

Former Hampstead Police Station
26 Rosslyn Hill
NW3 1PD.

PINS References APP/X5210/W/20/3428002 and APP/ X5210/Y/20/3248003
LPA Reference 2019/2375/P and 2019/2419/L

Proof of Evidence- Oliver Froment – 18th August 2020

1- Executive Summary

1.1 The proposed development conflicts with several policies of the Hampstead Neighbourhood Plan: TT1 on air quality, DH1 on amenity, DH2 on protecting or enhancing building that make a positive contribution to the conservation area, HC2 on Community Facilities.

1.2 The police station is located on the A502 Rosslyn Hill which is the main Hampstead thoroughfare. Traffic is heavy during the school run hours on Rosslyn Hill in front of the Hampstead Police Station: 840 cars per hour in essentially a single lane two-way road. The heavy traffic is due to commuter traffic and school run activity.

The main bus that serves the Hampstead Police Station to and from Belsize Park is the 268 and it has little if any capacity to take additional passengers at the time of the school run.

Numerous factors demonstrate that a school at this location would generate significant additional traffic, for example a lack of bus capacity, the distance from the catchment area and the experience of other local schools.

This is recognized for example in paragraph 6.29 of the Hampstead Neighbourhood Plan which states that “traffic and pollution often make walking unpleasant and unhealthy”. It also aims to “avoid concentrations of pedestrians at specific crossing points”. This proposal would achieve the opposite.¹

1.3 It would be very unhealthy for parents and especially for children to walk along Rosslyn Hill where the NO₂ has been assessed at 56ug/m³ exceeding the legal limit of 40 ug/m³.

1.4 Hampstead has a rapidly aging population and this proposal would impact their wellbeing.

1.5 Hampstead has a very high concentration of schools and introducing another school for which the catchment area is not Hampstead will only exacerbate the very congested and polluted Rosslyn Hill. Hampstead has a well-recognized and serious problem of pollution and traffic exacerbated by the fact that the local school attendance is a multiple of its school age population thus generating congestion from parents and their children entering the vicinity.

1.6 It is also contrary to Policy S3 of the emerging London Plan since the proposed development has located entrances next to a busy road.

¹ Appendix 1 – paragraph 6.28 and 6.29 of the Hampstead Neighbourhood Plan

2- Introduction

2.1 I have been a resident of Hampstead for 20 years. I have been over the years active in improving the amenities of residents. To that effect I chair CRAAC, the Camden Residents Associations Action Committee which is an apolitical network of over 35 resident associations located throughout Camden. I promoted some changes and improvements in Camden Planning Policies for the benefit of the whole community in the current Camden Local Plan.

2.2 I am also a committee member of the Hampstead Neighbourhood Forum and I was responsible for formulating some of the policies in the Hampstead Neighbourhood Plan. The Plan passed a referendum by the residents of Hampstead in June 2018 with 91.5% voting in support. Camden Council formally approved the Hampstead Neighbourhood Plan 2018-2033 on 8 October 2018. It was the culmination of five years of work by many volunteers and is based on the input of hundreds of local people.

2.3 I am submitting this Proof of Evidence in support of the rule 6 party, HCRD's case at the inquiry. I will cover the relevance of the Hampstead Neighbourhood Plan and the Localism Act, transport, and pollution issues.

3- Localism Act

3.1 The Government's Guide to Localism Act states: "Instead of local people being told what to do, the Government thinks that **local communities should have genuine opportunities to influence the future of the places where they live.**" and "**This will help people take advantage of the opportunity to exercise influence over decisions that make a big difference to their lives**".²

The Local Government Association states "The Localism Act seeks to give effect to the Government's ambitions to **decentralise power away from Whitehall and back into the hands of local councils, communities and individuals to act on local priorities**".³

3.2 The Hampstead Neighbourhood Forum has been unequivocally opposed to this application and to this appeal on many policy grounds. Negative impact on local schools, harm to a heritage asset, impact on local traffic and pollution, negative impact on local amenities and health facilities and community facility were cited in the objections together with the numerous policy breaches of the Hampstead Neighbourhood Plan^{4 5}.

