

2015/6455/P Planning Application Comment

Comments, Responses and Objections to Planning Application 2015/6455/P

Save West Hampstead “Stop the Blocks!” Campaign

Save West Hampstead



December 2016

Introduction

This consultation response has been researched and compiled on behalf of grassroots community campaign group Save West Hampstead “Stop the Blocks!” (“SWH-STB”, “The Campaign”) in response to Planning Application 2015/6455/P (“the application”, “the proposal”, “the proposed development”) submitted by A2Dominion Developments Limited and its agents (“A2Dominion”, “the Applicant”) regarding redevelopment proposals for 156 West End Lane (“156WEL”, “the Site”).

Save West Hampstead “Stop the Blocks!” is supported by the Lymington Road Residents’ Association, Crediton Hill Residents’ Association, Lymington Road Tenants Association, West End Green Conservation Area Advisory Committee, West Hampstead Gardens & Residents Association, Maygrove Residents, Combined Residents Associations of South Hampstead (CRASH), Save Swiss Cottage 100 Avenue Road Campaign, Reclaim London, OurCity.London, Just Space, Radical Housing Network, Kilburn Unemployed Workers Group, Save Maida Vale Campaign.

The Revised Application

It is with disappointment that the community viewed the minor revisions to the proposed development at 156 West End Lane and were forced to realise that neither the Applicant nor Camden planners saw fit to pursue and address the many valid and pressing issues, concerns and objections from residents and the local community, as shown by the almost imperceptible changes between the initial application and the revised version.

It appears that Camden planners are willing to ignore many of the Council’s own development policies, including the Camden Site Allocations document (SAD), West End Green Conservation Area (WEGCA) guidelines and the recently approved Neighbourhood Development Plan (NDP), as well as the concerns of the community, for this development to have reached this stage.

Indeed, the Applicant clearly states in their Design & Access Statement Addendum that they have ignored comments from the West Hampstead community by stating that any amendments merely “address... feedback raised by council officers and the GLA”.

Therefore, we continue to strongly object to the Application and the development proposed for 156 West End Lane and request that the Application be refused. Our initial detailed set of Save West Hampstead “Stop the Blocks!” objections (also attached) still stands and we add the following further comments in response to the minor amendments contained within the revised application.

MUGA and Crown Close Open Space

The proposed development will cause significant harm, by virtue of overshadowing and overlooking, to both the MUGA and Crown Close Open Space, as documented in our original objections. Despite the damage the Application threatens to unleash on Open Space and community facilities and amenities, the Applicant is entirely reliant on these spaces for the proposed residents

and children of their own development to make up for their abject lack of on-site provision of necessary amenities for children — “stepping stones” and “play logs” notwithstanding — such as swings, slides, climbing frames or an open space for ball games. The small 50 sq m space provided for the 'affordable' family units not only lacks play facilities but is condemned to almost constant shade and fails even the BRE minimum guideline of 50% on 21st March.

As previously documented, West Hampstead is correctly identified by Camden’s own planning documents as being “deficient” in Open Space. This determination places a greater burden on Council planners to ensure that what little Open Space exists in West Hampstead is protected from the negative impacts of development and, as such, the Application should be refused to ensure that the one Open Space available for residents has its amenity preserved and protected.

Furthermore, Camden's Policies **CS15** and **DP31** state:

Provision of, and improvements to, open space and outdoor sport and recreation facilities **to ensure the quantity and quality of open space and outdoor sport and recreation facilities in Camden are increased and deficiencies and under provision are not made worse**, the Council will only grant planning permission for development that is likely to lead to an increased use of public open space where an appropriate contribution to the supply of open space is made. Priority will be given to the provision of publicly accessible open space.

NDP Objective 6 states: 'These areas should be protected and enhanced'.

NDP Policy 17i states: 'The protection of existing green/open space – from significant damage... through development.'

Camden's Site Allocation document: “Development should relate appropriately to open spaces **and not be detrimental to its function** or ecological value.”

No objective assessment of the ways in which the Application proposes the blocking of daylight and sunlight to this space could reasonably conclude that the proposed development is not “detrimental to its function or ecological value”.

CS16 identifies the West Hampstead growth area as an area of health deficiency and states:

The map also shows that the wards with the poorest health are located close to our growth areas. This provides us with the opportunity to ensure that new development in the growth areas will work alongside the initiatives discussed in this policy and throughout the Core Strategy to deliver improvements to the health and well-being of residents.

As shown in the developer's own overshadowing diagrams, the MUGA and Crown Close Open space will be cast into deep shadow, blighting use and enjoyment and health benefits of these precious amenities at times of greatest use, especially Term-time evenings during Spring, Summer and Autumn.

Policy CS15 states:

We will only allow development on sites adjacent to an open space that respects the size, form and use of that open space and does not cause harm to its wholeness, appearance or setting, or harm public enjoyment of the space.

Clearly, no effort has been made by the applicant to respect the size and form of the Crown Close open space, else proposed development adjacent to the open space would be more in keeping with the existing three storey homes to the east and north of the open space.

The Applicant has not sought in any way to “not cause harm to [the open space] wholeness, appearance or setting” and instead has chosen to pro actively “harm public enjoyment of the space” by means of overshadowing, overlooking and the removal of the right to privacy for users of the open space.

Further harm is caused by Applicant’s preferred approach of not providing children’s play facilities on-site and instead offloading its proposed residents to the Crown Close open space and play areas. Additionally, the Applicant’s intention to off-load residents of its proposed development on to Crown Close open space is in contravention of the “Not for public use” determination clearly displayed alongside the children’s play areas.



Crown Close Open Space and Children’s Play Areas

Significant concerns have been raised in a great many objections to the Application, not least by the GLA that has highlighted significant concerns about the proposed meagre public realm and play space provision within the scheme. Indeed the proposals fails to offer high-quality play and informal recreation opportunities required by the London Plan and we do not believe that these concerns have been addressed by the Applicant to any degree, much less satisfactorily resolved. Further concerns were raised by the GLA about the impact of the development on access to daylight and sunlight in open spaces and the revised proposal does nothing to mitigate the damaging impact on the Crown Close open space.

