

**In The Regeneration and Planning
Development Management Department
London Borough of Camden**

**CASE/APPLICATION No
2016/5358/P**

***Additional Objections to the Application 2016/5358/P made by Alexander
Kuznetsov, affected party¹***

Dear Camden Planning Authority,

In addition to the objections I sent you earlier (by email and post), I would like to make an additional submission since further information has been brought to my attention, including the changes in the floor plans following the amendments requested by the applicant. In fact, the information about floor plans confirms that the scheme (as amended) will provide less than 5000 sqm of affordable housing floorspace at the Bacton Low Rise site. Not only the latter is not sufficient to comply with the adopted Policy H4: Maximizing the supply of affordable housing that requires 50% of the incremental housing to be affordable but, in fact, fails to even provision a replacement for the social rent housing existing at Bacton Low Rise Estate presently (14,858 sqm). For the avoidance of doubt, I would like to stress that this submission is in addition rather than instead of the submission/objections made previously.

1. The proposed amendments to the conditions are also contrary to Policy E2 « Employment premises and sites»»ю
2. As stated in Section 5.35 of the Camden Local Plan 2016,

“The Council will encourage the provision of employment premises and sites in the borough. We will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone (CAZ) or the local economy.

We will resist development of business premises and sites for non-business use unless it is demonstrated to the Council’s satisfaction:

¹ These objections are submitted in addition rather than instead of the objections submitted by mail and email previously.

12. As stressed in Section 5.9 of the Camden Local Plan 2016., *“as well as safeguarding existing employment sites, we will seek the provision of innovative new employment floorspace in developments that will provide a range of facilities including: flexible occupancy terms; flexible layouts; studios; workshops; and networking, socialising and meeting space that will meet the needs of a range of business types and sizes.”*
13. Expanding on the matter further, at Section 5.10, Camden Council pledged *“We will also seek the provision of managed workspace or premises where this can be incorporated into developments with an employment component.”*
14. As confirmed at Section 5.13 of the Camden Local Plan 2016, *“To ensure that local residents benefit from employment opportunities, we will require suitable developments to provide training and employment opportunities on-site.”* Not only it is not in dispute that the employment opportunities can be provided on-site but also this was carefully researched. Not only it was confirmed that the employment opportunities can be provided on site but also the Applicant argued that such employment opportunities are some of the key benefits to be achieved as a result of undertaking the proposed redevelopment. It should also be noted that the applicant has spent a substantial amount of public funds drafting the employment units and promoting the scheme, both internally and externally, on the ground of employment benefits to be achieved.
15. Section 5.14 of the Local Plan 2016 explicitly confirms that *“Large schemes which have significant job creation potential will be expected to produce an Employment and Training Strategy to demonstrate how employment and training requirements will be addressed and supported. This will be agreed by the Council and secured via planning obligation.”* Now, having misled the Camden Cabinet and the local planning authority about the employment benefits the scheme should deliver, the Applicant is trying to walk away from the agreed and adopted planning obligations. Furthermore, since the Applicant is aiming to walk away from the adopted planning obligations even before the commencement of the scheme, it appears evident that the applicant did not even plan to comply with the planning obligations at the onset and, respectively, obtained the planning permission by misleading the Camden Council Cabinet and the local planning authority.
16. The application to dismiss the requirement to provide business and employment premises is also contrary to the Camden Planning Guidance 5: Town centres, retail and employment. It is not in dispute that *“An increase in the number and diversity of employment opportunities is fundamental to improving the competitiveness of Camden and of London.”*, as confirmed in Section 5.36 of the Camden Local Plan 2016.
17. As confirmed at Section 5.43 of the Camden Local Plan 2016. *“Where it is proposed to redevelop employment land for another business use, the Council will seek to retain features that will enable the flexible use of the premises for a range of business purposes. This will help to maintain the range of employment premises available and is especially important given the limited supply of non-office premises.”*
18. I have also managed to obtain further information on the loss of the social housing space following the proposed redevelopment of the Bacton Low Rise Estate. The information confirms that not only the amendment in the housing mix (with a substantial increase in the share of market housing at the expense of social rent housing) shall be rejected but also the Applicant needs to be required to (1) reprovide the social housing to be lost as a result of the demolition of the existing Bacton Low Rise Estate but also ensure that 50% of the incremental housing is affordable housing, including the compliance with the requirement that 60% of the latter being social rent housing.
19. It is not in dispute and was admitted by both the Applicant and its consultant Quod that the Gross Internal Area of the current Bacton Low Rise estate is 14,958 sqm. This includes a 100 sqm house being owned privately with the remaining 14,858 sqm being

not in dispute but also even in this case, there would still be a social housing shortfall of 11,518 sqm compared with the MINIMUM requirements of the adopted policies.

26. Respectively, contrary to the misleading allegations made by the promoters in the Statement of Reasons and, subsequently, in the Statement of Case, not only the proposed scheme fails to comply with the requirement that 50% of the new incremental housing shall be affordable housing (after providing a replacement social housing existed originally) but, in fact, fails even to replace the existing housing at the time Camden is facing such a serious social housing crisis that it had to materially change the eligibility requirements in 2015 and at the time mothers with children are confined to unreasonable hostel accommodation while many other individuals being forced to sleep on the streets.

