

<b>Address:</b>	The O2 Masterplan Site Finchley Road London NW3 6LU		<b>3</b>
<b>Application Number:</b>	2025/0484/P	<b>Officer:</b> Joshua Lawlor	
<b>Ward:</b>	West Hampstead		
<b>Date Received:</b>	04/02/2025		

**Proposal:**

Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions I4 (Severability Condition), AD1 (Approved Drawings - Masterplan), AD2 (Approved Drawings - Reserved Matters), AD3 (Approved Drawings - Phase 1), RM1 (Parameter Plans and Development Specification), RM6 (Phasing Plan), RM11 (Reserved Matters - Access Statement), RM21 (Reserved Matters - Total floorspace), D20 (Photo-voltaic Cells), D21 (Phase 1 Long Stay Cycle Parking), D22 (Phase 2 Short Stay Cycle Parking), D24 (Phase 1 Disabled Car Parking), D26 (Phase 1 Fire Safety Implementation of Approved Measures), and M28 (Phase-Wide Lighting Strategy) and the removal of Conditions M6 (Enabling Works) and M7 (Major Utilities Infrastructure) of planning permission ref. 2022/0528/P dated 20 December 2023 for 'Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that', to allow for amendments to the Detailed Element (Plots N3-E, N4 and N5) including additional height, alterations to the design, massing and footprint of the buildings; the replacement of Block N4D with a pavilion building; additional residential floorspace (and corresponding reduction in floorspace within Outline Elements); revisions to affordable housing and unit mix and internal layouts; relocation and reduction in community (Class F2) floorspace, additional commercial (Class E(a)) floorspace, reduction in professional services (Class E(c)) floorspace, additional blue badge parking and cycle parking; revised landscaping and additional public realm; and associated works

**Background Papers, Supporting Documents and Drawing Numbers:**

Refer to draft conditions at the end of this report.

**RECOMMENDATION SUMMARY:**

**Grant conditional Planning Permission following:**

**(i) referral to Mayor of London for his direction;**

**(ii) finalisation of detailed wording for conditions following consultation with the Mayor; and  
(iii) completion of Section 106 Agreement.**

**Applicant:**

**Agent:**

LS (Finchley Road Limited)

Newmark

## ANALYSIS INFORMATION

### Existing uses

Building	Floorspace (GIA sqm)
O2 Centre	28,418 (24,875 lettable space)
Homebase Store (Class E(a)) (now demolished)	4,084
Car showrooms (Sui Generis)	4,356
Builders' Merchant Yard (Class E(a))	640
Car wash (in the main car park)	257
<b>TOTAL</b>	<b>37,755</b>

### Existing uses in O2

Use Class	Description	Existing Lettable Space (GIA sqm)
Class E (a)	Supermarket (Sainsbury's)	7,558
Class E (d)	Gym + Little Gym + support facilities	5,722
Sui Generis	Cinema	4,340
Class E (b)	Sale of hot food and drink	3,481
Class E (a)	Retail	3,189
Class F2	Community space	355
Class E (f)	Creche	230
<b>TOTAL</b>		<b>24,875</b>

### Detailed Element – Change in land uses (GIA sqm)

Use Class	Description	Existing GIA (sqm)	Approved GIA (sqm)	Proposed GIA (sqm)	Change from Approved (sqm)	Difference to existing GIA (sqm)
Class C3	Dwellings (flats)	0	56,784	62,259	5,475	62,259
Class E (a)	Retail (Former Homebase)	5,032	1,308	1,504	196	-3,528
Class E (b)	Food and drink	0	97	97	0	97
Class E (c)	Professional Services	0	158	143	-15	143
Class F2	Community	0	268	71	-197	71
<b>TOTAL</b>		<b>5,032</b>	<b>58,615</b>	<b>64,074</b>	<b>5,495</b>	<b>59,042</b>

**Detailed Element – Total proposed floorspaces by plot (GIA sqm)**

Land Use	Use Class	Plot N3-E	Plot N4	Plot N5	Total (GIA sqm)
Residential (including car parking)	C3	7,026	22,271	32,962	62,259
Community	F2	0	71	0	71
Retail	E(a)	179	454	871	1,504
Food and Drink	E(b)	97	0	0	97
Professional Services	E(c)	0	143	0	143
<b>TOTAL</b>		<b>7,302</b>	<b>22,939</b>	<b>33,833</b>	<b>64,074</b>

