

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/5358/P	Alex Kuznetsov	Alex Kuznetsov 150 Bacton Haverstock Road London	16/10/2016 23:51:49	OBJ	<p>Dear Camden Council Planning Department, I am writing regarding the planning application made by London Borough of Camden to the London Borough Council of Camden, Application 2016/5358/P.</p> <p>Living in the area covered in the planning application, I am directly affected by the application and would like to raise several objections.</p> <p>As discussed below, the application is made contrary to the adopted national, GLA and local policies. Furthermore, contrary to the allegation, the application does not qualify as a non-material amendment.</p> <p>I will elaborate on the grounds further. However, it is evident that the amendments contradict adopted policies H2, H4 and H5. Under policy H5: Protecting and improving affordable housing, p. 76 of the Camden Local Plan 2016 (which is referred as CLP 2016 in the rest of the document), S3.133 of the CLP 2016 policies H2, H4 and H5 have to be applied concurrently. Respectively, the 50% affordable housing target (based on the floorspace, not the number of units) had to be applied over and above replacing the destroyed affordable housing stock.</p> <p>Moreover, the affordability test applies to the floorspace (e.g. GIA), not the number of units, as preferred by the promoters due to the smaller size of new dwellings.</p> <p>As admitted in Policy H7 of the Local Camden Plan 2015, there is an acute shortage of larger affordable homes in Camden. As admitted in the respective section of the Camden Plan, the acute imbalance between supply and demand of larger homes was largely a result of the incorrect forecasts of the local authority regarding growth rates in different segment of the housing market. In any case, an acute imbalance between the extremely high demand for larger homes and little supply is admitted in the policy. This is also reflected in the Dwelling Size Priorities Table (S3.158 of the Local Plan 2015). Policy H7(a) directly requires that new developments must contribute “to meeting the priorities set out in the Dwelling Size Priorities Table”. The Table presented on page 70 of the Camden Plan clearly identifies 3-bedroom social-affordable dwellings as “high priority” as opposed to “medium” assigned to 1- and 2-bedroom dwellings.</p> <p>The significant imbalance between the shortage of large socially rented homes and a very high need is admitted by the applicant and confirmed by several studies: “Camden’s existing stock of homes is made up largely of relatively small dwellings, particularly homes rented from Housing Associations and the Council. The 2011 Census indicates that 70% of Camden households live in homes with two bedrooms or fewer, rising to 75% for households in social rented housing. The 2011 Census indicates that 11.7% of households overall are overcrowded (bedroom occupancy ratio of -1 or lower), compared with 19.3% for households in social rented housing, and 5.7% for households in owner-occupation and shared ownership.” – S. 3.184 of CLP 2016, p. 92.</p> <p>As confirmed at S 3.188, the adopted policy requires: “In the social-affordable element we will give particular priority to large homes (with three or more bedrooms) at or around the level of guideline targets for social rents, as resources and development viability permit.” Camden Planning Guidance 2: Housing currently indicates that the Council will aim for at least 50% of social-affordable rented dwellings in each scheme to be large homes, and on the basis of mismatches in the existing stock we expect to retain this aim. S. 1.190 of CLP 2016, p. 93.</p>

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As stated at S.3.194 of the CLP 2016, p. 94 “the Council will seek to minimise the loss of market homes with 3 bedrooms, particularly where the 3-bedroom homes have access to outside space. Conversions involving affordable housing should retain or re-provide any existing large affordable homes unless the creation of small homes will allow the release of other large affordable homes that are currently under-occupied. Conversions that involve the loss of existing homes should also comply with Policy H3.” Yet, as outlined in the application, the applicant is going to discard 24 three bedroom properties, contrary to the policy and identified housing needs.

It is admitted by the Applicant at S. 3.196 of the CLP 2016 (p 95) that “There are relatively few opportunities in Camden for housing development that will provide more than one or two of these features.” Respectively, the current layout of Bacton Estate makes it unique and superior in terms of delivering child-friendly environment.

The high priority of Large Homes is admitted at 3.199 of CLP 2016 (p95) where the Applicant stated: “Large affordable homes are expensive to build relative to their rental value and are challenging to provide under the current grant framework, but they are a high priority for the Council and the London Plan.”

