTS
Carrwood Court
Carrwood Road
Sheepbridge Chesterfield
Derbyshire S41 9QB

Application Ref: **2013/6627/P**

27 February 2014

Dear Sir/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
**187-199 West End Lane
West Hampstead
London
NW6 2LJ**

Proposal:
Variation of condition 11 (approved plans) and condition 13 (London Underground structures) to planning permission 2011/6129/P granted on 30/03/2012 for redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units, namely alteration to entrances and layouts at ground floor level block A-E, alteration to fenestration and layouts to all level block F and G, and alteration to landscaping.

Drawing Nos: (Prefix-12-316) PL10-D, PL11-D, PL12-D, PL13-D, PL14-D; PL16-B, PL17-A, PL20-B, PL25, PL26, PL27-B, PL28-A, PL29-B, PL30, PL31, PL33, PL34, PL35, PL36, PL37; Design and Access Statement Addendum by wcec architects; Schedule of Affordable Apartments - Approved Section 73 Application (ref: 2013/1924/P); Schedule of Affordable Apartments - Section 73 Application; 12-316 WHS - Comparison of Non Residential Areas.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

1 REPLACEMENT CONDITION 11

The development hereby permitted shall be carried out in accordance with the following plans approved under reference 2013/1924/P:

Site location Plan; (Prefix-12-316) PL-00, PL-01 -A, PL-02 -A, PL-03 -A, PL-04 -A, PL-05 -A, PL06, PL-10 -A, PL-11 -A, PL-12 -A, PL-13 -A, PL-14-A, PL-15, MP_01, MP_02, MP_03 A, MP_04 A, MP_05 A, MP_06 A, MP08, ELE_07 B, ELE_08, SS_04, BG01 A, RET01; Statement in support of Section 73 Application undated; letter from Ian Lowson dated 28 May and revised 03 June; Accommodation schedule by WCEC Architects; Landscape and Public Realm Strategy November 2011; Design and Access Statement dated November 2011 by John Thompson and Partners.

AND as variously superseded by plans approved under reference 2013/6627/P:

(Prefix-12-316) PL10-D, PL11-D, PL12-D, PL13-D, PL14-D; PL16-B, PL17-A, PL20-B, PL25, PL26, PL27-B, PL28-A, PL29-B, PL30, PL31, PL33, PL34, PL35, PL36, PL37; Design and Access Statement Addendum by wcec architects; Schedule of Affordable Apartments - Approved Section 73 Application (ref: 2013/1924/P); Schedule of Affordable Apartments - Section 73 Application; 12-316 WHS - Comparison of Non Residential Areas.

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

2 REPLACEMENT CONDITION 13

Prior to commencement of the relevant part of the works detailed design and method statements and assurances (in consultation with London Underground) for all of the following have been submitted to and approved in writing by the local planning authority:

- a) retaining structures, foundations, basement and ground floor structures;
- b) protection from vehicle incursion;
- c) fencing design, erection and maintenance adjacent to LU land;
- d) wall design, erection and maintenance adjacent to LU land on the approach to West End Lane;
- e) accommodation of existing London Underground structures;
- f) use of tall plant and erection of scaffolding;
- g) London Underground's right of access to its property;
- h) details of the management company have been provided.

All works shall be completed in accordance with the approved details.

Reason: To safeguard the safety and structural stability of the adjoining railway network in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy.

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

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

- 4 Full details of the timber screens to be erected on the podium courtyards shall be submitted and approved in writing by the local planning authority before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this or the previous variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

Appended report for the original scheme.

Address:	187-199 West End Lane London NW6 2LJ	
Application Number:	2011/6129/P	Officer: Max Smith
Ward:	West Hampstead	
Date Received:	02/12/2011	
Proposal: Redevelopment of site to create seven new buildings between five and twelve storeys in height to provide 198 residential units (Class C3), retail, financial and professional services and food and drink floorspace (Class A1, A2, A3 and A4), flexible employment/healthcare floorspace (Class B1/D1) along with associated energy centre, storage, parking, landscaping and new public open space (existing buildings to be demolished).		
Drawing Numbers: Site location plan; MP_01; MP_02; MP_03 A; MP_04 A; MP_05 A; MP_06 A; MP08; PL_01; PL_02; PL_03 A; PL_04; PL_05; PL_06; PL_07 C; ELE_01; ELE_02; ELE_03; ELE_04; ELE_05; ELE_06; ELE_07 B; ELE_08; SS_01 A; SS_02 A; SS_03; SS_04; BA01; BA02; BB01; BC01 A; BD01; BE01; BF01; BG01 A; BC02; RET01; Landscape and Public Realm Strategy November 2011.		
RECOMMENDATION SUMMARY: Grant conditional permission subject to a S.106 agreement and referral to the Mayor.		
Applicant:	Agent:	
Domaine Development Ltd & Network Rail Infrastructure Ltd C/o Agent	GVA 10 Stratton Street LONDON W1J 8JR	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	A1 Shop B1/B2 business/industrial		148m ² 780m ²
Proposed	A1 Shop A1/A2 Shop or financial/professional services A1/A2/A3/A4 As above but also Restaurants and Cafes and Drinking Establishments C3 Dwelling House Flexible B1/D1 Business or healthcare		584m ² 185m ² 83m ² 17,506m ² 502m ²

Residential Use Details:										
	Residential Type	No. of bedrooms per Unit								
		Studio	1	2	3	4	5	6	7	8+

Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	21	40	105	28	4				

Parking Details:										
	Parking Spaces (General)					Parking Spaces (Disabled)				
Existing	<i>Large areas of hardstanding</i>					0				
Proposed	3 (inc.2 car club)					17				

OFFICERS' REPORT

Reason for Referral to Committee: The proposal constitutes a major development which involves the construction of more than 10 residential dwellings and 100sqm of non-residential floorspace [Clause 3 (i)] and the making of a planning obligation under Section 106 of the Town and Country Planning Act 1990 [Clause 3 vi] in relation to matters for which the Director of Culture and Environment does not have delegated authority.

On account of the height of the development and the number of units proposed, the development is of a scale whereby the Mayor of London has the power under the Town and Country Planning (Mayor of London) Order to call in the application and act as the planning authority or direct the Council to refuse the application.

1. SITE

- 1.1. A 0.9 hectare wedge of land bounded by a London Overground railway line to the north, the Metropolitan and Jubilee lines to the south and West End Lane to the east. At present the site is occupied by a number of commercial uses including a vehicle recovery company, a car wash and a motorbike sales and repair centre (falling within use classes B1 and B2). There are also six retail units fronting onto West End Lane. Buildings on the site are limited to single storey functional commercial structures of no architectural or historical interest. The far western tip of the site is undeveloped and is designated as a Site of Nature Conservation Importance (SNCI).
- 1.2. The site is within a wider 'Area of Intensification' in the London Plan 2011 and a Growth Area in Camden's Core Strategy. The retail units at the eastern edge of the site are within the West Hampstead Town Centre, as defined by Camden's Local Development Framework. The site has a Public Transport Accessibility Level of 6A (Excellent), being in close proximity to three stations providing access to the London Underground, Overground and Thameslink, and bus services on West End Lane.

2. THE PROPOSAL

2.1. Original

- 2.2. A mixed use development is proposed, which would comprise residential flats, three flexible B1/D1 (employment community use) units and eight commercial units (flexible use A1/A2/A3/A4), with the residential component being by far the largest.
- 2.3. The development would consist of seven buildings, constructed east-west across the site with the tallest in the centre. The gaps between the buildings would provide two small parks, a courtyard and three raised 'podium' gardens with parking and commercial floorspace beneath. The configuration of each individual building would be as follows:
- Block A: This would be the easternmost building and would be five storeys in height. The main part of the building would be set back between 21m and 24m from the edge of the footway on West End Lane to provide space for a public square, with a two storey section enclosing this square on its northern side. Block A would contain all eight of the commercial units on the ground and first floors, with 11 market residential units above. One of the retail units has been identified as a possible entrance to the redeveloped London Overground station, were this to come forward on safeguarded land immediately to the north.
 - Block B: The second closest building to West End Lane is proposed to be eight storeys in height. On the ground floor it would host one of the B1/D1 units as well as the energy centre, which would contain a gas powered CHP plant serving the entire site. Above would be market residential units.
 - Block C: 10 storeys in height and with the largest of the B1/D1 units on the ground floor. The space between block C and B would be taken up by one of the raised podium gardens, with parking and servicing beneath.
 - Block D: The tallest building proposed at 12 storeys would occupy a central location in the site. The third raised podium would be placed between blocks C and D. The ground floor would accommodate a B1/D1 unit and a three bedroom social rented unit oriented towards the first of the parks to the west.
 - Block E: 11 storeys and wholly residential, this block would have three bedroom duplex social rented units at ground and first floor oriented towards open space to the east and west.
 - Block F: An eight storey block containing a mix of social rent and intermediate units.
 - Block G: The westernmost block is 6 storeys in height and contains predominately 3 and 4 bedroom social rented units. A courtyard is located between blocks G and F providing disabled parking spaces, turning space and an access point for railway track maintenance. Beyond block G to the west would be the Site of Importance for Nature Conservation, which would be enlarged and gated.

- 2.4. The site would be served by a single private road running along its southern boundary. All the existing buildings on the site would be demolished to make way for the development.
- 2.5. Amended plans have been received for the following changes to the scheme:
- Three x studio flats and three x one bedroom market flats have been deleted from the scheme and replaced with three x three-bedroom market units.
 - Five x one-bedroom and two x three-bedroom intermediate units have been replaced with two x four bedroom, two x three-bedroom and one x one-bedroom social rented units.
 - Two x two-bedroom market units have been replaced with intermediate affordable units of the same size.
 - In all these changes have resulted in the overall number of units being reduced from 203 to 198. A breakdown of the units by tenure is contained in paragraph 6.8.1 below.
 - The entrance to block G has been redesigned.
 - One parking space serving the B1 floorspace has been deleted.
 - The access road has been widened from 3.7m to 4m along with some expansion of the space set aside for servicing vehicles.

3. **RELEVANT HISTORY**

3.1. Application site at 187-199 West End Lane:

- 3.2. 2006/4851/P: Temporary use of the site for the storage and maintenance of vehicles in connection with the removal services, chauffer car hire, and self-drive van hire within the boundaries of the site (for a period of three years). Granted 19/04/2007.

- 3.3. 8400196: Change of use for the purpose of the storage and repair of motor vehicles. Granted 27/03/1984.

3.4. 14 Blackburn Road (opposite site to the east)

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

3.6. Former Mercedes Benz Garage, Blackburn Road.

- 3.7. 2009/5823/P: Erection of a part five, part seven, part nine storey plus basement building providing 2,110 sqm of flexible B1 employment space at ground floor and 347 beds (39 x cluster flats and 52 x studios) of accommodation for students to upper floors (following demolition of the existing car repair garage). Granted on appeal 30/09/2010, work have commenced on site and are in progress.