3.3 Hampstead Neighbourhood Plan Policy HC2 community facilities states that local schools in the Plan area should be supported. As mentioned in the letter of objection by the Hampstead Neighbourhood Forum, "Local schools lose £ 5000 for every unfilled place and ever greater losses places ever greater pressures on the quality of education that these schools can provide to the local community." One has also to bear in mind that there has been a drastic decline in birth rate throughout the borough over the last 5 years and Camden has the lowest fertility rate in the UK, 1.05 in 2019.⁶ This is impacting Hampstead Schools.

HNF policies seek to protect and enhance the unique character and appearance of Hampstead.

² Please refer to appendix 2, page 12

³ Please refer to appendix 3

⁴ Please refer to appendix 4

⁵ Please refer to appendix 4

⁶ Please refer to appendix 6

3.4 What is clear from the responses to the planning application is that the overwhelming majority of the local residents that are located within the boundary of the Hampstead Neighbourhood Forum are resolutely opposed to this application and to this appeal and with reasoned planning arguments. Those who are supportive of this application are predominantly parents of the children who attend Abacus Belsize Primary School. For the most part, due to the catchment area of the school, they reside in the Belsize Park Ward and as such are not constituents of the Hampstead Neighbourhood Forum.

4- Transport and Pollution

4.1 My experience as a resident

For the last 20 years, on weekday mornings usually between 7 am and 9 am, I have crossed Downshire Hill and have walked past the Hampstead Police Station along Rosslyn Hill towards Belsize Park tube station on my way to work. In the afternoons or evenings, I returned to Hampstead at various times between 3 and 8 pm.

I also stood along the pavement on Rosslyn Hill along the Hampstead Police Station most mornings between 8.30 and 9am between 24th April and 24th June 2019 during school time conducting particulate measurements for monitoring air pollution.

Paragraph 7.7 of the Hampstead Neighbourhood Plan mentions that “Hampstead village is dominated by the A502 London Distributor Road, which runs through its centre”.

In ordinary times the A502 is a very busy two-way road, during commuting times, all the way from Hampstead to Belsize Park where the road is called Haverstock Hill. On weekdays one can regularly see heavy traffic and bottlenecks along Rosslyn Hill as well in front of the Hampstead Station especially during the school run and rush hour, as a result of cars, delivery vehicles, buses and trucks coming from all directions.

I have also observed that the pedestrian and zebra crossings located across Downshire Hill and Rosslyn Hill next to the Hampstead Police Station are especially congested during school drop off and pick up times. I have walked along Rosslyn Hill and to the top of Downshire Hill and have passed the crossing and zebra crossing most weekdays over the years many times around school drop off and pick up times. Often the pavement on Rosslyn Hill along the proposed site is busy with parents and their children on the school run as well as commuters on their way to work. Additional pedestrian traffic would exacerbate the matter and social distancing would be next to impossible during the school run especially around the Police Station.

It is well documented that there are already a very high number of vehicle movements in both directions on Rosslyn Hill/Haverstock Hill during the AM and PM school periods”. TTP Consulting shows over 840 cars per hour.⁷

Those numbers are all the more staggering that for the most part Rosslyn Hill and Haverstock Hill are essentially single lane two-way roads. This is as a result of parking spaces being provided along the pavements in most areas along the pavement and on both side of the road.

Under the proposal, the increase in vehicle trips, the lengthier bus waiting time at bus stops as well as the need for many school children and parents to cross these zebra crossings at the intersection

⁷ TTP Consulting – Proof of Evidence – Andrew Murdoch - August 2020

of Rosslyn Hill and Downshire Hill will slow even further the already very dense traffic at a time when it is at its very peak. Alternative uses of the building would definitely not trigger such sudden additional and concentrated bottlenecks in such a concentrated time span and at such critical times of the day.