Importantly, not only the current scheme materially reduces the open space and play space per person/per child compared with the existing layout but, in fact, the proposed changes further materially reduce this. Furthermore, the number of children assumed in the application is unreasonably low.

The improvements of the energy efficiency was the main reason for the approval of the original application by the Camden Council Cabinet in 2012. Yet, according to the new application, there will be little if any benefits since there is no opportunity to connect to the Hospital combined heating network.

The applicant also proposes to dispose with the car pool club bay bringing the risk of a transport collapse in the area.

The policy also requires mixed developments and an undertaking to place commercial units within Bacton estate was one of the grounds for the permission to demolish the office and light industrial units on the District Housing Office Site. Now, the applicant admits that it is not going to comply with the original undertakings.

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The policy also requires mixed developments and an undertaking to place commercial units within Bacton estate was one of the grounds for the permission to demolish the office and light industrial units on the District Housing Office Site. Now, the applicant admits that it is not going to comply with the original undertakings.

Importantly, even the original application for the planning permission #2012/6338/P contradicted the adopted policies as well as the National Planning Policy Framework.

The Adopted policy G1 requires  
 “a. supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations

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					<p>relevant to the site;</p> <p>b. resisting development that makes inefficient use of Camden’s limited land;” (p. 16 of the Camden Local Plan 2016).</p> <p>The Bacton Estate is not located in either growth or opportunities area, as confirmed in the Location of growth section of CLP 2016. ON the contrary, Policy G1 outlines several growth locations, including Kentish Town Regis Road (in fact, the latter was suggested by the objector based on his personal observations, even before he obtained the conformation in the local policies).</p> <p>The Local Government has identified six growth areas and Bacton Estate does not belong to either of them:</p> <p>“2.19 A significant proportion of Camden’s growth up to 2031 is expected to be delivered in the six identified growth areas of King’s Cross, Euston, Tottenham Court Road, Holborn, West Hampstead Interchange, and Kentish Town Regis Road. The first five of these areas are identified in the London Plan as Opportunity Areas or Areas for Intensification.” (CLP 2016, p. 23).</p> <p>Respectively, the estate is not located in either growth or opportunity area, on the contrary, it is located in the high flood risk area whose redevelopment shall be resisted under S.100, 101 of the NPPF. In fact, the latter is another example of the fact that the Council was mislead or misdirected itself to believe that Bacton Estate is located in the “opportunity area”, as erroneously alleged in S.3.10 of the 12/09/2012 Cabinet Report (Third addendum Statement of Case). If there are any doubts whether Bacton Estate is included in the Kentish Town Regis Road area, such doubts would be offset by referring to Section 2.32 of CLP 2016 “Kentish Town Regis Road.” The description as well as the area map confirm that Bacton Estate is not part of the area. In fact, it is about 1 km South-West from the area. As can be seen at 2.35 of CLP 2016 (p. 30), relocating the scheme into the Kentish Town Regis Road Opportunity Area would not only preserve 98 social rent affordable houses, mostly large, but would also comply with a wide range of other goals and policies, including the policy on open spaces and affordable houses which are being breached under the current proposal.</p> <p>Not only placing the scheme in the area with lower flooding risk is required by the NPPF but also it is required by the Camden Local Plan 2015 which was reiterated in the Camden Local Plan 2016. Specifically, I refer to Section 2.32 of the Camden Local Plan 2016 and Policy G1 Delivery and location of growth that identified Kentish Town Regis Road as the priority for growth area.</p> <p>The adopted policy G1 requires</p> <p>“2.12 The provision of an appropriate mix of uses, both within areas and in individual buildings, can also contribute to successfully promoting future growth in Camden and making efficient use of its limited land.” (p. 20 of CLP 2016).</p> <p>Responding to my objections, the Applicant admitted the failure to consider other alternatives for the scheme but explained this failure by stating “It would also be a departure from Council’s planning policy to develop industrial land for housing use.” (p. 33 of the Statement of Case). This, allegation, however, directly contradicts to the NPPF directly requiring:</p> <ol style="list-style-type: none"> <li>i. “Planning policies should avoid the long term protection of sites allocated for</li> <li>ii. employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.” – Section 22of NPPF.</li> </ol>

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It is obvious, however, that the Applicant's response to my objections is contrary to the NPPF, the GLA Plan as well as the Applicant's own CLP 2016. This is especially true given that, as it turned out, the area suggested in my objections has been independently identified as a high growth and "opportunity area" in CLP 2016.