**Detailed Element – Proposed housing size and tenure mix**

Tenure of homes	No. studio / 1 bed (% of tenure)	2 bed (% of tenure)	3 bed (% of tenure)	Total (% of tenure)
Social-affordable Rent	0 (0%)	22 (37%)	38 (63%)	<b>60 (100%)</b>
Intermediate Rent	16 (40%)	16 (40%)	8 (20%)	<b>40 (100%)</b>
Market	241(44%)	265 (48%)	45 (8%)	<b>551 (100%)</b>
<b>TOTAL HOMES</b>	<b>257</b>	<b>303</b>	<b>91</b>	<b>651</b>

**Detailed Element – Approved and proposed affordable housing comparison**

Affordable Measure	Approved Masterplan	s73 Application	Difference
Total Homes	608	651	+43
Affordable Homes	192	100	-92
<b>% AH by no. of homes</b>	<b>32%</b>	<b>15%</b>	<b>-17%</b>
Total habitable rooms	1,568	1,745	+177
Affordable habitable rooms	591.00	358	-233
<b>% AH by habitable room</b>	<b>38%</b>	<b>21%</b>	<b>-17%</b>
Total residential floorspace	56,784.00	62,259.00	+5,475.00
Affordable floorspace	20,442.00	11,681.00	-8,761.00
<b>% AH by floorspace</b>	<b>36%</b>	<b>19%</b>	<b>-17%</b>

**Detailed Element – Tenure of affordable homes comparison**

Tenure	Approved Masterplan	s73 Application	Difference
Social Affordable Rent (SAR)	107	60	-47
% SAR	56%	60%	4%
Intermediate Rent (IR)	85	40	-45
IR %	44%	40%	-4%
<b>TOTAL AFFORDABLE HOMES</b>	<b>192</b>	<b>100</b>	<b>-92</b>

**Outline Element – Proposed maximum floorspaces (sqm GIA)**

Plot (Phase)	S1 (P3)	N1 (P3)	N2 (P3)	N3 (P3)	N6 (P2)	N7 (P2)	S8 (P2)	Total Outline Max
Residential (including car parking and basements)	11,224	15,096	22,555	24,500	6,100	21,650	8,400	<b>109,525</b>
Commercial/Non-Residential Total	4,550	6,700	2,500	500	300	1,810	1,050	<b>17,410</b>
Plot area max not to be exceeded	15,774	21,796	25,055	25,000	6,400	23,460	9,450	<b>126,935</b>

**Outline Element – Proposed maximum non-residential floorspaces (sqm GIA)**

Use description	Use Class	Outline Phase 3 (Max sqm)	Outline Phase 2 (Max sqm)
Retail	E (a)	4,600	860
Food & drink	E (b)	800	200
Financial and professional services	E (c)	500	0
Indoor sport & recreation	E (d)	1,200	0
Medical services (Health centre)	E (e)	0	1,200
Non-residential creche day centre/nursery	E (f)	0	300
Office and workspace	E (g)	500	300
Drinking establishment	Sui Generis	600	300
Cinema	Sui Generis	3,050	0

***Outline Element – Proposed minimum non-residential floorspaces (sqm GIA)***

<b>Use description</b>	<b>Use Class</b>	<b>Minimum (sqm)</b>
Health centre	E (e)	1,000
Supermarket	E (a)	2,500
Indoor sport and leisure centre	E (d)	1,200
Cinema	Sui Generis	1,250
Affordable workspace	E (g)	250

## EXECUTIVE SUMMARY

- i. The application relates to a large site (5.7ha) extending from West End Lane to Finchley Road, currently accommodating a range of retail and commercial uses including supermarkets, a cinema, private gym, a 520-space car park, a former Homebase store (now demolished), Car Showrooms and a Builders' Merchant Yard.
- ii. The site is a highly sustainable brownfield location and already benefits from planning permission ("Approved Masterplan") for comprehensive redevelopment to provide much-needed homes, commercial floorspace (including a new medical centre, office, retail and affordable workspace), new public realm, and community infrastructure. This proposal ("s73 Application") seeks to amend the Approved Masterplan through a series of minor material amendments.
- iii. This s73 Application proposes amendments to the Detailed Element of the approved hybrid masterplan (Plots N3-E, N4 and N5) to support deliverability. The proposals respond to changes in Building Regulations, including the need for larger cores and enhanced fire safety measures, and reflect wider viability challenges affecting high-density residential development across London.
- iv. The proposed amendments include moving some residential floorspace allocation from the Outline phases to the Detailed phase to provide 43 additional homes in the first phase; changes to building heights, massing and footprint; revisions to internal layouts; alterations to façade design; adjustments to the mix and quantum of uses; reduction of affordable housing; and associated changes to landscaping and the public realm. Several buildings would be increased in height by up to two storeys to optimise housing delivery in the earlier phase on this highly sustainable brownfield site.
- v. These changes would result in an uplift in residential floorspace within the Detailed Element, offset by a corresponding reduction in floorspace within the Outline Elements, ensuring the overall quantum of development across the masterplan remains consistent with the approved scheme, equating to around 1,800 homes.
- vi. The optimisation of Detailed Phase 1 to provide more housing earlier in the scheme is welcomed, as self-contained housing is the priority land use in the Camden Local Plan, owing to significant levels of identified housing need. Housing delivery has fallen below targets in recent years, with the Housing Delivery Test result at 53% and the Borough's five-year housing land supply reduced to 2.8 years. In these circumstances, policies most important for determining housing applications are considered out of date, and the presumption in favour of sustainable development is engaged.