4. CONSULTATIONS

4.1. Statutory Consultees

4.2. Greater London Authority: Stage One comments: London Plan policies on noise, vibration, air quality, design, access, heritage, housing, affordable housing, climate change and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Principle of development (non compliant): Further testing is required regarding the noise, vibration and air quality conditions created across the site, in particular at the western apex which is proposed to accommodate affordable housing.
- Affordable housing, mix, tenure and density (non compliant): Further testing of the appraisal has been commissioned by Camden Council. The findings will inform further discussion regarding these policy areas.
- Urban design (non compliant): further testing and analysis is required on the townscape and heritage views. The layout of block G needs further work.
- Access (compliant): the provision of wheelchair accessible homes, Lifetime Homes and disabled parking should be conditioned.
- Climate change mitigation (compliant): the energy strategy is broadly supported.
- Climate change adaptation (compliant): conditions should secure water use targets and green and brown roofs and walls.
- Noise and vibration (non compliant): the noise impact is a concern and mitigation and design measures need to be secured. The suitability of the site for residential, particularly the western apex, is being considered further.
- Air quality (non compliant): air quality impact is a concern and is being considered in further detail.
- Transport (non compliant): a contribution to fund enhancements at West Hampstead station may be required. Clarification of the trip generation methodology and number of trips at West Hampstead station is also required. A more robust and coherent travel plan is needed with associated funding and targets including a monitoring strategy.

On balance, the application does not comply with the London Plan. However, the changes referred to above may address the deficiencies, and could possibly lead to the application becoming compliant with the London Plan. The GLA also notes that the mayor's Community Infrastructure Levy will apply from the 1st April 2012 for any developments approved after this date. The charge set for the London Borough of Camden would be £50 per square metre. The application will be referred to the GLA for Stage Two once the Council has resolved to make a decision.

4.3. Transport for London: comments as follows:

- Given the level of parking and proposed vehicular activities on site, the proposals will have a limited impact on the highway network.
- The trip rate methodology used is acceptable, though some clarification of the data is required.

- The car capping electric vehicle charging points and car club spaces are welcome. Free car club membership should be provided.
- The additional demand created on the London Underground and local buses can be accommodated within existing capacity.
- Conditions are requested to control details of the method of construction to ensure that it would not affect the Underground line.
- There is not any scope to add bus shelters to the nearest stops on West End Lane due to the narrow pavement width.
- The only entrance to the West Hampstead Overground station can become heavily congested in peak hours. In order to alleviate this, TfL are in the process of developing a number of options to increase this station's capacity, which could include a new ticket hall on land safeguarded for this purpose on land to the north of the site. S.106 contributions from the development should go towards financing this station redevelopment.
- The additional space at the front of the site is a welcome addition and would benefit those walking between stations, with the perception of extra space and a calmer environment. The new square will link to the potential expanded ticket hall at the Overground station.
- The impact of the vehicular crossover at the entrance to the site on pedestrians on West End Lane should be considered.
- The proposed level of cycle parking is compliant with the London Plan.
- There are no current plans to extend the Barclays Cycle Hire Scheme to West Hampstead and so the Travel Plan should incorporate robust measures to encourage cycling from the site.
- Realistic and achievable targets should be included in the Travel Plan, which could include real time information to all residents in the development demonstrating the status of the local rail services. The Travel Plan should be more robust and coherent.

4.4. The Design Council (formerly CABE): It is appreciated that this is a challenging site. We applaud the work by the design team to engage the local community in the design development. We support the provision of a new public open space fronting onto West End Lane and raise no concerns about the architectural language proposed, the arrangement of blocks on the site or the height and massing of the development. There is potential for the block fronting on West End Lane to be taller, increasing the density fronting the road and reducing the density to the rear of the site. However, we have fundamental concerns about locating the family affordable housing at the least accessible western end of the site given the 'car free' nature of the development and we are not convinced the office and community uses will be viable leading to an inactive frontage along the access road.

4.5. The Environment Agency: Have assessed this application and have identified surface water flood risk as the only constraint at this site. The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. We recommend surface water management good practice to ensure sustainable surface water management is achieved as part of the development.

4.6. Thames Water have the following comments:

- The Applicant should incorporate a non-return valve or other suitable device to avoid the risk of backflow.
- Storm flows should be attenuated into the public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval will be required.
- To protect public sewers and to ensure access for future maintenance, approval should be sought where the erection of a building or underpinning work would come within 3m of a public sewer.
- No impact piling shall take place until a method statement has been approved by the planning authority, with which any piling must accord.
- Where it is proposed to discharge groundwater into a public sewer, a permit will be required. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'.
- It is recommended that oil interceptors be fitted in all car parking facilities.
- The installation of a fat trap on all catering establishments is recommended, along with the collection of waste oil for the production of bio diesel.
- Thames Water aim to provide customers with a minimum pressure of 10m head and a flow rate of 9 litres/minute where it leaves Thames Water's pipes. The developer should take account of this minimum pressure.
- Provision indicated in the flood risk assessment for surface water retention will need to be increased due to hydraulic flooding.

4.7. Natural England: This proposal does not appear to affect any protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. With regard to the impact on a protected species. The protected species survey has identified that bats and reptiles may be affected by this application and further survey work should be undertaken into the latter.

4.8. **Local Groups**

4.9. The Fordwych Residents' Association: object on the following grounds:

- There are too many tower blocks that would spoil the view. Most people like West Hampstead as it is less built up than the City of London where they may work.
- West Hampstead has a 'village' feel with high street being the focal point.
- Additional traffic and pressure on public transport.
- West End Green is needed as an open space.
- There would be extra strain on schools, doctor's surgeries and police who are all very busy.

4.10. The West Hampstead Local Consultation Group: comment as follows:

- The Intensification Area was designated to bring 800 new homes. The scheme is too dense as 203 of these homes are proposed on less than a

hectare of the area. There is better access to land on the Finchley Road side of West End Lane which is more appropriate for this development.

- Although technical drawings were produced, the structures were patently more dense and obtrusive than shown. The heights of the buildings were obscured by using transparent buildings in diagrams. Further explanatory diagrams were promised but have not been produced.
- The transport plan does not take into account additional residents on Blackburn Road, increased interchange traffic following the rebuilding of the Thameslink station and the Overground upgrade.
- The proposed movement of bus stops is at the expense of residents who have spent a decade getting them moved to their current sites. West End Lane has just been upgraded and claims that there is further opportunity here to improve it are unjustifiable.
- The public square is in reality the area needed to give circulation space for the increasing number of passengers for the Overground station. This is also the delivery space for the shops as there is no access from the rear. The retail building should be removed as it blocks access to land designated for railway development purposes.
- Car capping will mean car owners will use limited on-street spaces. There will be residents who need parking for their small businesses. It was suggested that CPZ changes would tackle this. At a subsequent Camden sponsored meeting it was stated that existing CPZ boundaries would remain with possible extended hours. Parking needs to be provided with a 'pay and display' facility. Traffic management within the site is non-existent and will have an effect on West End Lane as traffic queues to get in and out.
- The statement of community engagement fails to show how little notice has been taken of the workshops and consultation outputs. This application was so hurried that virtually nothing was changed after the DM forum and before formal submission. It is not opening up the area to the local community; it is rather creating a gated community in the centre and a ghetto at its west end.
- The application should be refused and the developers asked to produce explanations of the effect of bulk, height, traffic management and the safety and circulation of people around this site.

4.11. West Hampstead Amenity and Transport (WHAT) provide the following comments:

- Strongly object to the proposed height of the taller buildings. The development will have a very high profile and will impact not only on those living close to the site but more generally on residents and visitors.
- This site is designated for intensification in the London Plan and is designated in the LDF as a growth area predominately for housing. However these designations do not support anything approaching 12 storeys.
- The height would harm the village feel of West Hampstead, described in the draft Place Shaping document as one of the key attributes of the area.
- The surrounding buildings reach a maximum of five storeys except for one small part which is six storeys. We would accept a height of an absolute maximum of six storeys. A reference in the 2009 draft of the Site Allocations document to the site being suitable for 180 units has been deleted in the latest draft, recognising that this would amount to over development.

- There should be a greater proportion of affordable housing mixed with private housing and not located in what could be a ghetto at the western end. The latest draft of the Site Allocation document suggests that some affordable housing should be at the eastern end.
- The Council should check that there are no safety issues with access to the back of the site e.g. emergency services access.
- There would be an emphasis on housing for the disabled and it is bad practice to have such units in a relatively inaccessible location.
- The proposed square on West End Lane is welcomed. It leaves space for the eventual redevelopment of the station, to which additional S.106 money should be put. The lifts are being funded with disability access funds that would dovetail with the disability focus in the development.

4.12. The West Hampstead Gardens & Residents Association object as follows:

- Crowding over 700 new residents onto a small site and into an already strained community without improvements to public services, infrastructure, parking and traffic management will cause untold damage to the area. Schools, surgeries and utilities (especially water) are overstretched and the impact of so many new residents has not been seriously considered.
- The overall bulk of the buildings, with the height of three of the seven units being of 10 and 12 storeys is not in keeping with the surrounding buildings. This compromises amenity for residents on either side of the site and blights the environment for everyone who uses West End Lane.
- The scheme does not provide the level of affordable housing indicated in the Council's Core Strategy, nor does it suggest either affordable rents or compensation to local businesses who will lose their present location.
- Safeguarding local shops should be part of the S.106 agreement as the community is losing valued retail services and resources. There should be vigilance about the kind of retail outlets agreed so as to minimise the nuisance and social disorder attracted by late night outlets and takeaways.
- Many felt that the workshop, exhibition and consultation on this application were not carried out in good faith. Graphics were inaccurate, models were incomplete or misleading and photo perspectives appeared to be flawed. This sense of being given selective and partial information was counterproductive as it distorted and stifled the discussion and led to a much less constructive interaction among interested parties.

4.13. **Local representatives**

4.14. The West Hampstead ward Councillors, Cllr John Bryant, Cllr Keith Moffitt and Cllr Gillian Risso-Gill raise the following concerns, based on their views and those of local residents and community associations:

- There is general support for the development of the site which, apart from the independent stores has added little value to the area. The proposed market square and public space has been welcomed.
- The height and density of the proposed development is strongly opposed and would replicate discredited 1960s tower blocks.