The only immediately apparent distinction between Application revisions appears to be the addition of a seventh floor private roof terrace of which the Applicant proclaims that:

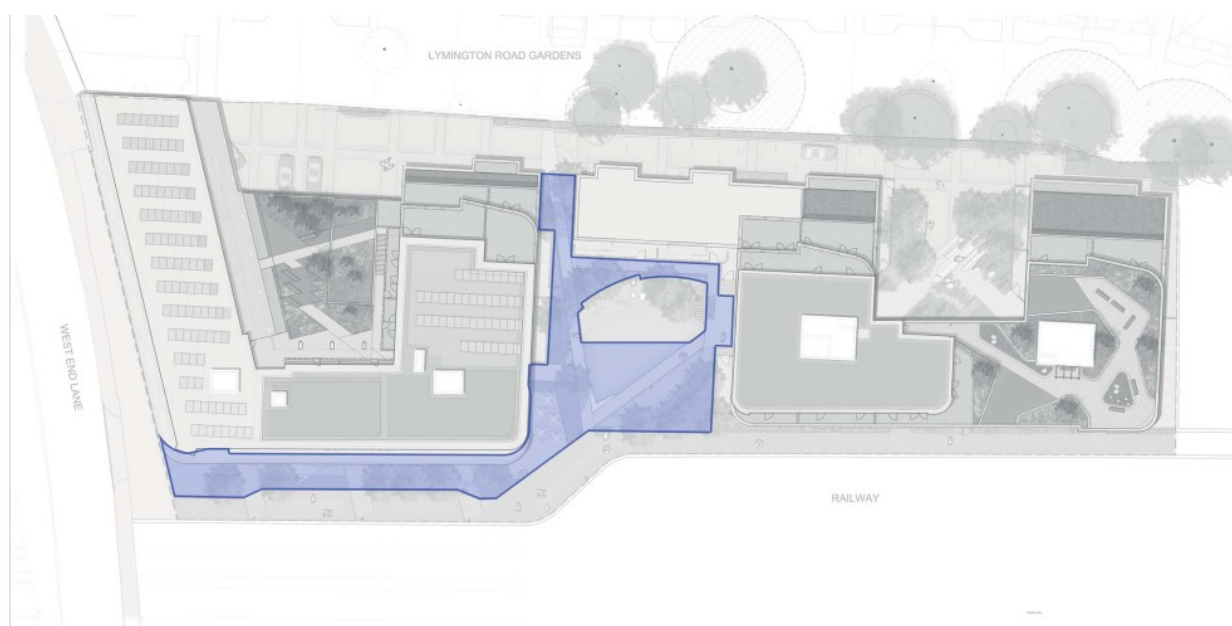
“This roof garden will have a sunny aspect and offers view south and east over London making it a desirable garden for the residents to enjoy.”

We request that Camden Planners and councillors on the Development Control Committee be aware

that the “sunny aspect” of the newly incorporated private roof terrace will comprise of sunlight blocked from neighbouring homes, gardens and publicly amenity spaces and that “the views south and east over London” would be those views blocked from residents that have been able to enjoy these views since the homes in the West End Green Conservation Area were first built.

Public Amenity Open Space (PAOS) requirement

A mere 740sq m of the required 1403.3 sq m of public amenity open space has been provided within the development. As clearly shown in the diagram supplied by the Applicant, the PAOS is nothing more than the pathways between the proposed blocks and alongside the shops/start up units. Furthermore, this area will also be in almost constant shade even within the Summer months, overshadowed as it would be by the proposed large, bulky, dense blocks to the East and West.



Dangerous Access Road

As the Applicant and Camden planners will be aware, the dangerous proposed access road is a major concern for the local residents and wider community.

In their response to Morgan Tucker's detailed assessment of the road access, Transport Planning Practice (TPP), on behalf of the Applicant, claim:

This access, which will be stopped up should LB Camden resolve to grant planning consent for the proposed development, is located approximately 40m from the proposed access. **No discernible difference in street geometry and forward visibility exists between the position of the existing and proposed access points.**

On the contrary, there is a great deal of difference between access points, as the proposed road will

be within metres of junctions with Lymington Road and Sumatra Road and is also located on a narrow bend with limited visibility. The current access point benefits from a pedestrian crossing before it and very clear visibility for pedestrians and exiting vehicles from both the north and south.

TPP also claim that there is no necessity for a drop off/pick up lay-by for residents as vehicles will be able to use West End Lane. That existing road traffic regulations permit this does not mean that operating in this manner will not cause significant problems for vehicles on the already congested WEL and also for south-bound vehicles exiting Sumatra Road and Lymington Road. This contravenes Policy DP16 which states that the council will resist development which fails to address “safe pick-up, drop-off and waiting areas for taxis, private cars and coaches”.

The image below, taken just before mid-day on a weekday from Sumatra Road and looking across West End Lane to the location of the proposed access road, shows the traffic congestion on West End Lane with which all residents are too familiar.



Similar, and often-times worse congestion, typifies West End Lane during morning and evening rush-hours and on a number of occasions throughout most days of the week. Vehicles emerging from the proposed access road would have to contend not only with West End Lane congestion — thereby blocking pedestrians from proceeding north and south along the eastern pavement — but would also have to contend with traffic turning left onto West End Lane from Lymington Road, and traffic turning right on to West End Lane from Sumatra Road. Locating an access road at the point proposed by the Applicant is nothing more than a series of potentially life-threatening accidents waiting to happen.

Core Development Policy DP21 states that the Council will ensure that growth and development has regard to Camden’s road hierarchy and does not cause harm to the management of the road

network. CS11 states that the Council will expect works affecting highways to:

- avoid disruption to the highway network and its function,
- ensure adequate sightlines for vehicles leaving the site;
- address the needs of wheelchair users and other people with mobility difficulties, people with sight impairments, children, elderly people and other vulnerable users;
- avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter;
- contribute to the creation of high quality streets and public spaces.

Were the Council to sanction this Application and the proposed access road, it would be in direct contravention of stated aims of Policy DP21.

Unsecured by Design

There is also the question of the safety and security of Lymington Road residents whose back garden walls will become accessible from West End Lane via the proposed arch. The Designing out Crime officer failed to comment in writing on the access road despite the [secured by design document](#) clearly stating at point 2.1 that developments should not 'undermine the defensible space of neighbourhoods'. Item 3.1 also clearly states that road layouts should not 'allow the criminal legitimate access to the rear or side boundaries of dwellings'. The proposed development directly contravenes both of these security planning principles.

Pre-application advice given to the developers included keeping Potteries Path in its present location and 'keeping the path away from the rear boundary of existing homes' as this "may also maximise their security'. It is therefore inappropriate for a vehicular access route, complete with metre high planters which actively facilitate even easier access to 'rear boundaries' directly from West End Lane, to not be considered as consciously 'designing in crime' for south-side Lymington Road residents.



