

## **Comments on 4<sup>th</sup> Draft of Fortune Green and West Hampstead Neighbourhood Development Plan**

by three WHAT members: Mark Hutton, Mike Bieber and Miles Seaman

### **GENERAL**

There is a lot of good material in the draft and we welcome the many sensible changes since the previous draft but we consider:

the next draft should:

- A be supported by an evidence base;
- B separate more clearly statutory planning policies from recommendations;

and the group should:

- C work more proactively with officials about developments, particularly in the Growth area.

2. The document is already very long and is likely to get longer. We therefore suggest that expository and explanatory material should be appended.

3. Although we suggest that a number of the paragraphs be amended, we recommend that the group now gives priority to its excellent engagement plan and to an evidence base rather than further drafts. Producing more drafts at this stage will make it more difficult to persuade those brought in by the engagement plan that they own the draft and the less credible it will be that drafts are open to substantial amendment. The engagement message needs to explain how the plan is relevant to peoples' interests e.g. to young renters that the plan could influence the amount of affordable housing built here. We also don't think the draft should say that they can be a "transient and unconnected" section of the community.

### **A Supported by evidence**

4. The Prince's foundation stressed the fundamental importance of basing policies on evidence. We welcome the proposal to use information from the 2011 census when this becomes available.

5. There are important proposed policies about, among other things, a) housing, schools and other social issues b) business, employment and shops and c) transport and the relative weight given to these areas. We think that basic data should be provided to support these proposals. This should include information about, for example, a) age, racial and income distribution, household size, deprivation, housing tenure b) number and composition of businesses and business units and shops, empty units, local

employment and unemployment numbers, skills and jobs of local residents c) car ownership and transport movements. Where appropriate and practical this should be broken down into wards and mapped. Much of this information should be available from the 2011 census or from the Council or some might be secured by special surveys. The current position and trends based on the position say ten years ago should be provided if available. This data could highlight the problems facing the area and how these might change. The draft plan should then consider how to tackle them. We recognise that an evidence based approach changes the methodology used to prepare the plan and may result in substantial changes to the proposed draft.

6. The central underpinning of the draft plan appears to be the survey carried out at last summer of 180 people, discussions in group meetings and written comments made on the plan. This is fine as far as it goes but does not substitute for facts and wide ranging debate in the community as a whole. 82% of the people responding to the survey were owner occupiers while these only accounted for 41% of the population in the 2001 census. If the draft is correct about the increase in private renting, those responding to the survey might be even less representative of the community as a whole than as shown from the 2001 census.

### **B Separate more clearly statutory planning policies from recommendations**

7. There is a fundamental difference between statutory planning policies and recommendations which the draft blurs. Key proposed statutory planning policies have helpfully been set out in blue boxes while summary recommendations have been set out in green ones. However, most of the summary recommendations are included in Section 4 which is headed Policies when they don't appear to be policies or at least not statutory planning policies. Section 4 also includes many detailed provisions where it is not immediately clear if they are intended to have statutory effect or whether they are just recommendations. Some of the provisions which we suspect are intended to be policies use the conditional word "should" rather than the mandatory words like "will" or "shall". We also think it is important to clarify to whom a recommendation is directed or who is supposed to do further work or consideration when this is proposed.

### **C work more proactively with officials about developments, particularly in the Growth area**

8. The most important part of the proposed plan will be the framework for the Growth Area. The group needs to ensure that it secures the most benefit for the area within the context set by the strategic policies in Camden's and London's plans and decisions already taken for the area.

9. It is premature at this stage to set out detailed requirements by way of "*Development above 800 homes should only proceed if there is...*" and "*The target of 100 new jobs in the Growth Area is considered to be too low...*" (paragraph B3)" The group first needs to get evidence of the needs of and pressure on the area and information about practicable solutions by obtaining basic data (paragraph 5) and discussing with officials responsible for the relevant policy area example for planning, education and transport.

10. This will enable the group to take an informed view of what might be included in a comprehensive framework for the growth area as well as detailed frameworks for individual sites. It should then work with Camden planners (foot of page 12) on the framework rather than saying “*details are awaited*” and “*seeing if we agree with their proposals*”.