- The development is at the upper limit of density, which has been achieved through excessive height which will adversely affect nearby streets through loss of view and privacy. There is scope to meet the density limits of the London Plan without excessive height.
- Although the student accommodation on Blackburn Road will be 9 storeys, these will be set downhill from West End Lane and away from nearby homes. Although the architect for this development has attempted to mitigate the impact of the tallest building in a similar way, the 12 storey height would have an adverse affect over the surrounding area.
- The high density required to provide 203 homes on such a restricted site would not provide an attractive living environment. The site would put a strain on local services. The developers assess only 363 residents based on only one person living in each bedroom, which is unrealistic and misleading.
- The developer admits that the scheme will reduce daylight, and increase overshadowing, solar glare and light pollution. It is claimed that only one neighbouring garden and one new unit will be affected. Although all the new and neighbouring properties will have light that will meet BRE standards that is not the same thing as loss of light. It is unclear how these assessments were carried out because residents were not contacted and some are convinced that they will be badly affected.
- Although the area is designated as an area for intensification with 800 new homes anticipated, it seems premature to plan to build 25% on the first site to be developed before the scope of other sites has been considered.
- On Blackburn Road, there is already a development of 91 units for student housing being built, and permission was granted for 14 units on the Builders' Depot site. Neither of these two developments has been included in the "intensification" plan. An application has been submitted for a further 36 units on Iverson Road. So the density of 203 units on this site cannot be justified.
- There is no Master Plan for the Interchange area and it is being left at the mercy of property developers who work in isolation from each other.
- West Hampstead has a significantly higher than average proportion of people in the 20-34 age group than the borough as whole. Much of this demographic are very transient and live in private rented bedsit, HMO or shared larger accommodation of which there is no shortage.
- The Placeshaping document states "the need for more housing that is affordable to local residents, particularly families, has been identified as an issue. This could reduce the transience of parts of the population who cannot presently afford to buy property and help people build long term connections to the area." Although the provision of studio/bedsits and one-bedroom flats might be seen to be meeting the needs of this group, the units are more likely to attract outside investors. These units are likely to be unaffordable to local residents and would not address the housing pressures of Camden residents, particularly families, and are likely to exacerbate the churn of temporary residents and undermine the local community. The provision of studios and 1-bed units amounts to 35% of the development.
- The over-occupancy ratings in the applicant's Socio-Economic Report may refer to families with children who are living in studios/1 bed accommodation because larger accommodation is not available to them in the local area.
- The proposed development does not address the need for family housing.

- In considering the need for play space for children, the development assesses only 72 children will live on the site, which suggests that most of the development of 203 units is not designed for family living.
- Is West Hampstead is to be nurtured as an area with a strong sense of community or will it be allowed to become a dormitory for buyers who live elsewhere and have no commitment to the area.
- The provision of Social Housing units is inadequate and fails to address the needs of families in the local area. The location of these units at the far end of the site is less favourable to these occupants in an emergency.
- It is noted that the data presented in the Socio-Economic Report is 10 years out of date being taken from the 2001 Census.
- Many local residents are concerned that some occupants of the development will find ways of circumventing the car cap, and add pressure on the already congested streets. Car clubs are an expensive option for frequent users. Large families in social housing often depend on cars for mobility and they may not feel that living on this site would be acceptable.
- S.106 monies should contribute towards a lift to the platforms at the Jubilee Line station, the lack of which is a significant drawback in the interchange arrangements on West End Lane.
- Although the new retail and commercial units are welcomed, local residents have expressed concern about the shops that are currently on the site. It is recognised that they have been operating on short leases, but one has been operating from the site for over a decade and is well loved. It is hoped that Camden Council would be able to provide support in securing alternative accommodation and that they would have first refusal of the new units.
- It is also hoped that a greater variety in retail businesses will trade on the site and that a restriction will be placed on any further estate agents, hairdressers and charity shops.
- The data provided in the Socio-Economic report regarding Health appears to have been collated without knowledge of the area, which is that there is only one GP surgery in our ward with another 3 on the Ward boundaries. The same applies to dental surgeries. Although the GP surgeries claim to be taking new patients, the reality is that it takes 2 weeks to secure a non-urgent appointment. One-mile is a long way to travel to visit a GP surgery. The new residents would put strain on existing services. Perhaps a GP or dental surgery could be offered on site.
- We also contest the data provided about the surplus of school places. It is evident that the developers did not expect many children to be on the site. All local schools have waiting lists for reception classes and there is a severe shortage of places in the North West of the Borough. The suggestion that children could travel across the Borough where there are places is not acceptable. If the developer contends that the school place shortage will have been resolved by the time the development is ready for occupation, then funding of a new school should be included in the S.106 agreement.

4.15. Cllr. Risso-Gill: Raises the following points in addition to the above in a separate letter: points:

- This development would provide each resident with about 12.5sqm of total living space and I would challenge whether this is acceptable in an urban area.
- More one bed social rented units should be provided for existing Council tenants who are under-occupying units elsewhere.

4.16. Cllr. Katz: At the Development Management Forum, I raised two issues which I would like to reiterate as a formal response to the application:

- Concern that all the social housing proposed for the site was bunched together at the furthest end of the site, creating a feeling almost of a 'ghetto'. We have long enjoyed a vibrant mix of people of all backgrounds living side-by-side throughout the whole borough, and a planning framework which drives the integration of different types of housing. It would be far more preferable to have a tenure-blind, 'pepper potting' approach to mixing affordable and private units in this development
- There would be additional strain on local amenities, particularly school places. The latest data demonstrates that the only wards which have unmet demand for primary school places in the borough are those west of the Finchley Road. At Christmas there were still half a dozen children who did not have a primary school place. There is a clear demand for a new primary school, despite expansion of Emmanuel on Mill Lane. Were permission to be granted, any S.106 contributions should address the impact on social infrastructure in the wider area, particularly the scarcity of primary school places and in the context of the large capital shortfall the council faces.

4.17. Brian Coleman, London Assembly Member for Barnet and Camden, objects on the following grounds:

- The proposal would be an overdevelopment of the site and detrimental to the amenities of local residents, contrary to policy CS5 of the Core Strategy.
- At odds with the context and character of the area, contrary to policy CS14.
- The buildings would be overbearing on West End Lane and the surrounding area, obscuring sunlight and views.
- 203 units would be unsuitable for this site and would overwhelm the local community in an already densely populated area, causing overcrowding and increasing pressure on local infrastructure.
- Impact on local traffic, including the volume of new traffic that would be created and its impact on parking and road safety.
- The new public open space would be insufficient to justify this type of development or outweigh its impact on local residents.
- The new public square would have the potential to attract crime.
- A smaller scale of development would be more appropriate for this site.

4.18. **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	501
<i>Total number of responses received</i>	112
<i>Number in support</i>	4
<i>Number of objections</i>	103

4.19. Immediate neighbours to the site were consulted by letter on the 19th December 2011. Site notices were erected on 21/12/2011. They were placed in Rowntree Close, adjacent to the entrance to 187-199 West End Lane, on the corner of Sherriff Road and West End Lane and on the corner of Iverson Road and West End Lane. It was brought to the attention of officers that some of the site notices had been removed over the Christmas period, therefore replacement site notices were placed on 04/01/2012. The application was advertised in the Ham and High on 05/01/2012. The consultation period formally expired on 14/02/2012. 101 objections were received, including a petition with 17 names, raising the following concerns:

4.20. Density.

- Density will bring 500 to 1000 new residents to West Hampstead.
- Too much in an already densely populated area.
- Number of flats too high, adding to general overcrowding and pressure on local services, including schools, doctors, dentists etc.
- Excessive in conjunction with other developments in area.
- Impact on water supply and sewers.
- Development should take place in less densely populated areas.
- A new retail area with yet more chains will change the character of West Hampstead and be detrimental to the community.
- There could be the same number of flats if better use were made of the land.
- Instead of falling prey to the intensification of West Hampstead under the Mayor's plan, more viable growth schemes supporting local shops and open space should be considered, such as exists behind Swiss Cottage library.
- 'Interchange' is another word for traffic congestion, chaos, overcrowding etc.
- The Mayor's strategy does not require the community to be so affected.
- No more people needed in West Hampstead nor buildings to house them.
- It is understood that brownfield sites need to be developed.

4.21. Design and scale

- Most of the buildings in the area are 3 or 4 storeys, 12 is excessive.
- Buildings should be no more than 6 storeys.
- Precedent for other high rise building along West End Lane, creating an urban high rise nightmare.
- Loss of view.
- Buildings not in keeping with area and do not include high quality materials.
- Looks like a generic low cost modern development.
- The public square looks good in the plans but will be unpleasant on rainy days and cold nights.
- Blocks do not pretend to bring forward exciting and attractive new architecture. They are dull and unimaginative buildings.
- Site could be bleak, windswept and empty just like 1960s high rise estates.
- The area should not become a ghastly replica of the harm done to places such as South Croydon
- Buildings look like office blocks.
- Existing building in West Hampstead are of a human scale.
- Object to West End Lane becoming a New York style high rise avenue.

- No attempt to give an identity to each tower.
- No objection to development on site per se, just to the scale proposed.
- The tallest building should be at the far end of the site.
- Height of buildings has crept up throughout application process.
- References to trees providing a screen are creative.
- The square and green spaces will only attract tramps and bored youths.
- Poor quality developments already approved in the area recently include 59 Maygrove Road and 37-63 Fortune Green Road.

4.22. Transport issues

- There are insufficient on site parking spaces.
- 230 spaces for bicycles but no allowances have been made for the impact of that many extra bicycles on the road. There aren't even any bicycle lanes.
- Platform at all three stations already dangerously busy. Potential for platform closures at peak times.
- Hard to believe that this many people will not require a single car.
- Already a significant number of cars compete for space outside CPZ enforcement hours resulting in double parking and blocked driveways.
- Damage to road infrastructure from heavy vehicles.
- Where will visitors park?
- Congestion bad enough already due to Tesco and Sainsburys.
- The claim that the development will reduce the amount of traffic is contested.
- Increase in commercial traffic.
- There should be a footbridge link to Medley Road.
- West End Lane congested even at non peak times.
- Retail and other services will need parking.
- The junction opposite is often blocked by service to the building suppliers.
- Camden's utopian carless vision is not practical.
- Without parking, people will park in the residents' parking spaces. Fining them will fill the Council's coffers but current residents should be the priority.
- The breakdown service occupying the site, if forced to re-locate, would entail many more lorry miles to access customers, resulting in more congestion.
- Proposal should contribute to the redevelopment of the Overground station.
- If it goes ahead, the whole traffic light system needs to be redesigned.
- Camden have over sold parking permits already.
- Existing congestion already harms local businesses and puts people off visiting the area.

4.23. Impact on neighbouring properties

- Loss of light to neighbours. For much of the year it will block all natural light direct sunlight, contrary to residents' Right to Light.
- Inconvenience from building work.
- Increased noise levels and noise nuisance to nearby residents.
- Daylight report is commissioned by developer and therefore not impartial.
- Daylight/sunlight assessment inaccurate in its treatment of 7 Medley Road.
- Daylight sunlight report based on an arbitrary date in late March.
- The levels at the site are much higher than on Medley Road.