Comparison of the Current Layout of the BLR with modified scheme shows loss of 2,201.4 sqm of social rent housing

	% of the total (1)	Breakdown by type within affordable housing (2)	Floor Space by affordable housing type	Current layout (3)	Net loss
Intermediate housing	3.5	9.3%	1,299.07		
Social rent housing	34.1	90.7%	12,656.60	14858	2,201.4
Total affordable	37.6	100.0%	13955.67	14858	902.3

(1) Source: Tables on page 67 of the BLR MMA Application

(2) Calculated by dividing a specific type of affordable housing by the total affordable housing

(3) total residential area of the original BLR less 100 sqm in private ownership

27. Respectively, to comply with the policies adopted by the London Borough of Camden, the Applicant has to undertake commissioning of 24,175 sqm of affordable housing at Bacton Estate, including not less than 20,448 sqm of social rent homes. The latter includes 14,858 of social rent housing floorspace to replace the presently existing social rent housing owned by the London Borough of Camden on behalf of the Camden Residents and 5,590 sqm of social rent housing to comply with the requirement that not less than 30% of the incremental housing has to be social rent housing (e.g. 60% of the total affordable housing with the latter being not less than 50% of the total incremental space).
28. 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 CAMDEN LOCAL PLAN 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 CAMDEN LOCAL PLAN 2016, p77).
29. Sections 3.131, 3.132 and 3.133 of the CAMDEN LOCAL PLAN 2016 provide the requirements to be complied with during redevelopment of affordable housing stock. The major requirements are:
30. 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 CAMDEN LOCAL PLAN 2016 (p78). Being misdirected by the promoters, the Applicant has failed to comply with either of the policies.

“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.” – S 3.131 of CAMDEN LOCAL PLAN 2016, p 78.

- 31. FAILURE TO PROTECT EXISTING SOCIAL RENT HOUSING REQUIRED BY THE ADOPTED POLICIES H2, H4 AND H5.**
32. As disclosed in the planning application and the evidence of Mr. Sean Bashford, the total GIA of Bacton estate is 14,958 sq.m. As admitted by the Applicants, there is currently only one privately owned property with the GIA of 100 sq.m. Respectively, the remaining 14,858 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.
33. Now, with the proposed cancellation of 25 3-bedroom units and 2x 5-bedroom units, the scheme is going to further deviate from the adopted policies reflecting the needs of the Camden residents.
34. It is alleged by the applicant that if the regeneration is implemented, social rent houses delivered at Bacton Low Rise Estate will account for only 4,919 sqm which is not even sufficient to replace the affordable housing being demolished, let alone to comply with the requirement of concurrent application of policies H2, H4 and H5. In fact, not only the amended scheme fails to ensure that 50% of the incremental housing is affordable housing

9,317 sqm (e.g. 50% of the incremental floor space) of affordable floorspace. Furthermore, not less than 60% of the latter has to be social rent floorspace. Respectively, compliance with the adopted policies requires delivering not less than 24,175 sqm of affordable housing floorspace, including not less than 20,448 sqm of social rent floorspace (the latter figure includes the social rent floorspace required for replacing the existing social rent floorspace, pursuant to policies H2, H4 and H5). Given that the scheme, as amended, would deliver only 4,919 sqm of social rent housing (which is not sufficient even to replace the social housing being destroyed) and less than 1,300 sqm of intermediate housing (which is about a third of the policy requirements), it is evident that the scheme (as amended) fails to comply with adopted policies.

43. Given that the Applicant intends to deliver 61 social rented flats at Bacton Estate, mostly small 1-bedroom flats, at the cost of destroying 98 purposely built terraced houses, including 60 large houses, as defined in Policy H7: Large and Small Homes, it is evident that the scheme (as amended) is contrary to the adopted planning policies.
44. 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. Yet, the policies require a concurrent application of policies H2, H4 and H5. Respectively, the scheme should replace the affordable housing being lost and provide 50% of the additional stock as affordable housing. As can be seen, the scheme profoundly fails to even replace the existing social rent stock. Furthermore, the Cabinet was misled or misdirected to believe that only those public benefits that are not deliverable without the CPO have to be weighted against the private loss.
45. The highlighted incompliance of the scheme with the adopted policies shows just part of the shortcomings which are substantially larger if a closer inspection of the proposal is undertaken. It should be noted that only 61 out of the proposed 107 social housing dwellings will be placed at the Bacton Low Rise site since the total includes 46 dwellings to be built at the District Housing Office site.
46. Respectively, as shown in the table below, the scheme will result in the net loss of 37 social rent homes, including 39 Large Homes, contrary to policies H2, H4, H5 and H7. In fact, as shown in line F of the table below, the net result will be the loss of 39 Large 3-bedroom social homes (which are in an acute shortage in Camden) and loss of 15 2-bedroom social homes. This will be only partially mitigated by the construction of 17 1-bedroom flats. Respectively, the net result will be the net loss of 37 Large Homes at the time the Council is suffering from the acute shortage of social housing. It is evident that the impact in terms of the number of homes will be amplified by the material difference in the size of the dwellings lost (mostly large 3-bedroom homes) and the dwellings created (small 1-bedroom flats).