Pedestrian Safety, Overcrowding & Comfort Levels

Every local resident, commuter and passenger passing through the West Hampstead Interchange knows how dangerously over-crowded the narrow pavements that must be navigated to change between stations are, particularly during peak morning and evening commuting hours.

A great number of objections to the Application have cited this concern and noted that this dangerous overcrowding of narrow pavements exists long before we experience the impact of the

residents into the yet-to-be completed Ballymore development on West End Lane.

The Applicant states that, “It is expected that a considerable proportion of southbound pedestrian flows would have entered the [Thameslink] station and not have crossed the bridge.” On the basis of a baseless assumption about pedestrian traffic flows, the Applicant has the audacity to claim that their over-intensive over-development of 156WEL will not compound pavement overcrowding through the introduction of yet more hundreds of residents; in fact, they utilise their baseless assertion to further disingenuously claim that, despite the imposition of still greater numbers of people on the already overcrowded pavements, “it is reasonable to assume that a higher Pedestrian Comfort Level (PCL) would be achieved”.

This absurd claim is made on the basis that pedestrians will only be accessing the Thameslink station rather than using the underground or overground lines, the latter of which would indeed necessitate crossing the bridge southbound. However, there is no way that this *a priori* determination — that pedestrians will only be accessing the Thameslink station rather than using the underground or overground lines, the latter of which would indeed necessitate crossing the bridge southbound — can be made by the Applicant or anyone else about non-existent residents in a development that is seeking planning approval.

Instead, any determination must be made on the grounds of the simple logic that dictates the addition of greater numbers of people to already overcrowded and over congested areas will inevitably result in still further, and entirely unacceptable, levels of overcrowding.

Daylight & Sunlight

The Applicant repeatedly and consistently underplays the devastating impact of loss of light from the proposed development on daylight and sunlight to neighbouring homes, gardens and shared amenity spaces.

The GLA Stage 1 Report produced in response to the initial Application states that “daylight and sunlight on sites within the West End Green Conservation Area should not be detrimentally affected as a result of the proposed development”. It is clear from the figures provided by the Applicant that daylight and sunlight across all adjacent homes and gardens in the West End Green Conservation Area would be severely detrimentally affected as a result of the proposed development.

Furthermore, the way in which the proposed development would impact on availability of sunlight to properties in the West End Green Conservation Area would remove from these properties the ability to benefit throughout the year from passive solar gain — particularly in autumn, winter and spring, the times of the year at which passive solar gain is most welcome. As noted within the Camden Council document “Energy Efficiency Planning for Conservation Areas”, “passive energy efficiency measures at the top of the energy hierarchy tend also to have the best carbon cost-effectiveness” and the proposed development would eradicate this key principle of green energy efficiency.

The Daylight and Sunlight report prepared by Rights to Light Consulting cites the BRE guidelines

before attempting to extend the “high street” Town Centre frontage height and bulk inappropriately across the entire site:

However, as with the impact on daylight, the BRE recommendations are intended to be applied flexibly and take into account the site constraints. In particular, paragraph 1.6 of the BRE guide states “In an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the heights and proportions of existing buildings”. We note that the proposed development is seeking to match the height and proportions to that of the building it adjoins at 166 to 174 West End Lane.

While matching the height and proportions of the adjoining building at 166-174 West End Lane, might be appropriate within the small portion of the site identified as being West Hampstead Town Centre, it certainly cannot apply to the vast majority of the site that is neither West End Lane street frontage nor designated as the Town Centre.

This misrepresentation is peppered throughout the Application and further repeated in the ‘independent’ Anstey Horne review documents. West Hampstead is not yet an area dominated by “modern high rise buildings” so a higher degree of obstruction is entirely avoidable by observing and adhering Camden Council’s own planning guidelines in relation to the site and the adjacent conservation area.

The West End Lane street frontage falls into the Local Development Framework Town Centre as defined by CPG5. However, Camden’s Site Allocations Document makes a clear the distinction between the small portion of the site that consists of Town Centre street frontage and the vast majority of the site that falls outside of the Town Centre designation. Indeed, the CSAD explicitly states:

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.

And further that any development should:

- Provide an improved design relationship to adjoining Canterbury Mansions and West End Green Conservation Area to protect and enhance the character and appearance of this area
- Ensure an acceptable relationship to the adjacent residential properties on Lymington Road.

No definition of “an acceptable relationship” with three storey homes in the adjacent residential properties on Lymington Road, which are within the West End Green Conservation Area to the north, could possibly encompass seven-storey blocks that are taller, bulkier and more dense than any “high street” edifice along West End Lane.

Discrepancies Between Daylight & Sunlight Reports

The Save West Hampstead “Stop the Blocks!” campaign [identified numerous discrepancies](#) in the two differing versions of the Daylight and Sunlight reports submitted by the Applicant and requested an explanation for the means by which these discrepancies came into being. To date, no satisfactory explanation has been provided by the Applicant, nor by the Council’s chosen ‘independent’ reviewer.

The only explanation given so far by the Applicant was that some discrepancies arose as a result of the heights of back garden walls. However, even a considerable underestimation of the heights of the back garden walls would not affect the ‘before development’ figures. The end result is that there now exist two highly questionable Daylight and Sunlight reports containing differing sets of data. We are unaware whether Anstey Horne were tasked with checking whether the figures provided were correct or how the discrepancies between reports had occurred.

It appears from Anstey Horne’s report that their views were provided merely on the basis of taking information from the Applicant at face value in the June 2016 report provided by Rights of Light Consulting. This is insufficient to allay the documented concerns with the daylight and sunlight reports and the Save West Hampstead “Stop the Blocks!” campaign continues to request that a full and fully independent Daylight and Sunlight report be commissioned by Camden Council.

It still remains the case that light levels to a great number of neighbouring properties and amenity spaces are below or very nearly below the BRE guidelines. CPG 6.13 states, “For existing dwellings the Council will consider the overall loss of daylight as opposed to the minimum acceptable levels of daylight”.

In consideration of the figures presented by the Applicant, and the overall unacceptable overall loss of daylight to the majority of neighbouring properties and the adjacent open space, the Application should be refused.