I have seen a very limited number of cyclists during the school run time and I cannot remember having seen young children riding bikes on Rosslyn Hill either on their own or with their parents during school run time. There are several reasons for this. It is dangerous, as often it is a traffic mayhem with a mixture of cars, trucks, ambulances serving the neighbouring Royal Free Hospital and buses. This is all the more dangerous given that for the most part Rosslyn Hill, including the front of the Hampstead Police Station, has no bus corridor on either side of the road. There is no room to pass stationery or slow-moving traffic. Also, because Rosslyn Hill and Haverstock Hill is a continuous slope, stretching all the way from Chalk Farm/Belsize Park to Hampstead tube station, it would be likely be too arduous for a young child to climb this very long hill on a bicycle either or for a parent to cycle the hill with a child seat on the bike. The pollution from the exhausts of the cars, many of which are at a standstill at school run times, is also a deterrent for cyclists and has a greater impact on those of a shorter stature.

In October 2020, the Pears Building in front of the nearby Royal Free Hospital will open. It is a 7-storey high, 100,000 square feet new building with a replacement car park of 58 spaces⁸. This is bound to also increase the traffic along Rosslyn Hill as it will bring numerous new commuters.

Hampstead has one the highest concentration of schools in Europe⁹ and to introduce another school in this environment for which the catchment area is not Hampstead would exacerbate an already problematic situation, to the detriment of residents.

Paragraph 2.18 of the Hampstead Neighbourhood Plan states that according to the 2011 census, "2150 residents are under 16". The number for 2018 are somewhat similar. Yet the attendance of Hampstead schools was around the same period at 5271 and 80% of that number was for nursery, preparatory and junior schools. The number for school attendance in Hampstead does not even include nursery schools or other schools at very close proximity to Hampstead.¹⁰ Many of the Hampstead schools are independent schools who do not need to live inside a catchment area like state school ones do. Different sources give a similar picture:

Andrew Parkinson, a barrister specialist in planning at the Landmark Chamber, and a Councillor for the nearby Froggnal & Fitzjons Ward in the Borough of Camden, Vice Chair of the Redfrog Neighbourhood Forum and an advisor to the Hampstead Neighbourhood Forum wrote the following comment addressed to the Mayor of London in response to the draft plan:

"Traffic associated with the school run is a significant problem in Camden, particularly in NW3 where there is the highest concentration of schools in Europe. Numbers of children living in Hampstead of school age at the time of the 2011 census was 1,396 but in 2007 there were 9,868 children attended local schools, and by 2017 this number had increased to 12,659 (a 28% increase). This does not just result in congestion, but also has a serious impact on air quality. In 2017 Camden Air Action carried out a detailed study that reported that at least at least 80% of Camden school children are breathing illegal air."¹¹

⁸ Please see appendix 8

⁹ Please see appendix 9 – Quote from Andrew Parkinson, Councillor for Redington and Froggnal and a planning barrister at the Landmark Chamber – Advisor to the Hampstead Neighbourhood Forum.

¹⁰ Please see spread sheet in appendix 10

¹¹ Please refer to appendix 9

There have been numerous reports¹² in the press and with local Resident Associations and for a very long time on the issues pertaining with the school commute as a very significant numbers of pupils and their parents reside outside Hampstead.

I personally have experienced this throughout the years. My two children attended all their nursery and junior school years in Hampstead and over half of the parents resided outside Hampstead. We knew of many parents commuting from many parts. It is a common scene in the morning to see in the streets of Hampstead parents parked on double yellow lines or double parked along roads dropping their children during the school run times or blocking the traffic. I am from time to time solicited by parents that live outside Hampstead but whose young children attend local schools, to sell them parking tickets that they could use for the afternoon school run. I also know of parents who live outside the area and are fined hefty yearly sums for parking violations but nevertheless continue to use their car for bringing their children to or from Hampstead schools. There have been many attempts and petitions over the years for local schools to reduce car use for the school run but to no avail.

I also routinely walk further down on Haverstock Hill pass the Rosary Roman Catholic Primary School in the morning at school time and invariably see parents dropping their children to school by car in front of that school, next to a zebra crossing and creating further traffic bottlenecks and mayhem. Over the last 20 years I cannot remember having seen a traffic warden issue parking violation tickets to parents illegally parking in front of the school. This shows that traffic wardens especially in the morning may not be a good deterrent for parents not to be parked illegally in front of or nearby the Hampstead Police Station.

