



To Camden Planning Department:  
Dear Sirs

As a resident on the south side of Lymington Road and the owner of a first floor flat within the West End Green Conservation Area, I am substantially affected by the proposed development. The developers has misrepresented and obfuscated at a regular intervals and the 7 storey (not 5+1+1=7) very slightly revised development still contravenes Camdens own 2011 statutory planning document viz building abutting Conservation Areas and strongly object for the following key reasons: (PLEASE READ SUCCINCT CONCLUSION, AS WELL AS TEXT IN THIS EMAIL)

#### **LOSS OF LIGHT**

**The Student block c90 metres away - and on the other side of the railway - from south side of Lymington Road back of building is 8 storeys and dominates the skyline. The new proposed development at 7 storeys is just 22metres from the back windows of south side of Lymington Road, in a supposed Conservation Area.**

**The gardens south side Lymington Road will suffer dramatically with a 21 March light reduction according to the difficult to interpret images the developer has supplied, which are wholly inadequate. My gardens is 7 metres long right up against the wall to Travis Perkins yard.**

**A**

MUGA overshadowing is substantial when considering its most frequent usage period (after school hours) when it will be almost in total shade. The BRE Guidelines are just that "Guidelines" and have to be taken as such and common sense needs prevail too. The fact that the MUGA will in fact lose ALL its sunlight at its time of most frequent usage means that there is substantial and noticeable loss of light to all people who will use the area.

#### **Existing Council Policies:**

"Camden Development Policy DP26 - Managing the impact of development on occupiers and neighbours

The Council will protect the quality of life of occupiers and neighbours **by only granting permission for development that does not cause harm to amenity**. The factors we will

consider include:

- a) visual privacy and overlooking;
- b) overshadowing and outlook;
- c) sunlight, daylight and artificial light levels;”

The proposed blocks will overshadow and deprive of light the green space and children’s playground at the Lymington Road Estate, which is closest to the 156 West End Lane site, as well as to the homes and gardens on Lymington Road Estate.

### **SUBSIDENCE**

Lymington Road is an area at very high risk of subsidence. South Side No.14 has previously been treated to repair and reinforcement to combat subsidence. No.5 Lymington Road on North Side is currently being treated to repair and reinforcement to combat subsidence.

The area cannot be suitable for major excavation and building works.

### **IEWS**

All Lymington Road residents are severely impacted by the proposed development at 156 West End Lane (156WEL) directly.

I will face a massive overbearing site looming high above the Lymington Road Victorian houses and starting just 8m from my garden fence (West End Green conservation area) and only c20m from the my building. This will be removing considerable skyline views and cause considerable overshadowing across the entirety of South facing buildings and our gardens. The views from the only window of our south facing living room towards central London (where we can see London Eye fireworks) will be obliterated by the additional 3-5 stories of this proposed development looming over the Lymington Road houses. Every building in the horizon and the vast skyline, would be obliterated.

### **CONSERVATION AREA**

The proposed project is located on the immediate border of a conservation area. A conservation area is defined in Section 69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance” and that the project is irreconcilable with the Council’s duty to ensure such preservation. Also at the centre of this particular point is Section 7.2 of the February 2011 West End Green Conservation Area Appraisal Plan (Control over New Development), which document notes that **“Development proposals must preserve or enhance the character or appearance of the West End Green Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area.”**

It is clear in every respect that this project contravenes these principles.

The Conservation Area in West Hampstead as you will know is specifically enshrined

in the West End Green Conservation Area Appraisal and Management Strategy document produced in February 2011. Camden Development Policies of 2010, under Policy DP25,

“Conserving Camden’s Heritage”, further lend considerable weight to the local conservation area policies and principles, as do the Camden Site Allocation Plan and the recently adopted Fortune Green & West Hampstead Neighbourhood Development Plan.

The CA Appraisal document of February 2011 specifically acknowledges the special qualities of the West End Green Conservation Area and clearly defines that character and the pressures that affect the area. Since the document was drafted in early 2011,

those pressures have become all the more apparent and special care & attention are now required to maintain what is left of the character of the area. The Management Strategy in the Appraisal document sets out actions for the preservation and enhancement of the area’s special character and to anticipate possible future changes. As such the Appraisal document forms an essential part of any material consideration of any planning applications in and around the area.

In February 2011 the Appraisal Document stated the following:

*West End Green is a London village running along the spine of the West End Lane. The Lane rises and links Kilburn to Hampstead. The village character has been absorbed but not erased by the expansion of central London from the south, and by Hampstead from the north and east during the late nineteenth and early twentieth century. The growth from tiny village to metropolitan suburb has resulted in a very homogeneous piece of Victorian and Edwardian domestic architecture and planning. The character of the area is still defined by the village with the busy commercial ‘spine’ street, the Green, the street trees and private gardens, the monumental mansion blocks, the variety of substantial houses for professional families and terraced housing. The public buildings support the community and provide landmarks.*

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

For a large part of the submissions made to the local community, the applicant has argued that Conservation Area principles were not relevant because the site was outside of the Conservation Area. The applicant has marginally modified their tone on this

subject but largely seems to take the view that while Conservation Area principles are desirable in general terms, they can be circumvented through clever presentation and design.