11. It would be helpful if the group were able to map with a narrative one or two options of how the area might look if the growth area were developed in accordance with the framework. The group would need skilled help with this. Camden planners might be able to help or there might be someone in the area who could help. Developers would only have to follow the framework rather than the options but it would be helpful in developing the framework and making it more understandable.

12. Similarly the group should seek to work with Camden Planners on how Liddell Road could be developed to incorporate a new School, housing and open space while securing employment elsewhere in line with the plan recommended by officers and agreed by the Council.

## **DETAIL**

13. **2.5 Recent development ....***While new buildings should not slavishly copy the style of buildings built at the turn of the 20th century, there is a need for new developments to fit in with the area. This means buildings that are not starkly modern or out of place*

Presumably this is not meant to be a planning policy. Accordingly we think that it is better deleted and the issue of design left to a sentence following Design and Character in Objective 2. We would add that a number of art deco buildings in West Hampstead e.g. Weech Hall would have appeared as starkly modern or out of place when built but now add to the rich diversity of the area’s architecture. “Out of place” seems a subjective term”. Any provision on these lines risks stopping innovation which is the life blood of an area and could make West Hampstead a boring place. It does not sit comfortably with the (excellent) vision which calls for a mixed and vibrant community.

14. **1. Housing Development in the Area will provide a range of housing and housing types, including social and affordable housing, as well as housing suitable for families, old people and young people.** *The West Hampstead Growth Area will be the focus for new development and will provide new housing and accompanying additional infrastructure. Development outside the Growth Area will be on a smaller scale.*

We like this policy but it (and other policies) would be more robust if supported by hard facts e.g. on housing and population changes. Somewhere in the draft, reference should be made to West Hampstead Town centre and part of Finchley Road Town centre being accessible locations and hence under Camden’s Core Strategy may be subject to more development than elsewhere particularly at their edges.

15. **A5.** *The Area has a growing number of homes in the private rented sector, which can have the effect of producing a largely transient and unconnected section of the local population. The CCS makes surprisingly little mention of this section of the community and the demands it can place on an Area. With many of the newer properties in the Area being bought by investors and let out, greater thought needs to be given to this issue. Some Councils are introducing a register of private landlords in their areas; this is something Camden Council should consider.*

It would be helpful to have figures for trends in the numbers of privately rented homes to support any proposal about them. It is true that increasing the number of privately rented homes can have the effect of producing a largely transient and unconnected section of the local population but has it done so and if so to what extent? Don't these homes help to ensure that the area is mixed which is part of the vision? Is the inference that the plan should try to ensure that homes in the area are either owner occupied or owned by the council or housing associations or that that some sort of controls are placed on the amount of privately rented housing. It would be helpful to spell out the purpose of Camden keeping a register of private landlords.

16. **A6.** *As the population ages, greater thought and consideration needs to be given to **elderly residents**. Accessible homes designed for older people should be incorporated into new developments. Provision should also be made for additional sheltered housing.*

Details of the number of elderly residents, of accessible housing, of sheltered housing and of changes over the last ten years should be provided to support any such recommendation as well as a definition of elderly and of accessible housing. Is the plan really proposing that all new developments should incorporate accessible homes? How much provision should be made for additional sheltered housing?

17. **A7. Infill developments:** *any replacement of a house or houses within an existing terrace should be to the same scale as the terrace, including the roofline. It should be similar in form, materials and details. Replication of particular details is strongly recommended where such details are consistent in streets. Houses should be set back from the street and reflect the building lines of existing properties, with front garden areas remaining unpaved. The same principles should apply to vacant sites in streets where there is already existing development.*

Is it necessary to require that any replacement house should be of the same materials as before even if new materials could achieve the same or better value for money with the identical appearance? What is meant by "particular" details in the second sentence? The second sentence seems to have the same aim as part of the first sentence in relation to details but to be less strong being only a recommendation rather than a requirement. Are the third, fourth and fifth sentences meant to apply to detached and semi-detached properties as well? This paragraph taken as a whole seems quite prescriptive. New Building Regulations may require new houses to have different designs in order to meet energy saving or wider sustainability requirements.

18. **POLICY 1: Safeguarding and enhancing Conservation Areas and heritage sites**  
*There shall be a presumption against any proposals which could have an adverse effect upon the West End Green Conservation Area and heritage sites in the Area.*

"Adverse effect" appears to be a subjective term. In any event, it is not clear if this adds anything to the existing planning controls on Conservation areas.