- Distance between site and properties on opposite side of railway no greater than across an ordinary street.
- Light pollution.
- Tower blocks will enhance noise from train movements.
- Effect on property values.
- Loss of privacy from blocks due to overlooking.
- Already a large block of flats blocking light on Iverson Road.

4.24. Standard of accommodation for future residents

- Overcrowding breeds violence and neuroses.
- Insufficient social housing units.
- The public housing block will be stuck at the far end next to two railway lines in the noisiest part of the site.
- Pocket gardens and the off street square have the potential to become areas for criminal activity hard to police.
- Lack of access for the fire brigade.
- The proposed public plaza is tiny.
- If the open market units are bought for rental purposes, there is likely to be a significantly higher number of people in some units.
- Developments like these may become modern tenements, with all the disadvantages of overcrowding.
- Site not ideal for development. Needs very special attention if it is not to become a sink estate.
- Perfect location for dodgy people to hang out.
- Has sufficient consideration been given to lighting and pedestrian safety?
- Has suitable provision been made for the long term management and maintenance of such a shared site?

4.25. Other issues

- More eating establishments not needed. There are already enough restaurants, cafes and food stores in area.
- There has been little thought given to place shaping by the planning authority when it comes to the West Hampstead area.
- It is not necessary to add more retail facilities to the area. The existing businesses are already finding it very competitive.
- The space is a rare natural wild haven for wildlife, which will be lost. The manicured gardens and designer trees will not make up for this. The wild area bordering the Overground platform should be particularly protected.
- Loss of local businesses that will not be able to afford new units.
- The responsibility of the Council is to improve an area over time.
- Not enough consultation with other developments in the area. Whole ambience of retail district will change for the worse.
- Development represents developer's greed.
- Would result in an unjust transfer of wealth from local property owners to grasping developers unanswerable to the community.
- There is already a large building site on Blackburn Road. West Hampstead needs a bit of breathing space.
- Planning for the area already seems poor.

- Area already has a very transient population.
- Structural impact on railways (subsidence).
- Further sizeable shift in the already shrinking proportion of small industrial/business/retail to residential use in West Hampstead.
- The developer states that the site is underused, but businesses need varying amounts of space to function fully.
- West Hampstead could become a dormitory suburb, where inhabitants spend all their time and money travelling in and out of work everyday.
- Safety issues from littering of railway tracks.
- The ecological area at the end of the site is just a treeless overgrown tip.
- Irreparable damage to fabric of life and the inter dependence between consumers and services providers in the neighbourhood.
- Developers have not listened to the comments from previous meetings.
- The square at the front of the site is supported, as are wider pavements.
- Area has already suffered months of road works, with new pipes laid.
- Area already suffering from electrical power surges. Local grid cannot cope.

4.26. Four letters of support have been received making the following points

- Providing 203 flats will mean at least another 203 people will be able to enjoy living in such a wonderful area. Giving these people such an opportunity may require sacrifices on behalf of some: a slightly spoiled view, a few more people on the tube, but these inconveniences are not a licence to stop a development that would bring a great deal of joy to many.
- Social decision making involves give and take. Those against this development are simply selfish.
- Positive aspects of the proposal include zero parking, staggered height to reduce perception of bulk and provision for a farmers market.
- It is hoped that the Peppercorns health food shop can be found a temporary home during construction and a permanent one on completion.
- Although the height of the towers is taller than a number of people would like to see, the site offers the least obtrusive location for such massing and would not detract from the 'village' element of West Hampstead.
- The main benefit is that the scheme offers a gateway to the area that we would be proud of.

4.27. Five letters commenting on scheme received raising the following

- Development of site for housing supported
- Open space supported, though there doesn't seem to be a large amount.
- Increases in commercial supported only if Network Rail agree to remove their horrible billboards.
- Tall buildings supported as long as design and materials good.
- There should be an assessment that additional retail units in this location will not have a detrimental impact on the original shopping parade.
- The occupants of the existing retail units should be allowed to stay on for as long as possible and be offered first option on the new units with an affordable rent.
- Society benefits for affordable housing. Why not have affordable business rents too? There should be a compensation package for to help with relocation and loss of earnings.

- The number of additional pupils seems to have been underestimated.
- Impact on local infrastructure needs to be realistically assessed.
- The site should contain adequate parking. To believe that by restricting parking the number of cars will decrease is a fantasy.
- The Council should insist that any site construction will not block streets at any time. Any road works should be done at night.
- The predominance of 1 and 2 bed flats is silly. There should be a relatively high number of 3 and 4 bed flats.
- The height of the towers is the main concern.
- The new square is supported, but since the new open front to the Thameslink station was completed the need for it has diminished.

4.28. One Housing Group (OHG) [A registered Social landlord] write in support of this 'impressive' scheme. OHG note the following key benefits highlighted below :

- Will provide a balanced, sustainable mixed tenure development.
- The commercial 'start up' business units will encourage entrepreneurial growth within the area.
- Courtyard gardens will provide play space and communal activities.
- Secure, covered cycle storage provision will help to promote green travel.
- High proportion of large family units for social/affordable rent.
- Will create high quality dual and triple aspect duplex units with south facing private gardens, balconies and roof terraces.
- Affordable units will be developed to Scheme Development Standards and include a proportion of wheelchair units.
- The affordable housing will be grouped together at the end of the site to provide effective management and maintenance services to residents and help to ensure service charges remain adequately affordable.
- The provision of affordable housing on this site will be highly desirable and address the Council's housing need strategy.

5. **POLICIES**

5.1. **LDF Core Strategy and Development Policies**

Core Strategy Policies

CS1 – Distribution of growth

CS2 – Growth Areas

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS7 - Promoting Camden's centres and shops

CS8 – Promoting a successful and inclusive Camden economy

CS10 – Supporting community facilities and services

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through providing higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity.

CS16 – Improving Camden's health and well-being.

CS17 – Making Camden a safer place.

CS18 – Dealing with waste and encouraging recycling.
CS19 – Delivering and monitoring the Core Strategy

Development Policies

DP1 – Mixed use development
DP2 – Making full use of Camden's capacity for housing
DP3 – Contributions to the supply of affordable housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair homes
DP10 – Helping and promoting small and independent shops.
DP11 - Markets
DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses.
DP13 – Employment sites and premises
DP15 – Community and leisure uses
DP16 – The transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and the availability of parking
DP19 – Managing the impact of parking
DP20 – Movement of goods and materials
DP21 – Development connecting to the highway network
DP22 – Promoting sustainable design and construction.
DP23 – Water
DP24 – Securing high quality design
DP26 – Managing the impact of development on occupiers and neighbours
DP28 – Noise and vibration
DP29 – Improving access
DP30 – Shopfronts
DP31 – Provision of, and improvements to, public open space and outdoor sport and recreation facilities.
DP32 – Air quality and Camden's Clear Zone

- 5.2. **LDF Site Allocations Development Plan Document (draft).** Due to be submitted for public examination this year.
- 5.3. **Camden Replacement Unitary Development Plan 2006**
- 5.4. Saved policy LU1 "Land Use Proposals".
- 5.5. **Supplementary planning guidance**
- 5.6. Camden Planning Guidance 2011.
- 5.7. **Strategic and Regional Policy**
- 5.8. The London Plan 2011.
- 5.9. PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPS4 (Planning for Sustainable Economic Growth, PPG13 (Transport), PPS5 (Planning for the Historic Environment), PPS22 (Renewable Energy). PPG24 (Planning and Noise).

6.1 Main Issues

The main issues are as follows:

- The principle of the development
- Density and impact on local services
- Design, bulk and scale
- Transport
- Level of affordable housing
- Standard of accommodation
- Mix of units
- Neighbourhood amenity
- Provision of flexible Business/Community use (B1/D1) floorspace
- Proposed retail (A1/A2/A3/A4) floorspace
- Open space, trees and ecology
- Sustainability
- Impact on local schools
- Community facilities
- Employment and Local Procurement
- Contaminated Land

6.2 The principle of the development

- 6.2.1. The site at 187-199 West End Lane is part of the wider 'West Hampstead Interchange' identified as an 'Intensification Area' in the London Plan 2011. The London Plan requires the delivery of 800 new homes and 100 jobs in the interchange whilst providing the necessary social and other infrastructure to sustain growth. Camden's Core Strategy identifies the West Hampstead Interchange as a Growth Area in policies CS1 and CS2. Developments in growth areas are expected to maximise site opportunities, whilst providing links to and benefits for surrounding areas and communities. Specifically for the West Hampstead Interchange, development would be expected to provide a mix of uses including open space, improved transport interchange accessibility and capacity.
- 6.2.2. The draft Site Allocations Development Plan (SADP), intended to form part of the LDF, expands on this by outlining the type of development that is considered to be appropriate on specific sites. In respect of 187-199 West End Lane, it states that a mixed use development of retail and residential, alongside other appropriate transport improvements, community and employment uses would be suitable for the site. Other more specific aims for the site set out in this document include the provision of a 5m wide pavement along the site's frontage onto West End Lane, improved access to the West Hampstead Overground station and local energy generation on site to include options to export to surrounding developments. The creation of retail units with residential above along the site's eastern frontage is also a key objective.
- 6.2.3. It should be noted that the SADP has yet to be adopted as part of the LDF and 'saved' policy LU1 "Land Use Proposals" from the replacement UDP continues to

apply. This latter policy identifies a B1 and B2 led scheme as being appropriate for the site. However, it is considered that given the progress that has been made towards adopting the SADP and the Core Strategy and London Plan policies detailed above, it is considered that the SADP forms a more appropriate basis for determining this application than UDP policy LU1 and should be given considerable weight.

- 6.2.4. Aside from requirements of policies CS1 and CS2 and the London Plan, policy CS6 indicates that housing is regarded as the priority land use of the Local Development Framework. Policy DP1 seeks mixed use development in town centres, with 50% of the uplift in floorspace as residential, and the easternmost building would comply with this policy.

6.3. Density and impact on local services

- 6.6.1. The strategic guidance for the appropriate residential density for new development proposals is set out in London Plan policy 3.4. In urban areas with good public transport accessibility, densities of between 200 and 700 'habitable rooms per hectare are identified as being appropriate. The proposed development would have a density of 609 habitable rooms per hectare. Even allowing for the presence of commercial and business floorspace within the development, it would be within the density range set out in the London Plan, albeit towards the higher end of the range.
- 6.6.2. It is acknowledged that the potential of the development to impact on local services, particularly in conjunction with other large developments expected in the interchange area, is a major concern among local residents. However, as the wider area has been identified for significant growth in the Local Development Framework, the prospect of additional pressure on services has been factored into long term planning for service delivery in this area, for example in the 2009 "Camden Infrastructure Study – Preparing for Growth". The impact on schools, healthcare facilities, transport provision and community facilities will be assessed within this report and where the proposal generates the requirement for new facilities to accommodate growth, this could be secured via a S.106 agreement were the application acceptable in all other respects.