I firmly believe, however, that they cannot be circumvented and must be considered. At the heart of this is Section 7.2 of the February 2011 CA Appraisal Plan (Control over New Development), which document notes that **“Development proposals must**

***preserve or enhance the character or appearance of the West End Green Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area.***

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

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

they make a mockery of those guidelines.

- Under Section 5.2 of the Appraisal Plan, (Key Views) it is noted that "*... attractive are the views along Lymington Road and Crediton Hill and the area east of the Lane, with the tree-lined streets, gardens and varied roofscape, hinting of the garden suburb movement.*" What kind of "garden suburb" area has tower blocks overlooking and overshadowing to any extent like those proposed here? It is obvious from the plans submitted that the "attractive views" along both Crediton Hill and Lymington Road would be all but obliterated by the applicant's proposals. The "varied roofscapes" would be completely overshadowed by the proposed tower blocks and would be visible for miles from any elevations in the surrounding areas.

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

Furthermore, the Site Allocations Plan calls for the ensuring "of an acceptable relationship in the adjacent residential properties on Lymington Road" and for the protection and enhancement of the character and appearance of the Conservation Area with respect to any development such as the 156WEL site. The proposed plans clearly go far beyond what can be deemed as an acceptable relationship when the proposed 6+ storey buildings sit within metres of the back gardens of the Lymington Road properties and would completely and perpetually overlook these properties and overshadow them for several months a year.

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

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

We would also like to draw the Committee's attention to its own refusal of a 7-

storey block on Iverson Road in December 2014 (Application 2014/5341/P), on the following grounds:

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

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

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

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

- Under Section 5.9 of the Appraisal Plan (Buildings that make a positive contribution) it is noted in particular that these include houses on Lymington Road, especially Nos 1-19 and 2-30 (all of which back on to the 156 WEL site). The positive contribution these buildings make to the Conservation Area cannot be anything but diminished by the proposed development.

The whole of the Conservation Area is also a designated Heritage Asset and as such makes a positive contribution to its setting and to the Heritage of the area. There are further issues arising of significant importance about this application, including:

- Today, the roads within the Conservation Area which lead from West End Lane feature transitions from the "high street" norm of a maximum of five storeys, immediately transitioning down to "side street/residential street" levels of no more than three storeys. This is an essential part of the Conservation Area's character. This is not offered by uniform seven storey blocks along the proposed Potteries Path "side street". Critically, this transition is a requirement of Camden's Site Allocations Document (site 28, p124-127) and should reflect the existing Canterbury Mansions/Lymington Road transition which the site adjoins. The documents states that "If redeveloped the existing relationship of new development immediately adjoining Canterbury Mansions to the north should be considerably more sympathetic in terms of scale, height and design with an appropriate transition in massing towards the south and east of the site."

- The applicants document relating to Heritage, Townscape and Visual Impact (HTVIA) makes a number of statements concerning the Conservation Area with which we take issue, including:

- **"5.21 The impact of the proposals on the character of the conservation area as a whole is very limited."** -- Clearly this is not the case. Part of the character of the Conservation Area are the views in and out which have to date been mostly uninterrupted across the proposed site.

- **"5.22 ... "This view across the southern part of the conservation area does not define the character or appearance of the conservation area and includes only a small part of the conservation area in the view."** This particular view, especially visible from Crediton Hill and when viewing the southern aspect through the houses on Lymington Road is almost the entire southern border of the conservation area and will be completely obscured.

- **"5.24 Views from within the conservation area south along West End Lane similarly make no contribution to the setting of the conservation area."** The same point as in 5.22 above applies here.

- **"5.26 The design approach has been to find a language for modern mansion blocks. The Conservation Area Strategy (2011) recognises the positive contribution that these existing buildings make to the special character of the area. It recognises mansion blocks as a character zone in themselves."** The existing mansion blocks are five storeys, not seven, and nowhere are they competing with immediately adjacent three storey buildings.

- **"5.29 ... The appearance, setting and character of the conservation area are not affected with development to the east. London continues to grow and there can be very few areas that have not seen their distant views change."** This statement belies the entire purpose of Conservation Area and surely indicates that the applicant does not understand either the Conservation Area principles nor policies. It must be the case that Conservation Areas have been established precisely to protect against this sort of visual intrusion.

- **"7.6 The buildings and open yard on the Site make no positive contribution to the character of the conservation area."** Yet again this misses the point that the current open yard facilitates the view, a conservation area amenity to be enjoyed within and throughout the area.

- **"7.13 There are very limited views of the Site from within the West Hampstead Conservation Area"** We would have to strenuously argue that the entire southern quarter of the Conservation Area is not "very limited".