Furthermore, a closer look at the planning application confirms that the redevelopment of the District Housing Office site involved redevelopment of business and industrial space. Specifically, as disclosed in the planning application #2012/6338/P, the redevelopment resulted in losing 2529 sqm of business and 922 sqm of light industrial space. Respectively, not only the allegations made in the response to my objections are not correct but also the Council's decision makers have been misled which resulted in the decision being contrary to the adopted policies.

As confirmed at 3.13 of the Camden Local Plan 2016, Kentish Town is identified as a priority growth area. This supports the objector's view that the project has to be undertaken in the Kentish Town area. This is also supported by the NPPF, including Sections 22, 36, 51, 53, 74, 94, 99, 100, 101, 109. The Applicant has failed to justify the need for undertaking the project on the site of the Bacton Estate, especially given the environmental challenges, difficult hydrological regime, contaminated land and the massive yet unreasonable loss of the housing supply.

The Local Plan requires identifying underused sites that are suitable for additional self-contained housing (Section 3.22) Clearly, the Local Authority has failed to identify the underused sites around the Kentish Town area and has come up with the idea to demolish the Bacton estate without considering alternatives. On the contrary, the Applicant has admitted that it has not considered alternative allocations of the new development, contrary to the NPPF, the London Plan and the Camden Plan 2015.

As confirmed at 3.24

"Where vacant or underused sites are suitable for housing in terms of accessibility and amenity, and free of physical and environmental constraints that would prevent residential use, we will expect them to be redeveloped for housing."

Respectively, the Council's own policy requires assigning the proposed scheme to the Kentish Town area, especially since (1) it is identified as a growth area in the local plan; (2) it benefits from excellent transportation links providing access to train, tube, overground and bus transportation; (3) this would also maximize the stock of affordable housing since the new supply won't be offset by the loss of existing affordable housing. (4) prevent the loss of Large affordable homes and (5) comply with the Council's policy on the percentage of affordable housing.

The latter point may require some clarification. It appears that the applicant has misinterpreted (or misstated) the requirements of its own policies by claiming that it almost complies with its affordability target since 39% of the new housing will be affordable (vs. 50% required by the policy). This, however, is a material misstatement/misinterpretation. In fact, the policy requires that the net increase in the affordable housing supply account for 50% of the total stock. Respectively, the Applicant has failed to take regard of its own policies or misinterpreted them. When calculated correctly and the gross number of affordable homes is adjusted for the loss of existing affordable homes, the net increase of affordable homes represents under 1% even if we accept the misleading view that the affordable housing of the

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DHO site should be added to the benefits delivered by the CPO (which is not the case). This is materially different from the Council's policy target as well as the misstated figure of 39% (the latter confirms my argument that the decision makers have been misled by the interested parties, some of whom are on secondment from estate agents or developers) .

Yet, even this minor 9% increase is fully wiped out by the reduction in the average home size.

2. Specifically, as disclosed in the planning application #2012/6338/P, the implementation of the scheme may bring additional 289.5 sqm of social rent housing at the expense of losing 2529 sqm of business and 922 sqm of light industrial space. Even if we disregard the loss of business and light industrial space it can easily be seen that the net increase in the social rent housing floorspace would account for less than 1% (LESS THAN ONE PERCENT) of the total floorspace (31,976.52 sqm), as shown in the Analysis information section of the Planning application #2012/6338/P (Document 3 of the Applicant's core bundle).

3. Arguably, if the project is introduced in an alternative location (including the Kentish Town Priority Development Area) without the loss of 12,509 square meters of existing affordable floorspace, the result would have been drastically different with the net increase in the floorspace exceeding 40% of the total floorspace ( $=289.51+12,509/31,976$ ). The latter figure almost meets the Council's target of 50%. In fact, if the 11 market units acquired by the Council are reassigned as affordable housing, the scheme, being undertaken in an alternative location would surpass the 50% target, and ensuring compliance with the adopted policies.