Design

New development is required to have regard to its context, and make a positive contribution to local character within its neighbourhood (London Plan Policy 7.4). Given the many damaging impacts of the proposed development on its immediate environment, including public and private indoor and outdoor spaces, the proposal fails to take account of its context and would not make a positive contribution to local character.

Conclusion

Not only is the proposed development unacceptable in its original and revised current form, the contraventions of planning policy, the damaging impacts the Application would have on the amenity of West Hampstead residents, the West End Green Conservation Area, and the worrying precedents

that would be set by the proposed development were it to be approved, cannot be remedied, ameliorated or addressed by the mere imposition of conditions.

As such the planning application should be refused.

We request that the council keep us informed when the officer's report on the application is published and made available. We would also like to be informed when the application is due to be put before the Development Control Committee.

Save West Hampstead “Stop the Blocks!” Campaign

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Introduction

The residents of West Hampstead are a strong, diverse, successful and thriving community of people who love the area in which they live, raise their families, work, rest and play.

In recent years residents have been experiencing unparalleled changes to the widely championed “village feel” of West Hampstead. Ongoing over-development of large blocks of predominantly unaffordable, ‘luxury’ apartments has engendered in West Hampstead residents anxiety and fear about what the future holds. In turn this has mobilised hundreds of residents to object to the latest plans to impose further high, bulky blocks which will further blight the area, stretch the already strained infrastructure and fail to meet the actual housing needs of West Hampstead. Residents of West Hampstead are the real experts on the area they inhabit, not remote planners, architects and developers who aim to shoehorn in intensive over-developments on any small plot of former public or railway land they can.

There is a desperate need in West Hampstead for **truly affordable housing, but not at any cost**. Children are unable to live in the area and community they grew up in as a result of extremely high property prices, despite the many current developments where even studio flats can cost £500,000, way beyond the means of most people; a direct result of housing built for greed, and not for actual need.

The campaign understands that the Council’s requirement for a large receipt for the land is the driving force behind the proposed over-development, and that the receipt for the land is earmarked by the Council to pay for the new Council premises at 5 Pancras Square that is replacing the provision of local services such as those formerly provided at 156 West End Lane.

The Council’s rationale for considering such an over-intensive development is due to its derogation from stated policy responsibilities that **require 50% “affordable” housing on all developments** not just at 156 West End Lane. This failure has been consistent across

recent developments, including at Liddell Road, and it is not the duty of 156 West End Lane to attempt to remedy previous Council failures.

156 West End Lane is public land and could be developed for up to 100% Council housing to replace homes have been lost under Right to Buy. No Council housing has been built in the area for decades, nor is any planned for the foreseeable future. Yet, we understand that offers have been made to Council officers that make it “possible for the council to deliver 100 per cent genuinely affordable homes” AND leave the public asset at 156 West End Lane within public ownership for the benefit of future generations of West Hampstead residents.

If the true goal of the Council’s stated aim for the site is “affordable housing” and a public offer of “100 per cent genuinely affordable homes” exists, which also retains the land asset in public ownership, why settle for only 50%?

The community – if the thousands of residents the Save West Hampstead “Stop the Blocks!” Campaign has engaged with since June 2015 are anything to go by – feels very strongly that their ward councillors, their MP and most tellingly Camden Council are failing to listen to and speak up and out on their behalf and failing to guard against or mitigate the consequences of development.

In order for us to make the voices of the people of West Hampstead heard, we will start by highlighting one of Camden’s Core Strategies in its Local Development Framework:

Core Strategy: Promoting successful communities

5.9 A key element to our overall strategy of managing Camden’s future growth is to ensure that the opportunities and benefits of this growth are delivered in a way that meets the needs of Camden’s residents and promotes strong and successful communities. In assessing development proposals, the Council will take into account the needs and benefits of the development alongside the individual characteristics and needs of the local area and community, and will seek to strike a balance between them. Where relevant, we will take into account the cumulative impacts of developments, or particular types of development, on local areas and communities.

Proposed Development in Context

Camden Site Allocations – Local Development Document

The Camden Site Allocations document outlines guidelines for future development on “significant sites”. 156 West End Lane is identified as Site 28 within the document and outlines the following Main Policy Considerations:

The site is within an identified growth area (Policy CS1) where council expects mixed use development to maximise site opportunities in line with the identified objectives for West Hampstead Interchange (Policy CS2), whilst protecting and encouraging the provision of a range of employment facilities (Policy CS8 and DP13), retail (Policy CS7)

and protecting and enhancing adjacent open spaces (Policy CS15). Housing is the priority land use and will be sought as part of more efficient use the site (Policy CS6 and DP2) .The Council will ensure that new development will preserve and enhance nearby built heritage assets (Policy CS14 and DP25).

Development will be expected to:

- Provide appropriate town centre uses along the frontage with residential including affordable housing above and to the rear of site
- Provide flexible employment floorspace (subject to relevant criteria)
- Maintain or enhance the existing building line to retain adequate pavement widths to assist pedestrian movement and interchange between stations
- Provide an improved design relationship to adjoining Canterbury Mansions and West End Green Conservation Area to protect and enhance the character and appearance of this area
- Provide a legible and improved pedestrian / cycle link from West End Lane towards Crown Close through new landscaping and good design
- Incorporate new publicly accessible open space (potentially suitable for temporary market use) and enhance the function of the adjacent open space
- Ensure an acceptable relationship to the adjacent residential properties on Lymington Road
- Incorporate public realm improvements that positively contribute to and integrate with streetscape and interchange improvements along West End Lane

1. The Application fails on all the criteria outlined above and, as a result, would cause significant harm to the amenity of neighbouring buildings and residents, designated open space, children's play area, public path and the wider community with a dangerously located, concealed access road. We therefore call for this Application to be refused.
2. The NPPF states, "63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area" and "64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".
3. We note that the development exceeds the maximum density guidelines recommended in the London Plan and should be rejected on the basis that the amenity of all residents, both within and without the proposed development, would be seriously negatively impacted by this overly dense proposal.

4. Camden's Site Allocation Document expects from any development that, "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 Application clearly fails to transition in massing towards the south and the east of the site.
5. The "high street" to "side street" transition that characterises roads leading off West End Lane could be replicated along the south side of the development, as clearly shown below on the north side of Lymington Road where the five storey Canterbury Mansions transitions to three storey houses.