4.2 268 bus

The 268 bus has limited capacity as it is a single decker. It has a maximum capacity of 57 with 29 seats and 28 standees, 0 wheelchairs or 29 seats and 21 standees with one wheelchair.

Prior to 2019 there used to be five buses per hour but due to financial losses TfL has over the last two years trimmed back their services to only four buses per hour during the school run time. For example, in the morning the bus stops at 12", 27", 42" and 57" past the hour. Parents would therefore likely aim mainly for the two buses that are due to arrive at 8:27 and 8:42.

Andrew Murdoch addressed the use of buses in his proof on Transport. Regarding the 268 bus, my observations are that it is very busy during school run times and there is little room for additional passengers. This is another reason why it is likely that school children would be driven to school.

Furthermore, I have observed in the past that the 268 bus stop located on the opposite side of Rosslyn Hill, often creates additional traffic bottlenecks, in the already very dense rush hour traffic, when it stops.

Should more parents and their children leave the bus at the bus stop on Rosslyn Hill that would further compound the traffic mayhem and associated pollution. One will also note that some of the parents of the Abacus Belsize Primary School may reside further away from Belsize Park as a result of historic ties for example because elder siblings attend the school or families have moved away since

¹² Please see appendix 12 – source - The Independent Newspaper

their children began attending the school. Appendix I of the Abacus Primary School Intake dated 12 September 2018 shows that a number of parents are scattered in locations further away from the catchment area such as: Highgate, Kentish Town, Chalk Farm, Kilburn. They are no direct transport link in most instances to the Hampstead Police Station. The greater distance is a further incentive for parents to use a car for the school run.

It is also recognized in paragraph 6.29 of the Hampstead Neighbourhood Plan, that “traffic and pollution often make walking unpleasant and unhealthy” in Hampstead. It also aims to “avoid concentrations of pedestrians at specific crossing points”. This proposal would achieve the opposite as there would be a sudden surge of pedestrians and cars at the time of the school commute.

The Covid situation will make the situation even more precarious if we take into account social distancing within the bus. Several articles and studies, for example in an article on 30 June 2020 by the BBC transport correspondence¹³, show that in the scenario of social distancing of 2 metres, buses would be able to take barely a quarter of their normal capacity and in the case of 1 metre social distancing approximately around a third of the normal capacity.

It seems therefore that under these circumstances it will be unfeasible for most children and their parents to travel to school on the bus and parents will instead opt for driving a car especially on cold or rainy days. This will add to already excessive traffic and pollution.

4.3 Car usage

It is also worth mentioning that New End Primary school, the nearest state secular school to the Hampstead Police Station site, has policies to actively discourage parents to use and has been awarded a good traffic management rating from the Council. Despite this it has major traffic issues that have resulted in Camden Council making proposals to residents’ groups such as rising bollards etc in an attempt to reduce the traffic which causes gridlock in the morning and evening peak. In 2019, at a meeting chaired by Camden Council in 2018 they had slides which showed that 22% of parents drove to school.¹⁴ One will also notice that the Chair of the School concludes, on June 2020, that despite various resolute efforts by the school over the years to reduce the use of car usage by parents, the problem remains “causing significant disruption for local residents and contributing to already excessive local pollution levels.”¹⁵

5- Air pollution

5.1 One can feel and smell the pollution on most days whilst walking along Rosslyn Hill especially during school run times and much less so during school holidays or on weekends.

As explained above, Rosslyn Hill is a very busy street with significant traffic and pollution issues. An air quality study carried in 2016 by the Hampstead Neighbourhood Forum found¹⁶ that outside on Rosslyn Hill and near the Hampstead Police Station the NO₂ levels to be 56 ug/m³ exceeding the legal limit of 40 ug/m³. The planning application acknowledges the pollution issues in Rosslyn Hill and stated in paragraph 4.68 of its Statement of Case that the “school (is) situated in a location of poor air quality”. In the Appellant’s Statement of Case at paragraph 4.66 it is accepted that “pollutant levels at street level building facades on Rosslyn Hill and Downshire Hill do exceed the annual mean objective of 40 ug/m³”.