4. Furthermore, as suggested in the amendment, the Applicant is currently seeking to reduce the share of affordable homes further since out of the 20 additional residential units proposed, only one will be affordable.

5. The test for the compliance with the affordable housing policies is set in Policies H2 and H4. As confirmed at 3.54 of the Camden Plan "the Council's affordable housing target is 50% of the total addition to housing floorspace." The project in the current state profoundly fails this test which is a common ground.

6. On a separate note, it should be stressed that the loss of over 3500 sqm of business and light industrial floorspace admitted in the planning application confirms that the applicant was not honest when, responding to the objections, alleged (p. 33 of the Statement of case) that it would be contrary to the Camden policy to develop business land for residential use in response to my proposal to consider allocating the scheme to the Kentish Town area. The details of the planning permission reveal that not only the NPPF and the Camden Local Plan require allocating the scheme to the Kentish Town area (presently populated by dilapidated warehouses and underused office buildings) but, in fact, the Applicant did not hesitate developing business and industrial land for residential use.

7. The redevelopment of the site is also contrary to the public policy interests as emphasized in the National Planning Policy Framework, especially given that the estate is located in the area with high flood risk and the development will result in a rebuilding on open spaces.

8. FAILURE TO COPLY WITH THE AFFORDABLE HOUSING POLICIES. The Local Authority's adopted Housing Policy H4 "Maximizing the supply of affordable housing"

(i) requires providing "5,565 additional affordable homes from 2015-2030" (CLP 2016, p64);

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					<p>(ii) Requires that the “targets are applied to additional housing floorspace proposed, not to existing housing floorspace or replacement floorspace;” Policy H4 (C ), CLP 2016, p64.</p> <p>(iii) Requires “an affordable housing target of 50% applies to developments with capacity for 25 or more additional dwellings;” Policy H4 (E), CLP 2016, p65.</p> <p>(iv) Requires “for developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site;” Policy H4 (I), CLP 2016, p65.</p> <p>9. Policy H4 further stipulates that the payment-in-lieu may be accepted in exceptional cases only “where affordable housing cannot practically be provided on site, or offsite provision would create a better contribution (in terms quantity and/ or quality).” It is not in dispute that the District Housing Office site is different from the Bacton Estate site, as confirmed in the Camden site allocations plan (2013) and the map to site 39.</p> <p>10. Respectively, the 50% affordable housing target</p> <p>(i) had to be applies to the proposed development on the Bacton Estate site and be applied over and above provisioning replacement of the affordable social rent housing being lost due to the proposed demolition (under policy H5: Protecting and improving affordable housing, p. 76 of the CLP 2016, S3.133 of the CLP 2016) since the adopted policy requires concurrent application of policies H2, H4 and H5.</p> <p>(ii) be applied to the floorspace rather than the number of dwellings;</p> <p>(iii) the social rent housing stock had to be replaced with the social rent housing stock (Policy H5, S. 3.131, 3.132, 3.133 of the CLP 2016);</p> <p>(iv) the 50% affordable housing target (based on the floorspace, not the number of units) had to be applied over and above replacing the destroyed affordable housing stock.</p> <p>11. In fact, the concurrent application of policies H2, H4 and H5 is also in line with the statutory requirements of Section 93(4) of the Local Government and Housing Act 1989 requires that “Demolition of properties should be considered as a last resort only after all other possible options have been considered.”</p> <p>12. Respectively, the evidence suggest that although the adopted policies summarized in CLP 2016 are in line with the applicable statutory requirements, the decision makers have been mislead by promoters or, inter alia, have misdirected themself. It also appears that the commitment to other duties have not allow to apply the required level of scrutiny to the submission, as was evidenced by the fact that the promoters were allowed to rely on an alleged housing stock survey which has not taken place and the report which neither existed nor been prepared.</p> <p>13. Importantly, it is not in dispute and is a common ground of the parties that “it is feasible for the borough to secure 50% of the self-contained housing target as affordable homes, which equates to our strategic target of 5,565 additional affordable homes over the Plan period.” This is explicitly confirmed in policy H4 (S3.93 of CLP 2016, p 68). On the basis of the Camden Local Plan Viability Study, the Council applies a target of 50% affordable housing to development proposals that include housing and have capacity for 25 or more additional homes. (S.3.106 of CLP 2016, p. 71)</p> <p>14. The policy also explicitly requires “Given the scale of affordable housing need in the borough, the Council’s aspiration is that as many residential developments as possible should provide affordable housing.” S. 3.96 of CLP 2016, p68.</p> <p>15. Section 3.28 of the Camden Plan confirms that the current Bacton Low Rise development complies with the policy requirements providing affordable homes, large homes and child friendly</p>



