

West End Green Conservation Area Advisory Committee
37 Crediton Hill
London NW6 1HS

Email: [REDACTED]

07 January 2016

Ms Josleen Chug
Planning Solutions Team
London Borough of Camden
2nd Floor
5 Pancras Square c/o Town Hall
Judd Street
London WC1H 9JE

Dear Ms Chug

Re: Application Number 2015/6455/P – 156 West End Lane, NW6 1SD

Summary

The Application for this site, for the reasons set out below, goes beyond that which should be permitted for a development right on the edge of the West End Green Conservation Area.

We wish to draw particular attention to Section 7.2 of the February 2011 Appraisal Plan (Control over New Development), which states that *“Development proposals must preserve or enhance the character or appearance of the West End Green Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area.”*

We believe in particular that the height and mass of the proposed blocks would have a serious deleterious effect on the Conservation Area in breach of the requirements for development we set out below.

We wish to remind the committee that under the National Planning Policy Framework (NPPF) conservation areas are designated heritage assets and their conservation is to be given great weight in planning permission decisions. Most recently, Mr Justice Stewart, in a recent Appeal Court decision (*Obar Camden Limited v The London Borough of Camden*) stated that the setting of listed buildings and the character of the conservation area had to be given *“considerable importance and weight”*.

We call on the Planners and the Committee to respect the Conservation Area policies and principles that apply in this case and refuse this application.

Submission

I am the Chair of the West End Green Conservation Area Advisory Committee ("WEGCAAC"). I have been a member of that committee for several years now. I am also Chair of the Crediton Hill Residents Association – for over eight years – and have been resident in West Hampstead for over 25 years.

I am writing in this instance for and on behalf of the WEGCAAC in opposition to planning submissions by A2 Dominion for the site at 156 West End Lane ("156WEL") (Application No. 2015/6455/P).

As you no doubt know, the WEGCAAC is responsible for ensuring that the statutory guidelines of the West End Green Conservation Area Appraisal and Management Strategy are enforced to the fullest extent possible. Our Committee takes these responsibilities very seriously and the members have collectively over 50 years of experience in looking after the WEGCAAC since it was first designated in 1993.

The Conservation Area in West Hampstead as you will know is specifically enshrined in the West End Green Conservation Area Appraisal and Management Strategy document produced in February 2011. Camden Development Polices of 2010, under Policy DP25, "Conserving Camden's Heritage", further lend considerable weight to the local conservation area policies and principles, as do the Camden Site Allocation Plan and the recently adopted Fortune Green & West Hampstead Neighbourhood Development Plan.

The CA Appraisal document of February 2011 specifically acknowledges the special qualities of the West End Green Conservation Area and clearly defines that character and the pressures that affect the area. Since the document was drafted in early 2011, those pressures have become all the more apparent and special care & attention are now required to maintain what is left of the character of the area.

The Management Strategy in the Appraisal document sets out actions for the preservation and enhancement of the area's special character and to anticipate possible future changes. As such the Appraisal document forms an essential part of any material consideration of any planning applications in and around the area.

In February 2011 the Appraisal Document stated the following:

West End Green is a London village running along the spine of the West End Lane. The Lane rises and links Kilburn to Hampstead. The village character has been absorbed but not erased by the expansion of central London from the south, and by Hampstead from the north and east during the late nineteenth and early twentieth century.

The growth from tiny village to metropolitan suburb has resulted in a very homogeneous piece of Victorian and Edwardian domestic architecture and planning. The character of the area is still defined by the village with the busy commercial 'spine' street, the Green, the street trees and private gardens, the monumental mansion blocks, the variety of substantial houses for professional

families and terraced housing. The public buildings support the community and provide landmarks.

In the space of almost five years much has obviously changed and unfortunately this no longer sounds like the same West Hampstead in which we now live. What is left of that character - as defined in the Conservation Area Document - is now under severe threat.

For a large part of the submissions made to the local community, the applicant has argued that Conservation Area principles were not relevant because the site was outside of the Conservation Area. The applicant has marginally modified their tone on this subject but largely seems to take the view that while Conservation Area principles are desirable in general terms, they can be circumvented through clever presentation and design.

We firmly believe, however, that they cannot be circumvented and must be considered. At the heart of this is Section 7.2 of the February 2011 CA Appraisal Plan (Control over New Development), which document notes that ***“Development proposals must preserve or enhance the character or appearance of the West End Green Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area.”***

This statement is precisely mirrored in the Camden Development Policy DP25(d), the Camden Site Allocation Plan and the Neighbourhood Development Plan.