6.4. Design, bulk and scale

- 6.4.1. The immediate context can be broadly characterised as a traditional High Street running from the junction of Sherriff Road with West End Lane to the south through to West End Green to the north. The buildings along this route are predominately Victorian and Edwardian in character ranging from two to four and five storeys. The surrounding areas comprise of predominantly Victorian and Edwardian residential streets. To the southwest of the site is the South Hampstead Conservation Area. Further north, beyond West Hampstead Thameslink Station is the West End Green Conservation Area.
- 6.4.2. Site Layout: The design concept for the site is that of a parkland landscape within which are a series of buildings. Where the site intersects with West End Lane the site would become more urban in character with the formation of the town square

immediately abutting West End Lane. This approach gives a strong landscape setting for the development capitalising on and adding to the site's current designations as a habitat corridor on the northern boundary and two sites of nature conservation interest (one on the southern boundary at the entrance of the site from West End Lane and the other at the western most apex of the site).

- 6.4.3. The main access through the site is via a shared surface roadway from West End Lane running along the southern boundary, through to the western end of the site and terminating in a hard paved courtyard space. This courtyard space is necessitated to satisfy Network Rail's requirement for access to the rail track for emergency and maintenance purposes. This route has significant planting throughout which contributes to the site's character. Blocks D, E and F face onto landscaped areas providing a play area, trim trail and nature garden. Roof gardens are provided on top of the podiums between blocks A, B, C and D. These raised garden spaces are not accessible to the public but are accessible to all residents of the adjoining blocks via a glazed corridor along the northern edge of the site.
- 6.4.4. Access to the blocks would be from the southern access route apart from Block A, which would be accessed directly from the new square. A glazed corridor along the northern edge of the site would link the flats in blocks A to D with the raised gardens. A key fob system would prevent the occupants of blocks B, C and D from accessing their properties via this the entrance to block A and the glazed corridor as this would result in less activity and surveillance along the main access route and also reinforce a sense of social division across the site between the privately owned blocks and affordable blocks. The key fob system or a similar arrangement accomplishing the same would be secured via the S.106 agreement.
- 6.4.5. The proposed square on West End Lane is considered to provide a significant gain to the public realm within West Hampstead with the potential to ease pedestrian flows around the Overground station and providing some animation to the street scene. The square will gain added importance if as intended a new access to the Overground station is formed within the building frontage backing on to the railway line.
- 6.4.6. Height and Massing: The development of the height and massing on the site has resulted from the location of the site in an area of intensification, the sites high public transport accessibility, the unique and constrained condition of the site and also the desire to limit the impact of the proposed blocks on neighbouring properties. As stated in the Design and Access Statement, early public consultation exercises demonstrated a local preference that the built form be broken up with gaps between the buildings and the buildings on the West End Lane frontage should be of an equivalent scale to the existing West End Lane frontage.
- 6.4.7. The proposal steps up in height from West End Lane with a 5 storey building up to the tallest block (Block D) at 12 storeys and stepping down to 6 storeys at the western end of the site. This disposition of height across the site is considered to provide the optimum arrangement in terms of preserving the historical context of the building frontage onto West End Lane, reducing the potential impact on adjoining properties and providing usable open space.

- 6.4.8. The visual impact of this arrangement on the surrounding area is shown in a series of verified views around the site. View 1 shows the view from the entrance to the play space on Iverson Road. In this view the built form steps down towards the western end of the site, down towards the playground. View 2 is shown as looking along Medley Rd towards the site. Blocks F and G are partially visible behind the group of trees at the end of the road. In View 3 between the commercial units at 166 and 190 Iverson Rd Blocks E and D are visible, however the gap between the buildings maintains views the sky beyond. View 4 at the entrance to Rowntree Close shows a view through to Block B. View 5 shows part of Block B visible from the entrance to the courtyard of Hampstead West commercial development. Views 6 and 7 from the Thameslink Railway Station and from adjacent to the Travers Perkins building on West End Lane shows the tree line at the eastern end of Iverson Rd screening views to the site during the summer and autumn months. The winter version of View 6 shows the buildings visible in winter and spring. In View 8 looking across West End Lane on the eastern side close to the junction with Iverson Rd shows there is no significant view of the site. Views 12 and 13 show Block D visible northwards along Hilltop Rd but not otherwise visible from the public domain south of Sherriff Road.
- 6.4.9. Views 9,10 and 11 look towards the site from the junction of West End Lane with Blackburn Rd, from the entrance to West Hampstead tube station and from close to the junction of West End Lane with Broadhurst Gardens. These views, along with the winter views for view points 6 and 7, are where the buildings are most prominent. However, as in all of the views, it is considered that the proposed built form adds a visually attractive addition to the townscape in West Hampstead in a way that is contextually appropriate and fits comfortably with the site and its surroundings. This has been done by the attention given to the modulation of building height across the site (rising from West End Lane to a high point and then dropping down to the western end), the modelling of the individual blocks with projecting balcony frames on south eastern corners, double height groupings of elements, set back top storeys and use of colours and details that draw from familiar local architecture.
- 6.4.10 Architectural Detail: In terms of the visual characteristics of the architectural design, the elevational detailing has been developed around the concept of responding to the existing historical context of the locality and also to future change resulting from the West Hampstead Area of intensification designation. The architectural detailing is premised on the built form having a contextual face in views from the east and a contemporary face in views from the west. The contextual face draws on stylistic elements of the design of the mansion block, a form which typifies the character of many buildings in the locality e.g. through the use of red brick, white banding and a formal arrangement of elements. The contemporary face of the building design results from the use of white techrete and an informal arrangement of elements. In creating the two faces care has been taken to integrate both by using common elements in the form of double height groupings, opening widths, balcony forms and the use of white elements of detail on the brick facades. It is considered that the architectural detail provides a positive addition to the character of the local area.

6.4.10 Concern was raised both by the Council and the GLA regarding the design of block G, in particular its somewhat secluded entrance on the north side of the building and the presence of an electricity sub-station at its eastern end. Amended plans have been received showing the entrance relocated to the south side where it would be visible from the access road and creating a more inviting approach to the building adjacent to the community garden. These amendments are sufficient to address concerns on this point.

6.5. Transport

6.5.1. The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent) at the eastern end, declining to PTAL 4 (good) at the western tip.

6.5.2. Traffic generation/impact on highway: At present the site is host to a number of vehicle based businesses. Survey work undertaken in conjunction with the Transport Assessment recorded over a 12 hour period 489 inbound vehicle movements to the site, including 84 HGVs, and 438 outbound vehicle movements, including 77 HGVs. At the morning peak there were 23 vehicles movements associated with the site, with 21 at the evening peak. The prospective trip generation by different modes of transport on the proposed development has been modelled. In contrast, on account of the very limited on-site parking available in the proposed development, it is anticipated that there would on average only be 11 or 12 vehicles visiting the site at each of the morning and evening peaks.

6.5.3. As such, the proposed development would result in an approximate halving of traffic associated with the site at peak times, with the large vehicles serving the existing uses, such as the breakdown service, mostly absent. This represents a significant benefit of the scheme in terms of its impact on the public highway, especially as West End Lane is a heavily congested route.

6.5.4. Off-street parking: Camden's LDF policy DP18 seeks car free development in Town Centres and other highly accessible locations. Given the very high public transport accessibility of this site, with its choice of three stations close by and bus route on West End Lane, only disabled and car club designated bays would be acceptable in a redevelopment of this site. The proposed development would provide 17 disabled parking spaces and 2 car club bays, with no general parking for residents. There would however be one parking space for the use of the B1/D1 units. The road serving the site has been designed to discourage informal parking as any vehicle so parked would block access. Loading bays would be provided at intervals along the access road, allowing the delivery of goods for both residential and commercial units and the picking up/dropping off of residents and a turning area at the road's western end.

6.5.5. This would be an acceptable arrangement, compliant with policy DP18. However, its success would depend largely on the management of the private road, which would not be subject to enforcement by Camden Council's parking wardens. It will therefore be necessary for the S.106 agreement to include a clause requiring the approval and implementation of a parking management scheme and conditions limiting the bays for use by blue badge holders or car club vehicles as appropriate.

The retention of the car club bays and the use of the disabled bays solely for blue badge holders would be secured via the S.106 agreement.

- 6.5.6. Car capping The Controlled Parking Zones (CPZs) in the vicinity of the site are known to be under parking stress. Given this, and the site's excellent public transport links, every unit in the development shall be car capped in accordance with policy DP18, secured by the S.106 agreement. This means that no occupant of any of the units will be able to apply for residents' parking permits and would prevent any significant additional pressure on existing on-street parking facilities.
- 6.5.7. Some local residents have raised the concern that occupants of the proposed residential units would still wish to own cars and would attempt to frustrate the aims of Camden's car free policies by parking in residential areas outside of the time of the CPZs. It is argued that some non-disabled car parking should be provided on site, perhaps in underground car parks to cater for this perceived need.
- 6.5.8. In response to this point, it should first be noted that according to Census data only 46.5% of existing households in West Hampstead have access to a car, with the majority of residents relying on other means of transport. Of the working population, only 14% rely on a private motor car as a means of travelling to work. This modal share is made possible by the excellent public transport links in the ward, including three stations, of which few would be in closer proximity than the residents of the proposed scheme. Given these facts, the car capping clause and the remoteness of CPZ bays from the development itself, it is considered highly improbable that the proposed development would attract car owners who would wish to park in the CPZ outside of its hours of operation. In any case, Camden is due to undertake a Parking Strategy Review including a public consultation to which local residents can express their views on the operation of the CPZs. This could result in the hours of operation of the local CPZs being extended to reduce parking pressure in the evenings and on Saturdays.
- 6.5.9. Provision for cyclists: A total of 230 cycle parking spaces are proposed for the residential part of the scheme. These would be separated into secure and undercover stores either within the undercroft parking space or associated with particular blocks. Visitors cycle parking would also be provided in the square (10 Sheffield stands), adjacent to the western courtyard (4 Sheffield stands) and associated with each of the B1/D1 units (2 stands each). This level of provision and its location is considered acceptable and in accordance with the policy subject to approval of details by condition.
- 6.5.10 Concern was raised in the consultation there are no cycle paths to cater for the additional cyclists the development would generate. However, the existing road network in the area, particularly quieter streets beyond West End Lane, could easily accommodate this additional cycle traffic.
- 6.5.11 Construction Management Plan (CMP): Policy DP20 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. A construction methodology statement has been provided with the application. A

full CMP is required to be submitted and approved, which ideally would see some co-ordination with works to adjacent sites. This will be secured via S.106 Agreement.