6. We strongly object to the proposed segregated, gated private scheme and the lack of a truly mixed development. West Hampstead has always been a diverse area where residents of varying means have lived side by side. The proposed development presents a private, gated development into which inequality and segregation of people according to their means is built by design. It cannot be considered a truly "mixed development". Gated developments should have no place on public land like that at 156 West End Lane and any proposals for such should be categorically rejected here and on any other developments in the borough.
7. The proposal includes no ground floor homes with gardens as part of the "affordable rented" family units, preferring instead to save garden spaces for the private, gated area.
8. The proposed "affordable rented" units are situated on the western end of the Site and, worse yet, placed in a six storey block above retail premises and fronting the busy, noisy and polluted West End Lane. This is the least suitable location for "affordable rented" family units and contravenes CPG 2.41 which states, "The layout of the development should optimise residential amenity for all tenures, and avoid concentrating affordable housing close to potential sources of disturbance such as

service yards, traffic and railways”.

9. 100% of the two-bedroom four-person units in the “affordable” allocation fail to meet Camden’s own minimum floor space requirements and would impose needlessly cramped conditions on poorer residents requiring suitable accommodation equipped with sufficient space in which to raise their families (CPG 4.14, below).

4.14 The overall internal floorspace in new self-contained dwellings (excluding communal lobbies and staircases) should normally meet or exceed the minimum standards set out in the following table.

Number of Persons	1	2	3	4	5	6
Minimum floorspace (sq m)	32	48	61	75	84	93

10. The “community space” championed as a response to community request is actually a requirement on a development of this nature. However, the contribution of such space is minimal and the developer expects a local group to pay service charges for and run the space.
11. The small ‘public’ open space is mean, unexciting and overshadowed by the same blocks that remove amenity from neighbours and existing designated open spaces. What open space there is in this proposal is akin to an enclosed courtyard, so is likely to be used more by occupiers of the development itself than members of the general public.
12. The “car free” proposal site with 310 bicycle parking spaces is presented in a layout that offers limited cycle access around the site, and no through access across the site. In all aspects the proposed development is a dead end, both for itself, existing residents of the area, and this key location in West Hampstead.

Amenity

1. With around 800 units already built or under construction in the area, West Hampstead residents are seriously concerned that the council is failing in its duty to manage development in the area in an incremental way that mitigates damaging impacts on amenity. Consequently, cumulative impacts on local services such as GPs, school places and general residential amenity is nowhere near being fully understood while simultaneously set to be irrevocably damaged as existing units begin to be populated by many hundreds of new residents. We would like to remind the council that the London Plan target date for 800 new homes is 2031, yet that target is almost achieved some 15 years ahead of the target date. Furthermore, a cumulative impact assessment of this Application considered alongside recently consented schemes yet to be populated is conspicuously absent.

2. Camden Council and TfL have no plans to upgrade West Hampstead underground station. The station is already overcrowded and packed to capacity during rush-hours and commuters routinely spill out on to the surrounding narrow pavements, more-so when a ticket barrier inevitably fails.
3. The narrow pavements which connect the three stations in the West Hampstead Interchange are already dangerously overcrowded with people routinely stepping off of the kerb and walking along heavily-congested roads, endangering pedestrian, cycle and vehicular traffic.
4. Contrary to the daily experiences of West Hampstead residents, Section 8.1 of the Design and Access Statement submitted by the Applicant states, "the pedestrian environment is very comfortable with "plenty of space for people to walk at the speed and the route that they choose".
5. No thought is given within the Application to the actual needs of residents of the 16 wheelchair-accessible units beyond the provision of parking spaces, such as the feasibility of wheelchair users navigating the narrow pavements across bridges, nor the lack of step-free access at West Hampstead underground station.
6. West Hampstead residents know and understand, even if the Council does not, that the local area simply does not have the infrastructure to support the additional volume of residents from current unpopulated developments, let alone even more. This point has been reiterated in hundreds of comment forms by West Hampstead residents.
7. No impact assessment has been conducted for health, education, transport or public and community facilities which takes into account the large populations of the many big developments already underway, let alone the Application under consideration and the many others scheduled for the foreseeable future.
8. The Applicant has failed to make provision to incorporate Travis Perkins into the proposal, a stable and viable company that has employed West Hampstead residents, including residents of Lymington Road and neighbouring streets, for over 30 years. Camden's own planning policies require that floorspace is re-provided to an ongoing, viable business as part of any development. The proposed development fails to comply with this requirement – indeed the Applicant significantly misleads about the amount of employment floorspace currently on the site. Travis Perkins supplies countless local business who in turn employ additional staff, the consequences of not including Travis Perkins in any proposed redevelopment would result in greater job loss repercussions way beyond those onsite. We do not wish to see a repeat of the Liddell Road fiasco where over 100 jobs were lost and the credibility of the Council was seriously harmed. This is contrary to Camden policies CS8 & DP13 and the application should be refused.

Amenity of Local Residents

1. The proposed development would cause unacceptable harm to the amenity of residents in neighbouring homes in relation to privacy and overshadowing, as well as a qualitative material loss of daylight and sunlight, contrary to policy DP26 (Managing the impact of development on occupiers and neighbours) and CPG7 (Overlooking and privacy).
2. Little faith can be placed in the daylight and sunlight figures provided by the applicant. It is not clear what measurements and methods, or the accuracy thereof, were used to create daylight and sunlight reports.
3. Light levels to a great number of neighbouring windows are below or very nearly below the BRE guidelines. CPG 6.13 states, " For existing dwellings the Council will consider **the overall loss of daylight** as opposed to the minimum acceptable levels of daylight." In consideration of the figures presented, there will be an unacceptable overall loss of daylight to the majority of neighbouring properties and the adjacent open space.
4. Following detailed checks with occupants of properties adjacent to the development, many of the windows listed by the Applicant as being of secondary importance are instead habitable rooms, meaning that the impact of light loss on neighbouring properties has been understated. In some cases, the affected windows are the sole light sources to studio flats. Sunlight loss also has a detrimental effect on passive solar gain.
5. Sunlight to a large number of gardens would be reduced substantially, depriving residents of amenity and enjoyment of their gardens.
6. We remind the council that, at the recent 100 Avenue Road appeal hearing, legal representatives of Camden argued that, "the BRE guidance refers to the 'two hours of sunlight' analysis as a 'check' not a definitive test. Further analysis is required for critical areas such as public open spaces (3.3.12). That further analysis cannot be limited to merely plotting the shadows – the *effect* of overshadowing has to be considered." and, further, "that a qualitative approach is required". In the case of the MUGA and designated open space, term-time after-school use is necessary for a truly qualitative approach.
7. Camden defines tall buildings as "those which are substantially taller than their neighbours and/or which significantly change the skyline". The Applicant has not included the necessary overshadowing diagrams required for tall buildings as regards to the negative impact on the homes in Lymington Road, West End Lane, Crown Close and Canterbury Mansions, thereby denying residents the ability to know

the estimated impacts of overshadowing.