- vii. Paragraph 125(c) of the NPPF confirms that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, and that such proposals should be approved unless substantial harm would arise.
- viii. The Approved Masterplan was considered a commercially prudent investment decision when growth assumptions were applied, rather than when viability was based on current-day values. On a present-day basis, the Approved Masterplan was not considered viable and included surplus affordable housing to meet policy requirements (35% fast track under London Plan Policy H5). Economic conditions have worsened since the grant of permission. However, an upfront viability exercise is not required under the Mayor's Time Limited Route under the new Support for housebuilding LPG.
- ix. The proposals would facilitate the delivery of additional homes in the first phase, including a policy-compliant affordable tenure mix. Under the Mayor's Time Limited Route, schemes delivering at least 20% affordable housing (by habitable room) can proceed without a viability review where implementation is secured within the specified timeframe, and the existing level of affordable housing consented (35%) cannot be maintained by GLA grant. The scheme would provide 20% affordable housing across the site as a whole, with 21% affordable housing in the Detailed Element (by habitable room). The tenure split would be policy compliant 60% Social-affordable rent homes and 40% Intermediate rent homes. The GLA has confirmed that their grant funding cannot maintain a higher level of affordable housing.
- x. The proposed amendments would result in 92 fewer affordable homes and an increase of 135 market homes (with a net uplift of 43 homes overall) within Phase 1.
- xi. The application responds to the changing policy context for housing delivery and seeks to ensure that the substantial public benefits of the comprehensive redevelopment can be realised. Without the proposed amendments, delivery of the consented scheme may proceed or be severely delayed given current market conditions, risking a delay in the delivery of new homes on this highly sustainable site.
- xii. The amendments also incorporate updated fire safety measures in response to changes in Building Regulations and national policy following the Hackitt Review, including revised core arrangements and evacuation strategy, ensuring the development achieves high standards of safety and resilience consistent with London Plan Policy D12.
- xiii. The proposed amendments include a reconfiguration of commercial floorspace across the Detailed Element to address updated servicing and fire strategy requirements. Across Plots N3-E, N4 and N5, the Detailed Element would provide approximately 1,815 sqm of non-residential floorspace, comprising

1,504 sqm of flexible Class E(a) retail floorspace, 97 sqm of food and drink floorspace (Class E(b)), 143 sqm of professional services floorspace (Class E(c)), and 71 sqm of community floorspace (Class F2). Compared to the approved scheme, this represents a modest net increase of 181 sqm of commercial floorspace overall, but a reduction of 197 sqm of community floorspace, reflecting the relocation of the community use and updated design requirements.

- xiv. Within the Detailed Element, commercial floorspace is distributed across the three plots. The proposals maintain an active frontage strategy and continue to support vitality across internal streets and public realm, consistent with the site's role as part of a mixed-use Growth Area.
- xv. As with the Approved Masterplan, harm is identified to four conservation areas. The proposed increase in height of up to two-storeys across several blocks would marginally increase the degree of less than substantial harm to the setting of one of the conservation areas. The heritage harm has been carefully assessed and given significant weight. However, the identified harm is clearly and convincingly outweighed by the substantial public benefits of the scheme, including the delivery of up to 1,800 homes on a highly sustainable brownfield site, the provision of 100 affordable homes in Phase 1, significant public realm improvements, and the regeneration of a strategically important Growth Area site.
- xvi. The amended massing strategy continues to provide a varied roofscape and articulated building forms that reflect prevailing Camden mansion-block typologies. Chamfered corners, façade depth and tonal variation have been introduced which reinforce the masterplan objective of creating a visually distinctive and legible piece of city fabric.
- xvii. An important component of the proposed amendments is the removal of Block N4D from the Detailed Element. The removal of this block creates greater spatial relief within the layout of the masterplan, improving the relationship between buildings and enhancing the quality of outlook from surrounding residential units. The change improves daylight and sunlight levels to neighbouring affordable accommodation and internal amenity spaces, while reducing the sense of enclosure. The removal of N4D ensures that increased height in selected locations is offset by more significant reductions in built form elsewhere.
- xviii. Detailed daylight and sunlight analysis confirms that, while some additional reductions arise as a result of increased height and massing, the overall pattern of effects remains consistent with those previously assessed under the approved masterplan for a dense urban site within a designated Growth Area. The scheme continues to demonstrate good levels of compliance across the majority of tested properties when assessed against guidelines. Where transgressions occur, these are generally limited and arise where existing