19. **RECOMMENDATION:** *in support of Policy 1 the following actions are proposed.*  
i. *The introduction of an Article 4 declaration on all commercial and residential properties on West End Lane.*

ii. *The declaration of an Area of Special Control of Advertisements.*

It would be helpful to cross refer perhaps in an Annex to an explanation as to what an Article 4 and an Area of Special Control of Advertisements mean.

20. **B. West Hampstead Growth Area** page 9

*West Hampstead Growth Area – target of a minimum of 800 homes & 100 jobs by 2031.*

*>>As of April 2013:*

☑ *187-199 West End Lane – 198 homes (& 70 jobs)*

☑ *Student block, Blackburn Road – 347 units*

☑ *Midland Crescent, Finchley Road (proposed) – 138 units*

*TOTAL: 683 homes / 70 jobs*

The planning application for 187-199 West End Lane proposed that there should be around eight retail units (900 square metres) and four business use B1 units (500 square metres). The planning application for Midland Crescent has just been submitted and provides for 1058 square metres of commercial space. The Student block at Blackburn Road provides for 2110 square metres of flexible B1 employment space. The figures for jobs and employment space should be updated in the table to include not only housing units but also employment units.

21. *The target of 100 new jobs in the Growth Area is considered to be too low and should be increased. In line with Objective 4, there is greater scope for providing additional employment opportunities in the Growth Area. Developments should provide flexible employment space for a wide range of businesses.*

It is clear that there is an acute shortage of housing in West Hampstead given the high prices but is there evidence that there is equally an acute shortage of employment sites? The plan needs to produce evidence and discuss these priorities. It appears that well over 100 jobs will be secured if the three developments mentioned above go ahead while the target for homes will not. We think the reference to Objective 4 which relates to Community Facilities should in fact be to Objective 5 which relates to the Economy.

22a. **B5. 187-199 West End Lane.** Page 11

*Considerable effort needs to be made to ensure that as much open space is provided as possible at the front of this development, where it meets West End Lane.*

Hasn't the amount of open space already been decided?

22b. *It is not clear how West End Lane will cope with the additional traffic generated by this development; although classified as a 'car-free development', when completed, the site has the potential to cause significant traffic problems, which will need to be addressed.*

How much additional traffic did the developer say this would create or do you think they underestimated this? If so by how much and on what basis? If there is a substantial additional problem it would be useful to discuss this with Camden's traffic engineers and build this and any possible solutions into the plan for the Growth Area.

23a. **B6. 156 West End Lane. Page 11**

*Any future development of this site needs to provide a mix-used use development, satisfying a range of needs:*

It is not clear what the list following this heading is based on. As we suggest above, the group first needs to carry out the work in paragraph 5 to establish the needs, pressures and possible solutions for the area.

24b. • *Possible space for education use, such as a primary school or nursery*

Is this a good place for a Primary School given the congestion on West End Lane? What is Camden's view? See also our comments on the site for the Liddell Road school (paragraph 27).

25. **B7. O2 Centre car park Page 11**

The last sentence has not been finished.

26. **B8. Blackburn Road. Page 11**

*\*\*14 Blackburn Road (the Builder's Depot site) has historical planning permission dating from 2003 for redevelopment for housing and business use. As this permission pre-dates the current London Plan and the Camden CS, it is considered by the NDP to be out-of-date and in need of review and/or resubmission.*

Are you suggesting that as a matter of law this permission is out of date? If so, has the group taken legal advice? If this is just the group's personal view, what is it based on?

27. **C1. Liddell Road.**

On the basis of advice in the Annex, officers have recommended this site as the best one in West Hampstead for a new School and the Council have agreed. We consider that building a new primary School at this site is vital to the early provision of much needed education places. The document should provide evidence for asserting that "*the loss of jobs from other new developments nearby, the loss of this high quality employment site will be in breach of policies in the NPPF, the London Plan and the CCS*", as Camden officers don't agree. We understand that the school here may serve other areas and their views shouldn't be ignored.

28. **C2. Gondar Gardens:** <current status: one scheme approved on appeal; second scheme going to appeal>

*Any development should retain as much open space as possible and offer limited, managed public access consistent with maintaining suitable conditions for wildlife and maintaining security for neighbouring residents.*

This appears to be an excellent site to contribute to fulfilling Objective 6 on the environment and the need for more public open space. Maintaining security for neighbouring residents is important but we would take out "limited" in the second line. It would be useful to report on any discussion with Wild Life groups.