8. There is no assessment of the impact of noise or light pollution on the amenity of neighbouring properties. However, light pollution is already caused to residents of Lymington Road by the student block on Blackburn Road, despite the block being the other side of the railway tracks. Seven storey buildings situated just metres away from the residential premises of Lymington Road residents would cause unacceptable levels of light and noise pollution.
9. On the basis of what is known so far on the significant loss of daylight and sunlight, the Application should be refused.

Access Road & Proposed Site Access

1. We have grave concerns regarding the proposed new service road leading in and out of the development. The current entrance to the builders' yard is wide with clear visibility onto West End Lane and with clear visibility for pedestrians, cyclists and motorists. The Applicant's suggestion of a new, narrow road through a brick archway with limited visibility on a dangerous bend along an already busy and congested thoroughfare is ludicrous, and little more than a series of pedestrian and motor accidents waiting to happen. The proposed concealed new roadway would present significant dangers to high street pedestrians, cyclists and vehicular traffic.



2. The proposed location of the concealed new road is just a few metres away from the junctions of Sumatra Road and Lymington Road, a junction on West End Lane that is notoriously congested at the best of times and particularly so during peak hours, often causing tailbacks to Finchley Road in the west and Fortune Green to the north.

3. The proposed new road would further compound these issues by requiring service and delivery vehicles exiting the proposed development to breach the opposing side of the carriageway. Drawing 30760/AC/028 shows both 10m and 10.7m articulated vehicles exiting the development and turning left cannot do so until both lanes are clear. The Swept Path Analysis clearly shows this to be the case. Furthermore, turning vehicles are likely to come into conflict with northbound vehicles as a result of the perilous manoeuvres required. On the grounds of pedestrian, cyclist and traffic safety, this application should be refused.



4. Given the already congested nature of West End Lane, any vehicle waiting to exit the proposed development would automatically cause a blockage of pedestrian traffic on the pavement.
5. The submitted Transport Assessment Road Safety Audit Report 1.13 states “The collision data identifies clusters of collisions along West End Lane, which is expected to be due to the high volume of vehicles and pedestrians crossing the road. However there have been no recorded incidents outside the site over the recent three years. Based on the PIA data, it is considered that there is no inherent road safety problem at the proposed site access.” This is disingenuous and misleading in the extreme. The historical lack of accidents and the existing well-considered wider access point with full visibility cannot be taken as presumptuous confirmation that the proposed access road would be safe, particularly in light of all its attendant dangers to pedestrian, cycle and vehicular traffic arising from its concealed position and lack of visibility.
6. Commercial waste collections from the site require that collection vehicles park on West End Lane to undertake collection. Considerable congestion is already caused by Tesco delivery vehicles and the imposition of another barrier to the smooth-flowing of traffic on an already congested road would result in an unacceptably dangerous slalom on the southbound side of West End Lane.
7. Vehicular servicing of the site has not been fully considered and, where it has been considered, has been considerably understated in favour of the development given the anticipated number of residents.
8. No provision has been made for pick-up and drop-off points at the “car free” development for either residents or visitors.
9. The applicant has given insufficient consideration to the servicing of the proposed development. Though track plots are included for vehicular movements, no detailed consideration is given to movement of everyday vehicles such as light vans (e.g. for grocery deliveries), taxis and minicabs, large vans (e.g. for delivery of household appliances, or supplying, delivering to and collecting from retail or office premises),

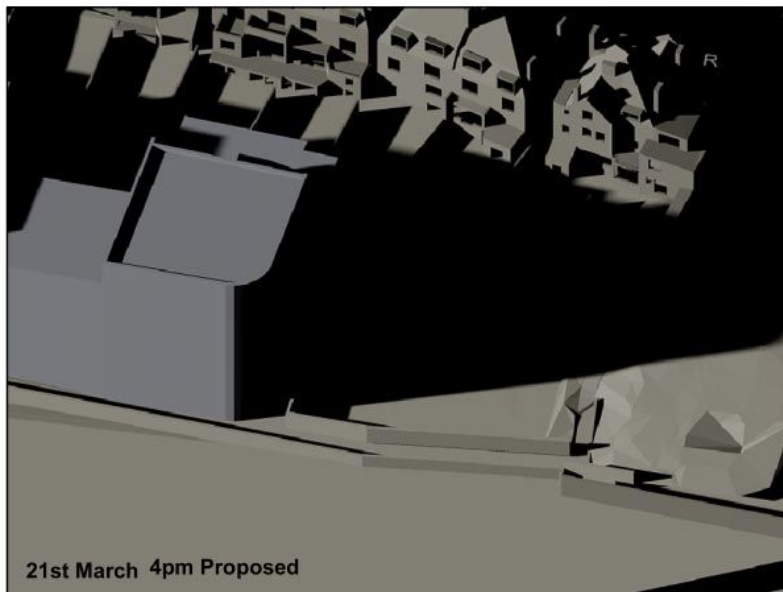
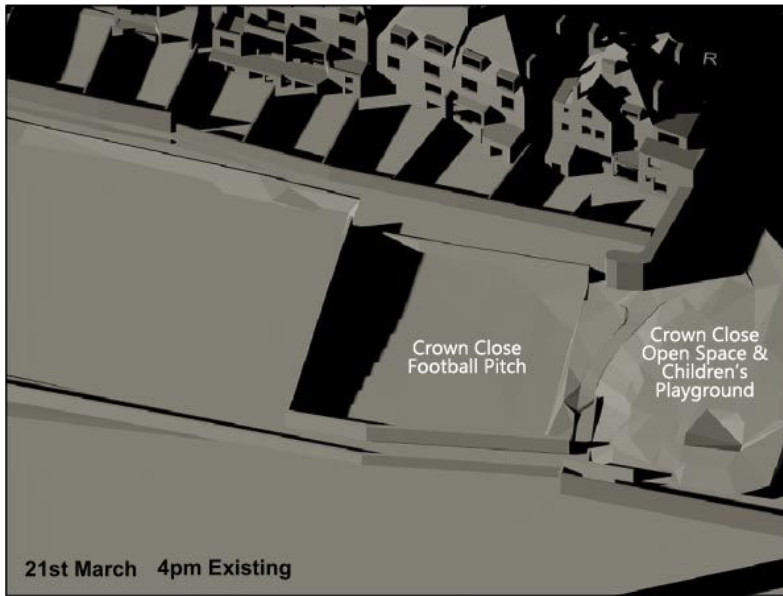
or emergency service vehicles.