¹³ Please see Appendix 11

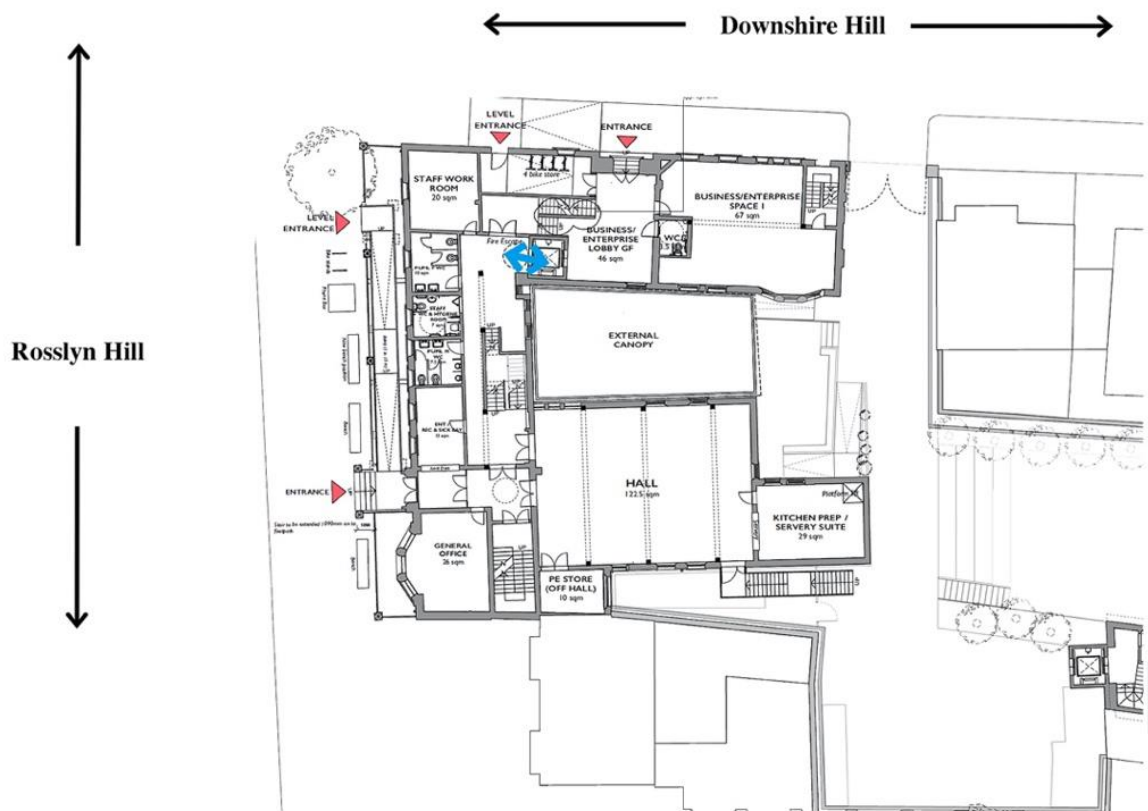
¹⁴ Please see Appendix 12

¹⁵ Please see Appendix 1

¹⁶ Please refer to Appendix 4, page 5

5.2 The application also states that in order to meet Air Quality Objectives for NO2 inside the building mechanical ventilation will be installed. However, this does not prevent exposure of pupils walking to school on Rossllyn Hill or being dropped off or picked up near the school.