When one compares the applicant’s planning submission with the Appraisal Plan of February 2011 and other relevant planning guidelines, it is clear that the proposals fall well outside any attempt to work within the Conservation Area guidelines. If anything, they make a mockery of those guidelines.

- Under Section 5.2 of the Appraisal Plan, (Key Views) it is noted that *“... attractive are the views along Lymington Road and Crediton Hill and the area east of the Lane, with the tree-lined streets, gardens and varied roofscape, hinting of the garden suburb movement.”* What kind of “garden suburb” area has tower blocks overlooking and overshadowing to any extent like those proposed here?

It is obvious from the plans submitted that the “attractive views” along both Crediton Hill and Lymington Road would be all but obliterated by the applicant’s proposals. The “varied roofscapes” would be completely overshadowed by the proposed tower blocks and would be visible for miles from any elevations in the surrounding areas.

The West Hampstead area has only one remaining long, open view in/out of the Conservation Area from West End Lane, this being from the bridge and junction with Iverson Road look northwards. We believe that the solution to a “low-grade” “1970s office block” blighting “the view up from the station into the conservation area” is redevelopment of that office block into something more suitable. It certainly does not mean the obliteration of all views into the Conservation Area through the imposition of an imposed level of height.

Furthermore, the Site Allocations Plan calls for the ensuring “of an acceptable relationship in the adjacent residential properties on Lymington Road” and for the protection and enhancement of the character and appearance of the Conservation Area with respect to any development such as the 156WEL site.

The proposed plans clearly go far beyond what can be deemed as an acceptable relationship when the proposed 6+ storey buildings sit within metres of the back gardens of the Lymington Road properties and would completely and perpetually overlook these properties and overshadow them for several months a year.

Furthermore, the Neighbourhood Development Plan is explicit when it states that tall buildings “.....will need to have regard to their impact on the setting of the ...conservation area in order to avoid any negative impact on it”.

With regard to views, the Neighbourhood Development plan states at A11: “Also of importance to the character of the Area are the views across it, which give a widely appreciated sense of openness and space. ... Views of, from, and around the Area’s conservation areas are of great importance to their setting”.

We would also like to draw the Committee’s attention to its own refusal of a 7-storey block on Iverson Road in December 2014 (Application 2014/5341/P), on the following grounds:

“The proposed development, by virtue of its height, mass and scale would result in an over dominant form of development causing harm to the streetscene and negatively impacting on long views, contrary to policies CS14 (Promoting high quality places and conserving heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.”

We believe that the same policies should be applied here. The fact is that 156WEL is an even greater example of over dominant mass and scale causing harm to the street scene and to the adjacent conservation, negatively impacting on views into and out of the Conservation Area.

- Under Section 5.8 of the Appraisal Plan, (Contribution to the Character of the Area) it is stated that “Private rear gardens quietly add to the quality and biodiversity of the area. The gardens are almost all hidden from the street but glimpses between buildings are a precious quality of the area.”

It is obvious from the planning submissions that the proposed development will completely overshadow the private rear gardens on Lymington Road for many months of the year, destroy existing skyline views from both Lymington Road and Crediton Hill and massively disturb the “precious quality of the area” by the sheer bulk and mass of the buildings. A development of this nature was never foreseen nor intended for a site of this nature.

- Under Section 5.9 of the Appraisal Plan (Buildings that make a positive contribution) it is noted in particular that these include houses on Lymington Road, especially Nos 1-19 and 2-30 (all of which back on to the 156 WEL site).

The positive contribution these buildings make to the Conservation Area cannot be anything but diminished by the proposed development.

The whole of the Conservation Area is also a designated Heritage Asset and as such makes a positive contribution to its setting and to the Heritage of the area.

There are further issues arising of significant importance about this application, including:

- The developer has, at the date of this letter, failed to supply Image 11 showing the harm the development would cause to views from Crediton Hill. And the photos they have provided are all taken when the trees are in full leaf in the summer months. Bare trees, which we experience for at least 5 months a year, will not screen the extensive visual impacts from both within and outside the Conservation Area. A separate submission on behalf of the Crediton Hill Residents Association in opposition to this proposal includes several photographs taken in this past week. These starkly highlight the potential negative impact on the Crediton Hill section of the Conservation Area resulting from this proposal.
- Today, the roads within the Conservation Area which lead from West End Lane feature transitions from the "high street" norm of a maximum of five storeys, immediately transitioning down to "side street/residential street" levels of no more than three storeys. This is an essential part of the Conservation Area's character. This is not offered by uniform seven storey blocks along the proposed Potteries Path "side street". Critically, this transition is a requirement of Camden's Site Allocations Document (site 28, p124-127) and should reflect the existing Canterbury Mansions/Lymington Road transition which the site adjoins. The documents states that "If redeveloped the existing relationship of new development immediately adjoining Canterbury Mansions to the north should be considerably more sympathetic in terms of scale, height and design with an appropriate transition in massing towards the south and east of the site."
- The applicants document relating to Heritage, Townscape and Visual Impact (HTVIA) makes a number of statements concerning the Conservation Area with which we take issue, including:
 - **"5.21 The impact of the proposals on the character of the conservation area as a whole is very limited."** -- Clearly this is not the case. Part of the character of the Conservation Area are the views in and out which have to date been mostly uninterrupted across the proposed site.
 - **"5.22 ... "This view across the southern part of the conservation area does not define the character or appearance of the conservation area and includes only a small part of the conservation area in the view."** This particular view, especially visible from Crediton Hill and when viewing the southern aspect

through the houses on Lymington Road is almost the entire southern border of the conservation area and will be completely obscured.

- **"5.24 Views from within the conservation area south along West End Lane similarly make no contribution to the setting of the conservation area."** The same point as in 5.22 above applies here.
- **"5.26 The design approach has been to find a language for modern mansion blocks. The Conservation Area Strategy (2011) recognises the positive contribution that these existing buildings make to the special character of the area. It recognises mansion blocks as a character zone in themselves."** The existing mansion blocks are five storeys, not seven, and nowhere are they competing with immediately adjacent three storey buildings.
- **"5.29 ... The appearance, setting and character of the conservation area are not affected with development to the east. London continues to grow and there can be very few areas that have not seen their distant views change."** This statement belies the entire purpose of Conservation Area and surely indicates that the applicant does not understand neither the Conservation Area principles nor policies. It must be the case that Conservation Areas have been established precisely to protect against this sort of visual intrusion.
- **"7.6 The buildings and open yard on the Site make no positive contribution to the character of the conservation area."** Yet again this misses the point that the current open yard facilitates the view, a conservation area amenity to be enjoyed within and throughout the area.
- **"7.13 There are very limited views of the Site from within the West Hampstead Conservation Area"** We would have to strenuously argue that the entire southern quarter of the Conservation Area is not "very limited".

We would also draw specific attention to the Camden Development Policies 2010-2025, Local Development Framework document, which "contributes to delivering the Core Strategy by providing detailed policies that [Camden Council] will use when determining applications for planning permission", and specifically item 25.9 which refers to the existing "largely dense urban nature of Camden":

- "Due to the largely dense urban nature of Camden, the character or appearance of our conservation areas can also be affected by development which is outside of conservation areas, but visible from within them. This includes high or bulky buildings, which can have an impact on areas some distance away, as well as adjacent premises. **The Council will therefore not permit development in locations outside conservation areas that it considers would cause harm to the character, appearance or setting of such an area.**"

One final point. West End Lane is a designated Archaeological Priority Area (APA) where there is significant known archaeological interest or potential for new discoveries. APAs as you know are used to help highlight where development might affect heritage assets. We must assume the applicant and Camden's planners are well aware of this and are taking the appropriate steps to ascertain the special requirements associated with this APA status.

Conclusion

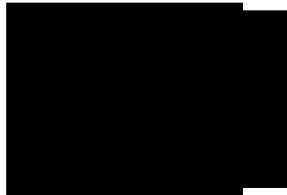
The proposed development at 156WEL sits, very firmly, on the border of a significant part of the West End Green Conservation Area. It goes without saying that this proposed development would never be permitted within the Conservation Area, so we have to ask why it is being considered when it sits right on the edge of the Conservation Area. The damage this development would cause to the Conservation Area and to the lives of those residents living in the area is incalculable.

If this development were to be permitted it would set a very dangerous precedent within the greater Borough regarding developments adjacent to Conservation Areas.

We believe that the same overriding issues that caused the rejection by the Development Control Committee of recent Swiss Cottage development proposals – primarily Conservation Area principles – apply also in this case, but even more so.

The severity of the various policy contraventions are so manifest that they cannot be addressed by any attachment of conditions to a consent.

We would ask, quite firmly, that the Planners and the Committee should respect the sanctity and authority of the Conservation Area policies and principles that apply in this case and refuse this application.



West End Green Conservation Area Advisory Committee