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					<p>homes while the proposed accommodation fails.</p> <p>16. The test for the compliance with the affordable housing policies is set in Policies H2 and H4. As confirmed at 3.54 of the Camden Plan “the Council’s affordable housing target is 50% of the total addition to housing floorspace.” The original project profoundly failed this test which is a common ground. Now, the Applicant suggests reducing the percentage of affordable homes further given that only ONE out of the 20 proposed units is going to be an affordable home.</p> <p>17. It is important to stress, however, that policies H2, H4 and H5 apply concurrently. Respectively, the policy requires 50% of the incremental housing to be affordable AFTER replacing the affordable (e.g. social rent housing in the instant case) being demolished. Since both the number and size of the social rent flats is considerably smaller than the number and size of the existing social rent houses (most of which are also priority large homes, as defined by the policy), the scheme fails to even replace the social rent housing earmarked for demolition. Since the amount of the new social housing is not sufficient for even a simple replacement, the policy fails to comply with all relevant policies, namely, H2, H4 and H5. In fact, even if we add the affordable housing provided at the DHO site (which is not connected with the CPO) and is on a distinctly separate site, as confirmed in the description of the Site allocation plan 2013 and map (site No. 39), affordable housing accounts for less than 1% (ONE PERCENT) of the incremental housing space.</p> <p>18. Respectively, the decision makers have been misled to believe that the scheme almost complies with the 50% affordable housing goal set by the Council. There were several errors which have led to the wrong conclusion:</p> <p>I. The promoters have forgotten or had been misled that the 50% test applies AFTER the social rent housing destroyed as a result of the scheme implementation has been re-provided. (e.g. over and above the social housing being destroyed)</p> <p>II. Arguing its case before the senior decision makers of the Council, the promoters have failed to acknowledge that the 50% affordable housing target applies to the floorspace, not the number of units.</p> <p>19. Given that the number and size of the social rent houses will be considerably lower than that at present (98 town houses, mostly large), the scheme fails to deliver the alleged public goals: Maximizing affordable housing. Now, with the proposed changes, the scheme further deviates from the policy goals further amplifying the shortage of the social housing in Camden which, among other things, has forced Camden to change the social housing eligibility criteria depriving thousands of people any change of having social housing as well as their dream of becoming a property owner.</p> <p>20. On the contrary, the end result of the scheme will be fewer homes of smaller size with less open space. Moreover, contrary to the adopted policies and the NPPF requirements, the Applicant has failed to consider alternatives.</p> <p>21. Even this marginal increase comes at the cost of the loss of 13 large socially rented homes (47 vs 60). The percentage of large socially rented homes declines to under 44% from over 61% at present. Even if the intermediate homes are added to the mix, the percentage of large homes in affordable home mix still declines to under 49% from over 61% at present demonstrating a clear negative trend and incompliance with the adopted policies, including its own policies.</p> <p>22. Even if we include the 10 intermediate homes, the increase will account for mere 0.36%.</p> <p>23. Furthermore, contrary to policy H7, only 28 homes are expected to be “large homes”, as defined by the Applicant in the Local Plan. This is less than 50% of the large homes in the estate owned by the</p>