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

- "Due to the largely dense urban nature of Camden, the character or appearance of our conservation areas can also be affected by development which is outside of conservation areas, but visible from within them. This includes high or bulky

buildings, which can have an impact on areas some distance away, as well as adjacent premises. **The Council will therefore not permit development in locations outside conservation areas that it considers would cause harm to the character, appearance or setting of such an area."**

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

### **OUT OF CHARACTER**

Indirectly, and with respect to the wider issues impacting West Hampstead,

- The plans are completely out of step with the existing character of the properties in the West End Green Conservation Area. The modern square blocks that are proposed at 6+ stories will overshadow and tower over our 3 story Victorian buildings in the West End Green Conservation Area.
- The proposed development is completely out of character with the surrounding built environment. It completely disregards the architecture around it and the character of other buildings. In particular, the houses in Lymington Road are three storey Victorian properties and the proposed development in its existing form will tower over these properties impacting their light, their views and the use and enjoyment of their properties. The height of the proposed development will overlook other buildings and significantly impact on residents' right to light and privacy, the impact will be particularly severe over Lymington Road where residents will be overlooked when in their gardens and main living areas of their property.

### **EROSION OF SECURITY AND INCREASED POLLUTION**

- The proposed development includes a proposed private road for which it is envisaged residents of the proposed development will use as an access road. It is proposed the access is situated immediately behind the garden walls of the Lymington Road properties. The obvious consequence of this will be a substantial increase in dust, pollution, noise and damage to the general conservation area. The impact on the Lymington Road residents will be substantial but generally this increase in pollution will also have an impact on the wider population.
- West Hampstead has benefited from an influx of young families, the population of children has steadily grown in recent times. The proposed development and its impact on the environment will have a detrimental effect on the well-being of those in near and surrounding areas.
- The proposed road between the Lymington properties and the proposed development is an obvious security risk. It will allow easier access to the gardens and properties of Lymington Road.
- The development proposes to house between 5/600+ residents. There is simply insufficient infrastructure to support this number of additional residents into West Hampstead; there is already one development due to complete later this year, West Hampstead Square – the impact from this development is yet to be seen alongside other developments in Blackburn Road, Iverson Road, and Liddell

Road. Thames Water has already filed significant objections to this development on the grounds that there is insufficient water and sewage infrastructure in the area to support the development.

#### **EROSION OF SAFETY**

- The development will result in a substantial increase in footfall in what are already overcrowded surrounding roads.
- The footfall on the underground, trains and buses – without yet taking additional traffic from West Hampstead Square into account – is already at close to maximum level.
- Another new development will shunt public transport levels on the tubes and trains to dangerously high levels, thereby putting public safety at risk.
- The narrow pavements over the bridge between this proposed development and two stations is already heaving with pedestrians in the mornings and evenings.

#### **IMPACT OF HEALTH AND EDUCATION (INCLUDING RECENT EXAMPLE)**

- The current lack of primary and secondary school places, along with the impact on already overstretched GP services, of which there are fewer in the area than in living memory, has not been properly examined or considered by this plan. I frequently have not been able to get a same day emergency appointment at Cholmley Gardens surgery for my sick toddler **This, with West Hampstead Square, that was due to be finished and inhabited by June 2015 with an additional c400-500 people. If West Hampstead Square was inhabited now it would be even worse at GP surgeries in West Hampstead.**

**Our Doctor (the head of the Doctors Surgery) told me at an appointment that the Cholmley Gardens surgery is so stretched he was on tight schedule seeing patients in sequential 5 minute slots!!!**

#### **LOSS OF QUALITY SCARCE PUBLIC SPACE**

- The development plan appears to have dismantled two walls, one along Potteries Path and one currently at the end of Travis Perkins' yard which form the walls of the football pitch, currently the only recreational space available for young people in the area. No development plan should threaten or encroach upon this valuable public space.

#### **CONTRAVENTION OF NDP**

- The plans are also in direct contravention of the policies outlined in the Neighbourhood Development Plan for this area.

#### **CONCLUSION**

I must reiterate again that the proposed project is located on the immediate border of the West End Green Conservation Area. It goes without saying that this proposed development would never be permitted within the Conservation Area, so we have to ask why it is being considered when it sits right on the edge of the Conservation Area. The damage this development would cause to the Conservation Area and to the lives of those residents living in the area is incalculable. If this development were to be permitted it would set a very dangerous precedent within the Borough generally regarding develop



adjacent to Conservation Areas.

**I would ask strongly that the Planners and the Committee should carefully consider all of the objections raised in this email letter and also to respect the sanctity and authority of the Conservation Area policies and principles that apply in this case and refuse this application, together with the other sub heading which clearly show this development is severely detrimental to this area of West Hampstead and also to the wider people in West Hampstead and that use West Hampstead transport. The area around 156 WEL is polluted, Ballymore is 18 months late in finishing, the traffic is grid lock most days and frequently fire trucks are held up in congestion, which would be worse if a development of 6/7 storeys is allowed, against statutory policy. Planning permission should be refused, absolutely.**

Yours faithfully,

Wayne Stalley  
18b Lymington Road  
West Hampstead  
LONDON  
NW6 1HY