- 6.5.12 Servicing Management Plan (SMP): Servicing bays would be provided at intervals along the site's access road to serve both commercial and residential units. Following discussions on the application, some of the servicing bays have been increased in size at the expense of small areas of landscaping. The applicant has also successfully demonstrated how the western courtyard could be used for turning vehicles. A Servicing Management Plan (SMP), secured by the S.106 agreement, would ensure that servicing took place in the designated bays.
- 6.5.13 The unsatisfactory servicing arrangements of a pair of large convenience retailers on West End Lane have been drawn to the attention of the Council. The disruption caused by the unloading of large articulated lorries in the street has a significant impact on traffic flow. The SMP would be able to prevent this problem arising as a result of residents occupying the application site as the maximum length of servicing vehicles can also be specified. Failure to comply with the SMP could result in an offending retailer being required to vacate their unit and so it is considered that the servicing of the site can be effectively prevented from having a significant knock on effect on the free flow of traffic on West End Lane.
- 6.5.14 Travel Plan: Draft Travel Plans have been provided for both the residential and commercial elements of the scheme. The fact that the development would be mainly car-free and have comprehensive cycle parking provision on a site with excellent public transport links will ensure the successful implementation of the travel plans, which would be secured via the S.106 agreement.
- 6.5.15 Improvements to pedestrian access: As specified in the draft SADP, the development would be set back from the existing building line to create a 5m wide pavement along the western side of West End Lane where it passes the site. It is envisaged that this width of pavement would continue to the north through the land safeguarded for an expansion to West Hampstead Overground Station. The new square would also allow greater pedestrian circulation within the site itself, particularly if an access to the Overground station were to be created on its north side. The volume of pedestrian traffic interchanging between the stations at peak times along West End Lane is a difficulty at present and this scheme would assist in improving this, although bottlenecks would remain on the bridges themselves. Suggestions raised at pre-application stage to relocate bus stops or create a shared surface on West End Lane do not form part of the current scheme.
- 6.5.16 It is recognised that with only one entry point, the site itself is constrained. Although access for pedestrians to the stations and West Hampstead town centre would be straightforward, routes to Kilburn and other locations west would be more convoluted. Pedestrian permeability through a site is also a desired planning objective as it increases the range of easy destinations for those on foot and make places easier to navigate through. The possibility of creating a new pedestrian link at the western end of the site, either in the form of a bridge or a tunnel, has therefore been examined as part of the scheme.

- 6.5.17 The most likely place that a pedestrian bridge over the railway could be constructed is between the site and the Medley Road cul-de-sac, the railway to the south being prohibitive in width. However, cost constraints would be significant due to the fact that the railway is not located in a cutting and the necessity of providing disabled access either through lifts or lengthy ramps. The presence of a sewer easement at this point, the need to remove trees at the termination of Medley Road and future maintenance issues also add to the difficulties. It was concluded that, whilst desirable, the construction of a pedestrian bridge would not be a cost effective way to improve accessibility at the site compared to other options such as station improvements. A tunnel likewise would encounter cost difficulties as well as the problem of how to safeguard it against crime.
- 6.5.18 Transport contributions: In order to tie the development into the surrounding area, to ensure that damage to the footway during construction work is rectified, a contribution of £ £30,598.24 is required towards highways works, to be secured via a S.106 agreement.
- 6.5.19 West Hampstead Overground Station: As previously noted, land is safeguarded for the expansion of this station to the north of the site. The applicant proposes to link the public square to the station expansion by, at the appropriate time, removing one of the small retail units at ground floor level and replacing it with an entrance to the new station behind.
- 6.5.20 Alternative designs for the new station as well as their costs are still being considered by Transport for London (TfL) and so it is not possible at this stage to identify how the proposed scheme would relate to a prospective new ticket hall. However, funding of £1 Million has already been secured to provide lift access to both platforms although with the caveat that this must be used by the end of 2014. TfL and the applicant have agreed to the principle of a two stage upgrade of the station. Stage one would combine the existing funding secured towards lifts with additional S.106 funding from this application. The second stage would include a new ticket hall and would be brought forward once a design has been agreed and further funding made available.
- 6.5.21 The proposal can provide a total of £900,000 for station improvements, which would be divided between stage one and stage two. Both the financial contribution and the safeguarding of one of the retail units as a potential access to the station would be secured via the S.106 agreement. Should either stage of the station improvement not take place, the S.106 agreement would allow the remainder of the contribution to be put towards other public transport improvements in the vicinity.

6.6. Level of affordable housing

- 6.6.1. The development initially comprised 30% of the residential floorspace as affordable housing, split approximately 60/40 in favour of social rented units with the remainder as 'intermediate' units. The social rented units within the scheme was heavily weighted towards family sized units with intermediate ones tending to be smaller.

- 6.6.2. Following an independent assessment on behalf of the Council of the viability report provided by the developer, the amount of affordable housing has been increased to 32% of the residential floorspace. Furthermore, an additional 4 family sized social rented units would be created at the expense of intermediate units, amending the split between the types of tenure to 70/30. A total of 24 family sized affordable units would be provided, addressing an acute need within the Borough. Although Camden's planning policy stipulates that a 60/40 tenure mix is preferred, given the capacity of the site to provide family sized affordable social rented units, which is less likely to be possible on smaller sites, it is considered that these should be given the priority in this scheme. It should also be noted that social rented units are more expensive for the developer to provide than intermediate ones. This was considered by Camden's independent surveyors to be the maximum level of affordable housing that could reasonably be provided. In summary it is considered that the level of affordable housing proposed is reasonable and would be in accordance with policy DP3.
- 6.6.3. The question of the location of the affordable units within the site has been raised, with the separation of market and affordable units within different blocks across the site deemed to be problematic in terms of ensuring community integration. It is agreed that 'pepper potting' affordable units throughout each of the buildings on site would be preferable. However, such an arrangement is not favoured by Registered Social Landlords (RSL) on account of high servicing charges and management difficulties and is known to decrease the value of market units (thereby decreasing the level of affordable housing a scheme can deliver).
- 6.6.4. The developer has amended the scheme since pre-application stage so that social rented units would be located at ground floor level in block D and at ground and 1st floor level in block E, as well as in blocks F and G at the west of the site, bringing affordable units into the majority of the blocks. This is considered sufficient to address concerns regarding the integration of tenures given the difficulty in going further without compromising the overall level of affordable housing provided, which is the overriding planning policy consideration. The public square, ground level parks and access road would be shared between the residents of different blocks. The RSL 'One Housing Group' has advised the developer in the designing of the affordable units and has written in support of the proposal. The letter notes that the position of the affordable units within the site would assist in their management.
- 6.6.5. A related concern is the fact that the affordable units would be further away from the entrance to the site than the private ones, with attendant access difficulties. Whilst it is the case that the private units would have relatively superior accessibility, the affordable units would still be within a short walking distance of the town centre and the significant transport links the interchange area has to offer, closer in fact than the majority of houses and flats in West Hampstead. As noted above, whilst it would be preferable if the site were more permeable, occupants of the affordable units would still enjoy very good access to services and transport.
- 6.6.6. The provision of 32% of the proposed residential floorspace as affordable, with this provision weighted heavily towards family sized social rented units, is considered a very good affordable housing offer in the context of the absence of grant funding. However, Camden's policies support the inclusion of a reappraisal mechanism in

the S.106 agreement for developments not delivering the maximum level of affordable housing. This allows any gain in value following the granting of permission to be taken into account.

- 6.6.7. On the current scheme, it is proposed to incentivise the early commencement of development in order to secure funding for the Overground station upgrade and to provide the social rented units, the majority of which would be constructed first. Therefore, the s.106 agreement will require an updated viability assessment if the construction of the development is not underway within 18 months. Furthermore, if all of the blocks have not reached practical completion within 30 months of the implementation date, the viability of the remainder to be constructed would be reappraised, with an increase in value triggering an off site contribution to affordable housing. This is considered a reasonable alternative to the usual reappraisal mechanism given the desirability of the early commencement of development.

6.7. **Standard of Accommodation**

- 6.7.1. Size of accommodation: Camden Planning Guidance (2011) requires that the floorspace of new residential units are a minimum size. All of the residential units would comply with these standards as well as the stricter space standards set out in the London Plan. Main and secondary bedrooms would also comply with minimum sizes as set out in the CPG.
- 6.7.2. Natural light and outlook: The site benefits from a southerly aspect and the blocks have been designed to take advantage of this, making best use of solar gain. The daylight/sunlight report also assessed the level of light to the proposed units and found that it would comply with BRE standards, with units generally enjoying exceptional light levels. The proposal has also been designed so that almost all of the units are dual aspect and most would have access to some private amenity space in the form of either a balcony, garden or roof terrace, further enhancing their attractiveness for future occupiers.
- 6.7.3. Noise and disturbance: The site is adjoined by railway lines to the north and the south and a main road to the east, all of which are significant sources of noise. The developer has provided an assessment of noise and vibration levels as part of the application, as well as details of proposed mitigation measures. This identifies the noisiest part of the site as being along its northern edge due to rail freight traffic along the Overground line. Almost all of the site is identified as being within Noise Exposure Category (NEC) C for the purposes of PPS24, with a narrow strip within NEC D along its northern edge. NEC C land is identified as being where development is possible subject to appropriate mitigation measures being incorporated into the design whilst residential development is usually not appropriate on NEC D sites.
- 6.7.4. The proposal would avoid placing residential units in the NEC D part of the site. A range of noise mitigation measures are proposed, including a 'whole house ventilation system' ensuring air is circulated without the need to open windows, high performance glazing, sprung foundations to reduce vibration and acoustic screening immediately along the railway lines. It is considered that subject to

conditions requiring detailed specification of the noise mitigation measures, acceptable internal noise standards could be achieved in accordance with Camden's guidance and policy DP28.

- 6.7.2. The applicants have demonstrated that the residential units meet the necessary Lifetime Homes criteria, and as such the proposals are acceptable in the context of this policy. 10% of the units would be wheelchair accessible in line with policy DP6.

6.8. Mix of Units

- 6.8.1. The proposed residential mix is as follows:

	Market	Affordable social rented	Affordable Intermediate	Total
Studio/1 bed	50	1	10	61
2 bedroom	87	8	10	105
3 bedroom	8	20	0	28
4 bedroom	0	4	0	4
Total	145	33	20	198

- 6.8.2. Policy DP5 of Camden's LDF seeks 2 bedroom units as a very high priority, with 3 bedroom units of medium priority and 1 bed ones of lesser importance on developments for private housing. Whilst the mix of units complies with and exceeds Camden's target for having 40% of market units as two bedroom units, concern was raised regarding the number of market studio and one bed units within the scheme compared to three bed units as originally proposed. In response, the developer reduced the number of small units by six to create three new three-bedroom market units, and this is reflected in the table above.

- 6.8.3. The applicant raised concern that a further reduction in the number of one bed units to form three bed ones would affect the viability of the scheme. As the delivery of affordable housing is a higher priority and the scheme complies with policy DP5 in terms of its delivery of two bed units, it is considered that the revised mix is acceptable.