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					<p>council on behalf of the general public at present (60 homes). Now, following the last application for an amendment of the condition, the number of large homes will be further reduced by 23 units, contrary to the Camden Borough needs and contrary to the publicly adopted policies.</p> <p>24. The shortage of affordable housing, especially large social rent homes is not in dispute and is accepted by the Applicant. Specifically, in S. 3.129 of CLP 2016 (p77), the Applicant admits “As indicated in Policy H4, Camden has a particularly large requirement for additional affordable homes. However, the stock of formally designated affordable homes in the borough fell between 2001 and 2011, widening that gap between need and supply.” Respectively, the Applicant’s policy requires protecting existing affordable housing stock: “The Council therefore protects existing affordable housing against further losses.” (S. 3.129 of CLP 2016, p77).</p> <p>25. Sections 3.131, 3.132 and 3.133 of the CLP 2016 provide the requirements to be complied with during redevelopment of affordable housing stock. The major requirements are:</p> <p>I. Policies H2, H4 and H5 apply concurrently. This requires that 50% of the new housing stock has to be affordable AFTER the lost affordable stock has been replaced. In other words, the scheme has to provision replacement of the existing affordable stock (14,110 sqm of GIA) AND 50% of the incremental stock (by floorspace) has to be affordable. This is explicitly stated in S 3.133 of CLP 2016 (p78). Being misdirected by the promoters, the Applicant has failed to comply with either of the policies.</p> <p>II. “Redevelopment of affordable housing should generally provide new social affordable rented housing to replace existing social-affordable rented homes, and</p> <p>III. new intermediate affordable housing to replace existing intermediate homes.” – S 3.131 of CLP 2016, p 78.</p> <p>26. FAILURE TO PROTECT EXISTING SOCIAL RENT HOUSING REQUIRED BY THE ADOPTED POLICIES H2, H4 AND H5.</p> <p>27. As disclosed in the planning application and the evidence of Mr. Sean Bashford, the total GIA of Bacton estate is 14,210 sq.m. At the time the application has been made in 2012, social housing accounted for 12,509 sq.m. of the floorspace with the remaining 1,701 sq.m. being privately owned. However, as admitted by the Council, there is currently only one privately owned property with the GIA of 100 sq.m. Respectively, the remaining 14,110 sqm of GIA of the existing housing represent council properties and, respectively, can be offered as social rented houses to the people on the priority waiting list. There is nothing apart from the will and reasonable thinking preventing the Council officials from allocating the houses to social tenants.</p> <p>28. Now, with the proposed cancellation of 23 3-bedroom units, the scheme is going to further deviate from the adopted policies reflecting the needs of the Camden residents.</p> <p>29. It is alleged by the applicant that if the regeneration is implemented, social rented houses would have the total floorspace of 12,799 sqm. This will represent a loss of social rented housing of 1411 sqm and, therefore should be resisted under both the Camden Council and the GLA policies. In relative terms, it can also be seen that the stock of social housing currently available at Bacton estate is 11% higher than the expected stock following the regeneration. This is material. It is plausible that the socially rented stock is not being used at present. However, this is fully due to the poor judgement and, possibly, negligence of the Council employees, some of whom are presently on a secondment (e.g. on</p>