10. The Applicant makes much of the “car free” development claim and suggesting that the impact of the development on parking is inconsequential. This of course omits to account for friends and family of residents visiting by car. Although the development's residents will not allowed parking permits this doesn't prevent parking at unrestricted times in already parking congested side roads.
11. Varying widths for the proposed Access Road are given across the documents submitted with this application from 5.2m wide (Transport Assessment 4.2.9) to 5.8m wide (DAS 8.1 Transport). CPG7 Delivery and servicing management plans states for Access roads: “A minimum carriageway-width of 6.0m is required where an internal access is designed for two-way use by service vehicles. Where a footway is not provided to each side, a safety margin with a minimum width of 0.5m must be provided wherever there is no footway.” It is incomprehensible how the Application has reached this stage without adhering to critical Access Road safety guidelines outlined in Camden's own planning guidance.
12. A disregard is also shown towards the safety of the properties of the residents of south-side Lymington Road houses for whom the new access road is proposed to run along their back garden walls. A unique positioning of a road and one rarely replicated. The developer proposes 1m wide planters of varying lengths positioned at points along back garden walls where vehicles within the development are required to perform reversing manoeuvres to exit the site in forward gear.
13. The gated eastern end of this road leading into the 'private sale' units is a disgraceful inclusion in this development and must be rejected. Inequality and segregation must not be designed into environments as they do not encourage nor reflect the vibrant, diverse, mixed community of West Hampstead.
14. All of the refuse stores for 164 units and employment floor space, which could include food outlets, are proposed to be situated just a few metres from Lymington Road back gardens, as refuse collection can only occur via the proposed access road. The potential for vermin infestation into Lymington Road gardens and homes highlights yet another aspect of this ill-considered access road and development proposal.
15. By the developer's own admission the access road is only being relocated to fulfill their requirement to position seven storey blocks some few metres away from the backs of Lymington Road houses and gardens. This is an unacceptable rationale for replacing the current high-visibility, wide access road with a low- visibility access road and its countless dangers for pedestrians and motorists and highlights a cynical disregard for the current and future residents of the area shown throughout this application. On this material consideration alone the application must be refused.

Designated Open Space, MUGA and Play Area

1. Camden council has correctly identified West Hampstead as being “deficient” in open space in Camden planning documents, including “Shaping the Future of the Wider West Hampstead Area”. The overdominant bulk, mass and height of the development would overshadow, overlook and negatively impact the amenity of residents’ use of the open space space, MUGA and children’s play area. On this basis the Application should be rejected.
2. The harm the proposed development would do to the MUGA and play area is contrary to policy CS10, item F, which aims to “support the retention and enhancement of existing community, leisure and cultural facilities” and CS15, “Protecting and improving our parks and open spaces and encouraging biodiversity”. It is also contrary to NPPF 76. Crown Close open space is also designated for protection in the Neighbourhood Development Plan 17:i.
3. Many young families live in flats without gardens or outdoor space and the Crown Close designated open space and play area is the only readily available space for children in the immediate vicinity of the Site. As such, the council should refuse any application that proposes to blight or harm the amenity of residents through overshadowing, overlooking or the removal of privacy.
4. Camden Planning Guidance on Building Design, section 2.10, states that, “Good design should... ensure buildings do not significantly overshadow existing/proposed outdoor spaces (especially designated open spaces), amenity areas” and further specifies that “A shadowing exercise may be required for tall buildings or where they are near open spaces”. The proposed development fails Camden’s requirements for good design and lacks a proper “shadowing exercise” for the Crown Close designated open space.
5. The Applicant treats Potteries Path right of way as if it were a “high street” and the failure to transition in height and mass from West End Lane and along Potteries Path. This results in unacceptable overshadowing and overlooking of the designated open space and play area adjacent to the site.
6. The proposed development would blight enjoyment, use and health benefits of the designated open space, play area and MUGA, rendering them all into deep shadow during peak afternoon and evening usage of this valuable and heavily used space.
7. We note also that the Applicant initially included the MUGA and designated open space in their “within development” report and claimed 100% compliance with BRE guidelines with two hours of sunlight on 21st March. The corrected and updated report requested by the Campaign revealed that no sunlight would be available to

the MUGA, play area and designated open space in the afternoons and evenings for most, if not all, of the year.



8. We note that the Applicant claims to have contributed to a redesign of the MUGA. However, the Applicant has not consulted anyone locally about any redesigns. Irrespective of the Applicant's lack of consultation, no possible redesign, other than a redesign of the development, could possibly balance the irreparable harm that would be done to the MUGA, play area and open space by the immense levels of overshadowing and overlooking.
9. We remind the council that, at the recent 100 Avenue Road appeal hearing, Camden's own legal team argued that, "the BRE guidance refers to the 'two hours of sunlight' analysis as a 'check' not a definitive test. Further analysis is required for critical areas such as public open spaces (3.3.12). That further analysis cannot be limited to merely plotting the shadows – the effect of overshadowing has to be

considered." and, further, "that a qualitative approach is required". In the case of the MUGA and designated open space, term-time after-school use is crucial.

10. There is no qualitative assessment of overshadowing, overlooking and the deprivation of light to the Multi-Use Games Area on Crown Close. The "two hours of sunlight" test of paragraph 3.3.7 of the BRE guidelines is a merely a "check" and further analysis must include the effects of overshadowing and its impact on qualitative amenity.
11. The Crown Close open space, children's play area and MUGA have been carefully designed to ensure that these spaces are quiet, tranquil, secured and protected from pedestrian and bicycle traffic. The proposed development jeopardises the safety, security and tranquility of young and vulnerable users of this space and should be refused.
12. The damage to the designated open space cannot be mitigated by claims that there will be additional open space within the proposed development. Two of these spaces are in almost constant shade and the proposed small enclosed central 'public square' is nothing more than a space to distance private blocks from "affordable" housing in the form of paths to each and will be in shade most of the year due to the height of the blocks on both the east and west.
13. The Applicant has not included the required impact on open spaces assessment with this application.
14. There is no indication within this application that any effort has been made to 'protect' the adjacent designated open space, contrary to the Site Allocations Document and policy CS15, and we call on the Application to be rejected.