- 6.8.4. The large number of family sized social rented units to be provided would also comply with policy DP5, whilst the one and two bedroom intermediate units are regarded as being of medium and high priority.

6.9. Neighbourhood Amenity

- 6.9.1. Daylight/sunlight: Given the height of the proposed development, concerns have been raised regarding its impact on nearby properties in terms of loss of light. The development site is surrounded by railway tracks over which the effects of overshadowing would be greatest. Furthermore, the land on the opposite side of the railway to the north of the site is mainly occupied by either non-residential uses or houses presenting mainly blank gable walls towards the development.

- 6.9.2. A daylight/sunlight assessment has been conducted for the properties closest to the site on the opposite side of the railway to the north as well as a sample of

residential properties on West End Lane and Sherriff Road. Loss of light to properties on these latter two streets was shown to be minimal or non-existent due to their distance from the site and position in relation to it.

- 6.9.3. Considering the streets to the north of the site, the impact on daylight and sunlight to sample properties on Rowntree Close and Iverson Road, and by implication all other properties on those streets, would not be significant and well within the BRE guidelines. Loss of light would be within acceptable limits to east and west facing windows on Medley Road, which are the principal elevations of the buildings. However, there are south facing windows on a rear wing of 9 Medley Road and on a rear extension to 7 Medley Road that would experience a more noticeable loss of daylight and sunlight, though the resulting situation would still exceed BRE 'Average daylight Factor' standards. Given this and the very limited impact on the majority of windows on these two properties, it is not considered that loss of light to 7 and 9 would be so significant as to warrant refusal of the application.
- 6.9.4. Finally, amendments to the Daylight/Sunlight report considered Aerynn House, a block of flats to the rear of Iverson Road and accessed via Medley Road, which has a significant number of south facing windows looking out towards the proposed location of block G at the far west of the site. Consideration of the daylight/sunlight impact on this building is complicated by overhanging balconies and recessed windows on the frontage where light is already restricted. Overall the majority of windows, in particular the ones not presently obstructed, would not be significantly affected and would continue to receive good levels of daylight and sunlight.
- 6.9.5. Overshadowing: The report also assesses the potential for loss of light through overshadowing to the rear gardens of all the properties on Rowntree Close and Medley Road. In accordance with BRE guidelines, overshadowing was assessed on the basis of the position of the sun on 21st March. This assessment shows that whilst there would be a small degree of overshadowing to most of the rear gardens on Medley Road only to the rear of No.7 has this been calculated as significant. However, the report assumes that the existing garden is overshadowed by a solid 1.8m fence along the southern boundary, when a chain link fence is in fact present, which would allow more light into the garden. It is not considered that loss of light to the garden of No.7 would be so significant as to warrant refusal of the scheme.
- 6.9.6. Privacy, noise and disturbance: As the site is separated from neighbouring residential properties by the width of railway tracks and West End Lane, ample privacy distances would be maintained in all directions, despite the height of the largest blocks. These separation distances would also prevent significant noise or disturbance from the site affecting neighbours and minimise the effects of light overspill.
- 6.10. **Provision of flexible Business/Community use (B1/D1) floorspace**
- 6.10.1 At present, the site contains approximately 780 sqm of employment floorspace associated with the extensive vehicle based businesses located there. Both policy CS2 and the draft Site Allocations document suggest that a redevelopment of the site should host some employment floorspace. In the current scheme, 502sqm of flexible B1/D1 floorspace is proposed in three units located on the ground floors of

blocks B, C and D. Whilst this new employment floorspace would be provided in purpose built modern buildings, replacing the much older existing structures on the site, concern was raised throughout the application process that the attractiveness of units to potential future occupiers had not been fully demonstrated. As well as their employment function, the units are important to the overall scheme as they would activate the buildings' frontages at ground floor level onto the access road.

6.10.2 In response the applicant has provided details of their letting strategy, which sets out a three stage process for ensuring the units are occupied. In the first instance, the units will be fitted out to shell and core and advertised for occupation by business or community uses at the prevailing market rates. If this does not result in the space being let within a reasonable period of time, or the demand is from small businesses who are not able to afford the fit out costs associated with letting the space, then the applicant will, at their own cost, fit out the spaces in order to meet an identified market demand for the space. If following the above two stages, market research / testing identifies this as being appropriate, then the Developer will use reasonable endeavours to find a partner to deliver serviced office space. However, if an appropriate and qualified partner cannot be found, then the Developer will run the office space and make it available for serviced offices until such time as an occupier/partner can be found.

6.10.3 It is considered that this would be an acceptable strategy as it would create an incentive for the developer to find occupants for the units and minimise the risk of vacant floorspace. The details of the strategy would be secured by a clause of the S.106 agreement.

6.10.4 Concerns have been expressed by local residents concerning the additional pressure from the development on local healthcare facilities, with GP surgeries and dentists in particular being regarded as over-subscribed at present. Survey work undertaken by the developer accompanies the application into local healthcare facilities. This indicates that 18 out of 19 dental practices within a one mile radius of the site are accepting new patients. Sufficient capacity is also identified in local GP surgeries.

6.10.5 The Camden Infrastructure Study referred to in 6.3 above also anticipates the additional demand created by all the new units anticipated in the Interchange Area. Nevertheless, to address local concerns and to allow for the possibility of an expansion of healthcare provision, the three commercial units would be in a flexible B1/D1 use which would potentially allow one or more of them to be used as a GP surgery or dentist if sufficient demand existed as these fall within the D1 use class. Such uses would also provide some employment. It is considered appropriate to restrict the units by condition so that only healthcare uses within Class D1 could be introduced. This would prevent the units being occupied by a low employment generating use with Class D1.

6.11. Proposed retail floorspace

6.11.1 The development includes the construction of 852sqm of new commercial floorspace in eight units set around the new public square replacing the existing 148sqm of floorspace in five units on the West End Lane frontage. This represents

a significant increase in the retail provision on the site, in line with Core Strategy policy CS7 which anticipates additional retail units in the West Hampstead Growth Area. The scheme would also be in line with policy DP1 requiring mixed use development in Town Centres, as the upper storeys of Block A would include matching residential floorspace.

- 6.11.2 Of the eight proposed new units, one would be 584sqm and is intended to 'anchor' the square. Apart from one 83sqm unit, the remainder would be under 50sqm in size. This mix of sizes is proposed as a response to local concerns that the development would be too expensive for small local traders. Four of the smaller units would be at 1st floor level, intended to ensure that they would attract lower rents more favourable to local businesses. Whilst it is beyond the powers of the local authority to require a developer to let units to particular local businesses, it is considered that the arrangement proposed would maximise the prospects of accommodating such uses on site and be in accordance with policy DP10. A condition is recommended to prevent the merging of the smaller retail units.
- 6.11.3 The developer has applied for the retail units to be for flexible use within use classes A1 (ordinary retail), A2 (financial and professional services such as estate agents), A3 (cafes and restaurants) and A4 (pubs and wine bars). However, to allow such flexible uses would have the potential to undermine the vitality and viability of the West Hampstead Town Centre and its primary retail function as it would allow all the units to be occupied by restaurants and estate agents to the exclusion of ordinary retail units. The use of the largest unit as a restaurant or pub would be likely to be particularly problematic. The applicant has therefore agreed to restrict the use of the largest unit to A1 only whilst only the 1st unit above the prospective station entrance could be used for an A3 restaurant or A4 drinking establishment, which would be secured by condition. Further conditions would also limit the total floorspace that could be in A2 use and would secure details of extraction equipment before any A3 or A4 use could operate.
- 6.11.4 Although a case could be made for an A3 use at 1st floor level in the northern wing of Block A or for A2 uses anywhere at 1st floor level, it is considered that this would most appropriately be determined on a case by case basis. Consequently, it is recommended that a condition be attached to the permission limiting the use of the commercial floorspace to A1 retail use only.
- 6.11.5 It is indicated in the application documents that the square at the front of the site has the potential to be used occasionally for markets. Assessed against the requirements of policy DP11 (Markets), it is considered that this would be appropriate and no restriction would be placed to limit the holding of up to 14 markets a year under permitted development rights. This would further enhance the retail component of the development.

6.12. Open space, ecology and trees

- 6.12.1 Open space: The proposals include the creation of new areas of publicly accessible open space, as well as communal gardens for residents of the development and private roof terraces and balconies.

- 6.12.2 The publicly accessible spaces include the 641sqm town square at the eastern end of the site, and two small parks connected by a 'trim trail' (featuring outdoor exercise equipment) further west. Of the two parks, one would be laid out as a children's play area whilst the other would be laid out as a 'nature garden', with an emphasis on planting and encouraging wildlife. Non-public but communally accessible open space would include a community growing area, the ecological area on land presently identified as a SNCI and the three gardens at first floor level between blocks A, B, C and D. The applicant has also suggested that the shared surface access road and western courtyard, given the very low number of vehicle movements expected within the site, would also function as additional 'home zone' style open space.
- 6.12.3 The applicant's open space and landscape strategy is ambitious, and it appears that a great deal of thought has gone into how to provide a variety of types of landscape and biodiversity features. Critical to the success of the open space in the long term is the maintenance and management of the spaces. All open spaces would remain in private ownership and this has the advantage of avoiding any maintenance liability being transferred to the Council. However, a S.106 agreement would be needed to ensure the proper management of the spaces and to allow public access where appropriate.
- 6.12.4 Given that the development would provide a publicly accessible square, children's play space in close proximity to family sized units, a community planting area, biodiversity enhancements, private gardens and balconies to the majority of units and open space with a southerly aspect, it is considered that the scheme would comply with policy DP31.
- 6.12.5 Ecology: The site is located within the railway corridor (designated in the LDF as Green Corridor) between two Sites of Nature Conservation Importance (Borough level)/Private Open Space. Any development should therefore be looking to enhance these qualities through the provision of high quality landscape design and ecological enhancement methods within the scheme without impacting on the existing areas of nature conservation. The site itself is currently largely covered in hard standing and buildings. The ecological report found no evidence of protected species however does recommend a number of mitigation measures. It is recommended these are secured by condition. Part of the site designated as private open space will be built upon (at the far western end), however this is currently hard standing and building, so in terms of ecological importance is considered low. The development is to incorporate areas of new open space (parks, podium gardens and biodiverse roofs) and overall there will be a net increase of soft landscaping/open space.
- 6.12.6 Trees: A number of trees would be removed from the site to implement the development. However these are largely self set sycamores which can be replaced with higher quality specimens within the scheme. It was proposed to plant a line of trees within the front square along the public highway. However, this would impede on the permeability of the space and the movement of pedestrians along West End Lane. Amended plans show a smaller number of trees set back from the pavement, which is considered to be acceptable.