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					<p>the payroll) from Savills Estate Agent. Respectively, being on an estate agent's payroll, they have to prioritize interests of the entity paying their bills.</p> <p>30. It is understood that the Applicant will likely wish to rely on the expectation of delivering 1,366 sq.m. of the so called intermediate housing. Such a loss is contrary to Policy H5 of Camden which requires protecting existing affordable housing against further losses (Section 3.129 of the Local Plan 2016) states:</p> <p>“In the last 20 years there has also been a reduction in the amount of housing provided for nurses and other health service workers, including the loss of hostels in Guilford Street (formally attached to University College Hospital), Euston Road (former Elizabeth Garrett Anderson hospital), College Crescent and New End (both formally attached to the Royal Free Hospital). The Council therefore protects existing affordable housing against further losses.”</p> <p>31. As admitted in Section 3.126, Policy H5 of the Local Plan 2016 “Losses of affordable housing may not always be subject to planning control, for example where the housing is ancillary to another primary use (e.g. a nurses' home provided as part of a hospital) and no change is proposed to the primary use.”. Respectively, since the compliance with the adopted policy was outside of the control by the planning authorities, the Applicant cannot infer the compliance with the adopted policies based on the fact of the granted planning application.</p> <p>32. As stated in Section 3.133 of the Local Plan, “Housing and affordable housing required in association with mixed-use policy H2 and affordable housing policy H4 should be provided in addition to any retained or replacement affordable housing arising under policy H5.”</p> <p>33. S 3.128 Census data indicates that the share of households in private rented homes in Camden grew from 23.5% in 2001 to 32.3% in 2011, an addition of almost 10,000 households. In the same period, the share of households in social rented housing fell from 37.4% to 33.1%, a reduction of almost 2,000 households.</p> <p>34. Policy H5 also acknowledges a material mismatch between the existing stock of affordable housing and demand. As admitted at 3.130 of the Local Plan “The existing affordable housing stock is heavily skewed to 1 or 2-bedroom homes, and overcrowding in the existing stock creates a compelling need for an additional supply of large affordable homes with 3 or more bedrooms.”</p> <p>35. Policy H5, as confirmed in S 3.131 of the Local Plan 2016 also requires: “Redevelopment of affordable housing should generally provide new social affordable rented housing to replace existing social-affordable rented homes, and new intermediate affordable housing to replace existing intermediate homes.”</p> <p>36. Respectively, under the existing policy, the project requiring demolition of the Bacton Estate that has 14,110 sqm of social rent floorspace has to deliver at least identical social rent floorspace in the new development. However, as alleged by the Council the social rented floorspace amounts to 12,799 sq. m. only. Furthermore, the Council has erroneously included the affordable housing built on the District Housing Office site. This is not relevant since the public benefits have been achieved already and existence of such benefits does not depend on the decision to approve the CPO order.</p> <p>37. Furthermore, as stated in Section 3.133 of the Local Plan, “Housing and affordable housing required in association with mixed-use policy H2 and affordable housing policy H4 should be provided in addition to any retained or replacement affordable housing arising under policy H5.”</p>

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2016/5358/P	Alex Kuznetsov	150 Bacton Haverstock Road London NW5 4PS	17/10/2016 00:44:42	OBJLETTE R	38. Since, the 14,110 sq.m. of social rent housing would be needed to merely comply with policy H5 (e.g. to replace the affordable housing stock being lost as a result of the demolition), further 8,933 sqm of the floorspace (e.g. 50% of the difference between the total GIA and the 14,110 sqm needed to re
2016/5358/P	Alex Kuznetsov	150 Bacton Haverstock Road London NW5 4PS	17/10/2016 00:44:48	OBJLETTE R	38. Since, the 14,110 sq.m. of social rent housing would be needed to merely comply with policy H5 (e.g. to replace the affordable housing stock being lost as a result of the demolition), further 8,933 sqm of the floorspace (e.g. 50% of the difference between the total GIA and the 14,110 sqm needed to replace the social rent housing being lost) of affordable housing has to be delivered to comply with policies H2 and H4. Respectively, to comply with the policies adopted by the Cabinet, the scheme has to provide 23,043 sqm of affordable housing, including not less than 14,110 sqm of social rent housing. As can be seen in the disclosed figures, the scheme is in a gross incompliance with the adopted policies. Importantly, the stated figures disguise the fact that only 61 of the 104 social rented housing will be built at Bacton Estate (thus, only these benefits represent the public benefits and have to be given weight when considering whether the public benefits outweigh private losses). 39. Given that the Applicant intends to deliver 61 social rented flats at Bacton Estate and given that 104 flats have the total floorspace of 12799 sq.m., the proposed development is going to result in the social rented floorspace falling from 14,110 s.q.m. to as little as 7,507 sq.m. As stated above, the policy adopted by the Cabinet requires resisting the loss of affordable housing. Yet, the detailed analysis reveals that the proposal results in a loss of 47% of the social rent housing at Bacton Estate. Respectively, the development shall be resisted. 40. It is admitted that the scheme has been considered by the Cabinet. However, as shown in the decision, the Cabinet was misled or, inter alia, misdirected, to believe that (1) the scheme nearly complies with the 50% affordability requirement and (2) that the repairment costs are 40,000-50,000 pounds per home. The analysis above confirms that the Cabinet was misled or misdirected to believe that the loss of homes can be disregarded.
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