Conservation Area

1. The Applicant claims that its design incorporates "modern mansion blocks", but fails to note that there are no seven storey mansion blocks anywhere within the adjoining Conservation Area where mansion blocks are no more than five storeys in height. Views of the proposed development from both the north and east of the site and inside the Conservation Area will not be of the "mansion block" facade proposed for the south-facing aspects but will instead be a mish-mash of flat, blocky rooflines of varying heights, littered with balconies and a variety of incongruous finishing materials, all out of keeping with the heights, designs and materials of Conservation Area homes above which the proposed development would tower.



2. The proposed development, by virtue of its height, mass, scale and bulk would result in an overdominant form of development causing harm to the streetscene and negatively impacting on long views, contrary to policy DP25 (Conserving Camden's heritage) in the London Borough of Camden Local Development Framework Development Policies. On this basis the Application should be refused.
3. Planning officers recently rejected a proposal for a seven storey building at 159-161 Iverson Road. The decision on planning application 2014/5342/P states the proposal was not acceptable on grounds of height of the proposed building. The officer's report states under 'reasons for refusal':

"The proposed development, by virtue of its height, mass and scale would result in an overdominant 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."

If a seven storey building is unacceptable on Iverson Road, a seven storey building immediately adjacent to the West End Green Conservation Area is not acceptable either. We expect Camden Council Planners to apply policy consistently, irrespective of the current ownership of sites and the "preferred bidder" status of the Applicant.

4. A significant portion of Lymington Road is located within the West End Green Conservation Area. The back garden walls of homes numbered 2-30 Lymington Road form the southern perimeter of the Conservation Area. The Council's Core Strategy document states that the Council will, "make sure that development conserves or enhances the special character and appearance of West Hampstead by applying the guidance in the conservation area statements for the area." The proposed development will eradicate views in and out of the Conservation Area to and from the Lymington Road homes which fall within this heritage area, and also many views from within the homes and streets of the wider Conservation Area including roads running parallel and perpendicular to Lymington Road such as Crediton Hill, Fawley Road, Honeybourne Road and the northernmost end of West End Lane. Views into

the Conservation Area from the south will be entirely obliterated. The whole view into the Conservation Area can be seen from street level along West End Lane, the entrance to Potteries Path, and both underground and overground trains and is the only remaining view into the Conservation Area from the South.

5. The visual impact assessment is limited to just ten viewpoints outside the site and fails to provide a true indication of the impact of development of the size, scale, mass and height of the one proposed. The Applicant has failed to submit with the Application the required Image 11 showing the impact on views from Crediton Hill.
6. Policy CS14 states that the Council will require, "development of the highest standard of design that respects local context and character" and that developments should preserve and enhance "rich and diverse heritage assets and their settings, including conservation areas". The proposed development fails to respect the unique local historic context and character of West Hampstead and its "village feel". Furthermore, the proposed development would not preserve or enhance heritage assets or the immediately adjacent West End Green Conservation Area.

Potteries Path

1. We strongly object to the intent to sell any part or all of the Public Right of Way that is Potteries Path. Potteries Path exists outside of the Site boundary of the 156 West End Lane Site and, as such, should be beyond the reach of the Applicant to do with as they please in a bid to make the proposed development more appealing to potential occupants of the units closest to the railway lines.
2. The proposed development claims to offer "widening" and "improvements" to Potteries Path. However, the proposals would result in an unacceptably narrower path. New widths are stated within documents in the application submission varying from 2.4m - 2.8m. Currently the perfectly serviceable public right of way as it exists can be used by pedestrians, cyclists and wheelchair users alike. The proposed development would reduce this path in size to a point where, by the Applicant's own projections, it could only be used by pedestrians and dismounted cyclists, thereby negatively impacting the permeability of the area and making cycling a less viable option.
3. The Application shows that cyclists would be forced to dismount for approximately half the length of Potteries Path. This is in direct contravention of the Site Allocations document requirement to, "Provide a legible and improved pedestrian / cycle link from West End Lane towards Crown Close through new landscaping and good design." Despite 310 cycle stores on site, very little of this development is designed for cyclists.



4. Currently the path is 3m wide along its length only narrowing where it joins the Travis Perkins service road and car parking area on the Western end. 3m is the recommended minimum width for shared pedestrian and cyclist use. The latest government recommendations are for an extra 500mm either side if there are vertical structures which can be issues for cyclists. A truly improved and widened Potteries Path should therefore be 4m wide to allow for the improved pedestrian/cycle link from West End Lane towards Crown Close. [[Shared use routes for pedestrians and cyclists](#)].
5. The current service road allows for cyclists to exit from and enter onto the path from West End Lane. The proposed removal of the access road and the remodelling of the path increases the potential for increased conflicts between cyclists exiting or turning left onto WEL and northbound pedestrians due to a lack of visibility over the high wall of the railway boundary. See images below.



6. With the balconies of the first storey of private blocks of 7 storeys overhanging this narrowed path and the high boundary railway to the other side, the path will become gloomy and unpleasant to traverse even on the sunniest of days. It will become a narrow wind tunnel, channeling the prevailing south westerly/westerly wind down towards its eastern end and towards the existing children's play area and protected green open space.

Conclusion

For the reasons cited above, and others put forward by the Residents Associations of Lymington Road, Crediton Hill, the chair of the West End Green Conservation Area Advisory Committee and the Fortune Green and West Hampstead Neighbourhood Development Forum, we urge local councillors to reject this application at the Development Control Committee and to rethink the use of this site of central importance to West Hampstead.

To be clear, not only is the proposed development unacceptable in its current form, the contraventions of planning policy and the damaging impacts the Application would have on the amenity of West Hampstead residents cannot be remedied by the mere imposition of conditions. As such the planning application should be refused.

We call on Council Planners to ensure the rights of residents and the children of Lymington Road to continue to enjoy their play areas and the designated open space in Crown Close is guaranteed and, furthermore, that no development at 156 West End Lane is permitted to blight the light, use, enjoyment and amenity of these valuable spaces.

We call on our elected councillors to reject this application at the Development Control Committee for the reasons outlined above.

We request that the council keep us informed when the officer's report on the application is published and made available. We would also like to be informed when the application is listed for consideration at the Development Control Committee.

Save West Hampstead "Stop the Blocks!" Campaign

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