6.12.7 The proposed scheme is considered an improvement over the existing site conditions. The proposed open spaces, green roofs, podium gardens and biodiversity enhancements (bird/bat bricks etc) all contribute to meeting tree/landscape/biodiversity policy at national, regional and local levels. It will be necessary to secure all these features through planning conditions/S.106 agreement, including details of their management.

6.13. Sustainability

6.13.1 The proposal is a high density scheme utilising a brownfield site in very close proximity to excellent public transport links and car free apart from for disabled residents. The principle of the scheme is therefore highly sustainable. It would address specific sustainability policy requirements as follows:

6.13.2 On-site energy generation: The applicant has sought to comply with the requirements of the London Plan's Energy Hierarchy. This requires developments to be designed to first seek to reduce overall energy demand through passive design measures, then the incorporation of energy efficiency measures followed by the selection of appropriate on site renewable energy generation.

6.13.3 The building's south facing orientation assists in maximising passive solar gain, and this would be augmented by the structures' thermal mass and the whole house ventilation and heat recovery system proposed. These energy efficiency measures are expected to make an 11% saving on the development's baseline emissions. A further 23% would be saved by the inclusion of a gas powered combined heat and power plant, to be located in an energy centre in block B. This would generate electricity as well as heating for all the buildings in the development and has the potential to be connected to other developments in the area as part of a district wide heating system. The overall emissions saving when combined with the energy efficiency measures would be 32%. Whilst this is not a renewable energy technology, given the savings achieved it is considered to be the most appropriate energy generation system for this site.

6.13.4 Code for Sustainable Homes (CfSH) and BREEAM:

6.13.5 In addition to the features of the development detailed above, the proposal would achieve Code of Sustainable Homes level 4 (Excellent) for the residential units whilst BREEAM very good would be targeted for the commercial and business units. These scores would be achieved through the a sustainable drainage strategy, sustainable sourcing of materials, high insulation standards and energy saving measures. A full assessment and post-construction review to ensure that these initial scores are carried through into the construction phase would be secured through a S.106 agreement.

6.14. Impact on local schools

6.14.1 The impact of additional school places as a result of the future development of the growth area has been anticipated, with additional places created at Emmanuel school and a further site identified for prospective future school development. As such it is not considered that the current proposal could be refused planning

permission or delayed on the basis of a lack of school places. There is however a policy requirement to make a financial contribution towards existing educational facilities. There is no requirement for educational contributions to be provided in respect of affordable housing. For the proposed private units, the total contribution would be £234,572 in accordance with Camden Planning Guidance. This figure would be secured through the S.106 agreement.

6.16. Community Facilities

6.16.1 No on-site indoor community space provision is proposed and so the development, on account of its scale, will increase pressure on community facilities in the neighbourhood. Given the existing community facilities in the area, it is not considered necessary to require one to be created on site. Camden Planning Guidance advises that developments large enough to contribute to demand for community facilities should make a financial contribution to existing facilities in the vicinity. According to the formula for contributions set out in CCPG8, the financial contribution for this scheme be £355,740, which would be secured via a clause of the S.106 agreement.

6.16.2 Because of the time-lap between signing and implementing S.106 agreements, specifying precisely how funds will be used in the S.106 is avoided. However, in the case of this development there are two community centres within a half mile radius where there is a need to invest funds to improve and extend facilities (West Hampstead Community Centre in Broomsleigh Hall in Mill Lane and Kingsgate Community Centre in Kingsgate Road) and it's likely that funds would be used at one of these, or otherwise at alternative facilities in the vicinity.

6.17. Employment and Local Procurement

6.17.1 LDF core strategy CS8 (promoting a successful economy) states that large schemes which will have a significant job creation potential will be expected to provide local employment and procurement opportunities. In particular these should include 1) an agreement to work with the Council's construction skills centre in York Way, to support the recruitment of Camden residents to jobs created during the construction of the development and to work towards a target that 20% of jobs are filled by Camden residents; 2) an agreement to provide seven construction industry apprenticeships to Camden residents recruited via the Kings Cross Construction Skills Centre, each apprentice to be employed for at least 52 weeks and paid at the National Minimum Wage or above and 3) an agreement to work with the Council's local procurement team to provide opportunities for Camden-based businesses to tender for the supply of goods and services during construction. A financial contribution of £10,000 towards training and employment contributions would also be secured via the S.106 agreement.

6.18. Contaminated land

6.18.1 As residential units are being introduced onto a site that has previously been occupied by various commercial and industrial activities, there is the potential for ground contamination to be present. A contamination report was submitted with the application, which has been assessed and found to be acceptable by the Council's

contamination officer. However, conditions are recommended to ensure the implementation of the recommendations of the contamination report and to address any further contamination that may be uncovered after the site has been cleared of its existing buildings and hardstanding and development is progressing.

7. CONCLUSION

- 7.1 The proposed development would provide a high density residential led scheme in close proximity to excellent public transport links and including a large component of affordable housing suitable for families. The development would fulfil a number of objectives for the site set out in the draft SADP, including the provision of a wider pavement along the front of the site, financial contributions towards improved access to West Hampstead Overground Station, retail units with residential above to enhance the West Hampstead Town Centre, local energy generation and new open space. Employment floorspace would be retained, including a unit with the potential to provide additional healthcare facilities. Further benefits would include the reduction in traffic and air pollution arising from the site and significant financial contributions towards local community facilities and schools.
- 7.2. The concerns raised by many local residents regarding the height of the buildings are acknowledged. However, reducing their scale to five, six or even eight storeys as suggested would necessarily have a knock on effect on the other benefits that the scheme would deliver, including affordable housing and transport improvements. It is considered that the design, with the highest buildings set back from West End Lane, is successful in resolving the development's scale in the context of a site largely isolated by surrounding railway tracks whilst the impact of the amenities of the closest neighbouring properties would be limited. Whilst there are trade offs in every development proposal, given the emphasis in the Core Strategy on the delivery of new residential development and in particular affordable units, it is this which is given greater weight.
- 7.4 Planning Permission is therefore recommended subject to a S106 Legal Agreement covering the following Heads of Terms:
- Affordable housing.
 - Community facilities contribution
 - Highway works contribution: £30,598.24
 - Implementation of Energy Strategy and sustainability measures.
 - Residential and business travel plans.
 - Car-capped residential/commercial.
 - Service management plan.
 - Construction management plan.
 - Local employment and procurement,
 - Training and employment contribution: £10,000
 - Public transport contribution: £900,000
 - Community facilities contribution: £355,740
 - Education contribution: 234,572
 - Letting of employment space strategy
 - Securing of car club bays and use of parking spaces

- Management plan for site, including access to and maintenance of open space and key fob access system.

- 7.3. In the event that the S106 Legal Agreement referred to above has not been completed within the timescale set out in the Planning Performance Agreement for the application, the Development Control Service Manager be given authority to refuse planning permission for the following reasons:-
1. The proposed development, in the absence of a legal agreement for affordable housing, would fail to ensure the provision of the required amount of affordable housing for the scheme contrary to policy CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and DP3 (Affordable housing) of the London Borough of Camden Local Development Framework Development Policies.
 2. The proposed development, in the absence of a legal agreement securing the implementation of the Energy Strategy and sustainability measures, would fail to assist in the overall reduction in carbon emissions contrary to policy CS13 (Tackling climate change) of the London Borough of Camden Local Development Framework Core Strategy and DP22 (sustainable design and construction), DP23 (Water) and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies.
 4. The proposed development, in the absence of a Travel Plan, would be likely to give rise to significantly increased car-borne trips contrary policy CS11 (sustainable travel) of the London Borough of Camden Local Development Framework Core Strategy and DP16 (transport implications of development) of the London Borough of Camden Local Development Framework Development Policies.
 5. The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area contrary to policy CS11 (sustainable travel) of the London Borough of Camden Local Development Framework Core Strategy and DP18 (parking standards) of the London Borough of Camden Local Development Framework Development Policies.
 6. The proposed development, in the absence of a service management plan, would be likely to give rise to conflicts with other road users and pedestrians especially at peak times contrary to policy CS11 (Promoting sustainable and efficient travel) of the of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 (The transport implications of development) and DP20 (movement of goods and materials) of the London Borough of Camden Local Development Framework Development Policies.
 7. The proposed development, in the absence of a construction management plan, would be likely to give rise to conflicts with other road users, and be detrimental to the amenities of the area generally, contrary to policy CS11 (Promoting sustainable and efficient travel) of the of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 (The transport implications of development) and DP20 (movement of goods and materials) and DP26 (impact on

occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

8. The proposed development, in the absence of a local labour and procurement agreement would fail to contribute towards the economic renewal of the area contrary to policies CS5 (Managing impact of growth) and CS8 (promoting a successful and inclusive economy) of the London Borough of Camden Local Development Framework Core Strategy.

9. The proposed development, in the absence of a legal agreement securing necessary highway works, would fail to secure adequate provision for and safety of pedestrians and cyclists contrary to policy DP17 (walking, cycling and public transport) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies.

10. The proposed development, in the absence of a legal agreement securing necessary contributions towards public transport improvements would fail to make sufficient provision in a sustainable manner for the increased trips generated by the development contrary to policies policy CS11 (Sustainable travel) of the London Borough of Camden Local Development Framework Core Strategy and DP17 (walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

11. The proposed development, in the absence of a legal agreement securing a contribution towards community facilities, would fail to provide for the needs of the future residents of the development contrary to policies CS5 (Managing impact of growth) and CS10 (Community facilities and services) of the London Borough of Camden Local Development Framework Core Strategy.

12. The proposed development, in the absence of a legal agreement securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to policy CS10 (Community facilities and services) of the London Borough of Camden Local Development Framework Core Strategy.

13. The proposed development, in the absence of a legal agreement securing of a letting strategy for the proposed B1/D1 units, would fail to provide sufficient employment floorspace, contrary to policy CS8 (Promoting a successful and inclusive Camden economy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP13 (Employment premises and sites) of the London Borough of Camden Local Development Framework Development Policies.

14. The proposed development, in the absence of a legal agreement securing the parking spaces for their designated uses, would fail to make adequate provision for disabled people and fail to sufficiently provide for sustainable travel, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 (Parking standards and limiting the availability of parking) of the London Borough of Camden Local Development Framework Development Policies.

15. The proposed development, in the absence of a legal agreement securing the parking spaces for their designated uses, would fail to make adequate provision for disabled people and fail to sufficiently provide for sustainable travel, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 (Parking standards and limiting the availability of parking) of the London Borough of Camden Local Development Framework Development Policies.

16. The proposed development, in the absence of a legal agreement securing publicly access to and maintenance of open space, would be likely to contribute to pressure and demand on the existing open space in this area contrary to DP31 (open space and outdoor recreation) of the London Borough of Camden Local Development Framework Development Policies.

8. **LEGAL COMMENTS**

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

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444