The chart below, sourced from the documents in the application, clearly illustrates the school entrances: two entrances on Rossllyn Hill (Years 1,2,3 & 4) and two on Downshire Hill (Years 0, 5 and 6), further confirmed in the Appellant’s Statement of Case at paragraph 4.62. In respect of the Rossllyn Hill entrances, the Appellant is clearly wrong to claim at paragraph 4.68 that the proposal is “in accordance with Policy S3 of the emerging London Plan December 2017 [as] the development has located entrances and playgrounds away from busy roads”



Entrances to proposed school on site of Hampstead’s Old Police Station

5.3 HCRD’s concerns are shared by Dr Jonathan Sheldon, head of the NHS Keats Practice, located opposite the proposed school site on Downshire Hill, who noted in his objection to this appeal¹⁷ that: “if this application is approved, the negative impact on our patients will be enormous” and he is rightly very concerned about the harm caused to his patients especially the elderly, infirm and children. He also stresses that the NO2 levels at Hampstead Police Station not only exceed the government’s “safe” level, pollution there “regularly breaches the legal limit. These levels of pollution are wholly unacceptable”.

It is also noteworthy that the latest guidance from the Department of Education, dated 17TH August 2020 on managing school premises during the coronavirus, stipulates that “natural ventilation via

¹⁷ Please refer to Appendix 17

windows or vents should be used as far as possible and where available occupied room windows should open”¹⁸. This is not what is proposed here since the appellant proposes closed windows and mechanical ventilation in order to combat the external polluted air.

5.4 A study by King’s College published on 22 October 2019 ¹⁹shows that children were exposed to on average five-times higher concentrations of harmful NO₂ pollution during the school run than when they were at school and that the highest concentrations were recorded by children walking along main roads. The study also points to the fact that “young children breathe faster than adults so tend to take more air relative to their body weight”.

5.5 The Hampstead Neighbourhood Forum conducted Particulates measurements on site along the pavement of Rosslyn Hill in front of the Hampstead Police Station during the school runs in April, May and June 2019 that show the presence of toxic particulates²⁰. This shows elevated levels of particulate measurements be it 10 or the even more lethal 2.5 micrometres particulates. The recorded levels were elevated and, in some instances, extremely elevated. As expected during the same period on bank holiday there was much reduced toxicity. In the absence of any evidence provided by the Appellant of any measurement of particulates on Rosslyn Hill, these measurements should be given significant weight and lead to further concern about the suitability of the site for a primary school.

5.6 As a consequence of the Covid situation, patients at the NHS Keats Practice are not allowed to enter the practice anymore or use the waiting room prior to their appointment but instead are asked to ring the outside buzzer, identify themselves and wait their turn along the pavement on Downshire Hill, directly opposite the Hampstead Police Station. There are also markers for 2-meter social distancing. The practice opens at 8 am. Under these conditions any sudden and substantial additional movement of pedestrians in the vicinity would be cause for concern.

5.7 As mentioned in paragraph 2.18 of the Hampstead Neighbourhood Plan, the population of Hampstead is rapidly aging. The plan states that “according to the 2011 census, 2,756 are over 60, or 22% compared with 19% previously. Among them, the number aged over 75 rose 23% to 1,010 in the ten years to 2011.” Elderly are most at risk in the current Covid situation. As the UN environment programmeⁱⁱ has shown air pollution affects young and old the most. Researchers at Queen Mary University in London and Unicef UK have also found that “children were exposed to higher levels of pollution, particularly while walking to school.... and the effect of this pollution was more serious on children than on adults”²¹.

Numerous scientific papers by health experts show that there is link between air pollution and increased incidence of Covid cases. The UK Medical Research Council, the University of Cambridge, the University of Birmingham and Harvard University have published such research.

¹⁸ Please refer to Appendix 18

¹⁹ Please refer to Appendix 19

²⁰ Please refer to Appendix 20 and Appendix 4 – HNF objections page 2 and annex pages 2 to 5

²¹ Please refer to Appendix 21

6. Conclusion

It is clear from the above that the proposal of a permanent home for Abacus Belsize Primary School at this location, would exacerbate the well documented issues of significant traffic congestion and ensuing air pollution that already exist at this site located on a busy main road.

This appeal is also totally against the Hampstead Neighbourhood Forum and local community's aspirations. It is in breach of the Hampstead Neighbourhood Plan Policies TT1 on air quality, DH1 on the amenity and privacy of neighbouring properties, DH2 on protecting or enhancing buildings that make a positive contribution to the conservation area and HC2 on Community facilities and the Inspector is invited to refuse planning permission on this basis.