29. **C3. West Hampstead police station: Page 13**

*While any development should be primarily residential, space should be considered on the ground floor for a number of uses, such as: retail units; space for small businesses/studios; a community meeting place; and an office for local police officers.*

There is need for care about pre-empting the use of the ground floor space for residential use. There are many empty retail units in Fortune Green Road and the demand for small

business units appears uncertain. The last thing Fortune Green Road needs is more empty units.

30. **C4. West Hampstead fire station:** Page 13

*A commercial use would be considered most appropriate on the ground floor with residential use on the upper floors. Any planning gain monies should be focussed on improvements to West End Green and the immediate vicinity.*

A study about the demand for commercial use should be undertaken before pre-empting the use of the ground floor residential use. Limiting the use of the West Hampstead and Fortune Green's share of the planning gains monies to the immediate vicinity seems over prescriptive. If there are better uses within the area as a whole shouldn't these have priority?

31. **C6. Mill Lane:** Page 14

*The existing development at ground floor level in the Mill Lane neighbourhood centre is primarily retail, restaurant/cafe, and business/commercial. This mix should be preserved, in order to provide a vibrant and economically active neighbourhood centre. (see xx)*

It is difficult to see how the current mix which includes run down offices and empty properties is contributing to a vibrant neighbourhood centre. We consider that the Paragraph g of CS7 of the Camden Core Strategy provides adequate protection: "The Council will promote successful and vibrant centres ... by protecting and promoting small and independent shops and resisting the loss of shops where this would cause harm to the character and function of a centre." We also consider that this draft provision would not reflect the last sentence of the second paragraph of page 80 of the Core Strategy "We will also take into account any history of vacancy in shop units and the prospect of achieving an alternative occupier for vacant premises."

32. **D. Infrastructure** Page 15

An annexed map would be really helpful here.

33. **D5. Buses:** *the Area is well provided by a number of bus routes; however a number of issues need to be addressed. Empty buses travelling between West End Green and Cricklewood bus garage should not use Mill Lane, as this route is not suitable for large double-decker buses. Empty buses should not park around West End Green. The layout of bus stops around the railway stations needs to be redesigned to reduce congestion and allow more space for pedestrians.*

A map showing a proposed layout of the bus stops would help. WHAT has already done work on buses travelling between West End Green and Cricklewood and could be referred to in an annex to the report.

34. **D9. Pavements & Pedestrians:**

We like the emphasis on pedestrians here and very much agree with the proposal for a survey.

35. **D11. Pathways**

We agree with this but you might want to mention the importance of pedestrian safety.

36. **F4.** *The existing 'green corridors' alongside railway lines ... are highly valued by residents and need to be protected from development.*

There are mixed views about these corridors. Some residents see them as eyesores and wasted spaces, often used as informal rubbish dumps.

37. **POLICY 11: Green/open space**

i. Existing green/open space - including ... railway corridors - shall be protected from damage or loss through development.

Please see our comments in paragraph 33 above.

38a. **POLICY 12: Trees**

i. *Development shall protect and maintain existing trees.*

Could you clarify to what extent this is intended to go further than Core Strategy? Is it meant to stop any trees in a development from being cut back or cut down or perhaps apply a TPO on all trees in a development?

39b. ii. *Development shall allow for the planting of new trees.*

Could you clarify what is meant by “allow for” and whether this provision is meant to apply to all developments however small?

[21 May 2013](#)



**Extract from report by Officers on development of new School at Liddell Road**

There may be flexibility within planning policy if redevelopment of the site involves a school, as this would represent a key infrastructure project and serve to meet one of the key aims of Camden's Core Strategy (see Policy CS19 and Appendix 1 of the Core Strategy). However, a clear case would have to be made based on the need for a new school, and a balance would have to be struck between the loss of employment land on this site (potentially including re-provision of employment space elsewhere), and the quality of retained employment floor space, against the community benefits achieved by a new school. If a school/residential development is to be pursued, then it is likely that a contribution from the development towards an employment use elsewhere would be sought. Alternative options may include re-provision of employment space in an alternative location and/or contributions towards existing employment opportunities within the wider West Hampstead area."