baseline conditions are unusually high due to the presence of low-rise buildings and railway land or where complying with BRE guidelines would effectively sterilise the site from development. In these circumstances, BRE guidance recognises that full compliance may not be achievable. The main impacts arise from the Outline blocks which are not amended under this s73 Application. Overall, the amenity impacts are considered acceptable given the substantial public benefits of delivering additional housing.

- xix. The proposed growth would place additional pressure on transport infrastructure; however, the substantial financial contributions secured through the s106 agreement are maintained to help mitigate impact of development. These contributions support improvements at West Hampstead Station and deliver significant public realm enhancements including works to Finchley Road, Billy Fury Way and Granny Dripping Steps. Contributions towards the delivery of cycle infrastructure are also maintained, supporting increased opportunities for walking and cycling consistent with Local Plan and Neighbourhood Plan objectives.
- xx. Comprehensive redevelopment of the O2 Masterplan site is necessary to achieve strategic planning objectives for design, transport, land-use optimisation, and permeability. The proposals continue to support the delivery of a coherent mixed-use neighbourhood, including housing, town centre uses, community infrastructure, and public realm improvements.
- xxi. An extant planning permission (ref. PWX0202103), together with an extant s73 permission (Ref. 2023/1292/P), exists in relation to plot S8, which forms part of Outline Phase 2, and as a consequence, the severability plan confirms this area as severable. If this part of the application site were severed, the maximum floor area figures for Outline Element West would be reduced accordingly, but the minimum areas would remain unchanged.
- xxii. Overall, the proposed amendments are considered acceptable and would not give rise to any new significant adverse impacts beyond those previously assessed. The proposals would support delivery of a strategically important regeneration site, provide additional homes in a highly sustainable location, and ensure that the scheme can proceed in the context of changing regulatory and economic circumstances. The application accords with the development plan as a whole and the NPPF.
- xxiii. Accordingly, subject to Stage 2 referral to the Mayor of London, completion of a Section 106 agreement and appropriate planning conditions, the application is recommended for approval.

## OFFICER REPORT

### Reason for Referral to Committee:

Development which involves the construction of more than 10 new residential dwellings (including flats) [Clause 3 (i)] and involves the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation (“the obligation”) where the terms of the obligation are materially different from any previous obligation approved by the committee in relation to the same site. [Clause 3. iv)]

### Referral to the Mayor:

The application would provide more than 150 residential units and buildings over 30m in height and is therefore referable to the Mayor under the Mayor of London Order 2008. The Mayor has the power to direct the local authority to refuse the application or call in the application for determination.

### Environmental Impact Assessment (EIA):

The development is EIA development. An informal scoping opinion from the council was offered at pre-application stage, and a formal scoping opinion was subsequently provided, setting out the issues it considered to be in scope under the EIA Regulations 2017. An Environmental Statement (ES) was submitted with the approved Masterplan application and a revised ES was submitted with this S73 application.

## 1. THE APPLICATION SITE

- 1.1 The application site covers an area of 5.7 ha (14.1 acres) stretching from West End Lane to Finchley Road (“**the application site**”). It is bounded by Blackburn Road, which encircles the site along much of its southern and northern edges and extends westward. Finchley Road (A41) bounds the site to the east, with Billy Fury Way to the west. The Thameslink Bedford-Brighton railway line runs along the northern edge of the site, and the London Underground Jubilee and Metropolitan lines run above ground along the southern edge of the Site.
- 1.2 The O2 Centre (labelled 10 in the image below), consists of three storeys, providing 28,418 sqm of commercial floorspace, including Sainsbury’s supermarket (labelled 11), an Aldi supermarket, a cinema (4,340 sqm), a gym including a swimming pool (5,722 sqm), Class E retail and food & beverage uses, and a community use.
- 1.3 A 520-space surface-level car park (labelled 9) serves the O2 Centre. Previously a Homebase store of 4,084 sqm (labelled 8) was at the western end of the car park but this has now been demolished.
- 1.4 Two car showrooms of 4,356 sqm (labelled 6 and 7) with a 110-space surface-level car park sit at the western end of the site.

- 1.5 A builder's merchant yard of 640 sqm at 14 Blackburn Road (labelled 15) connects the main site to West End Lane.

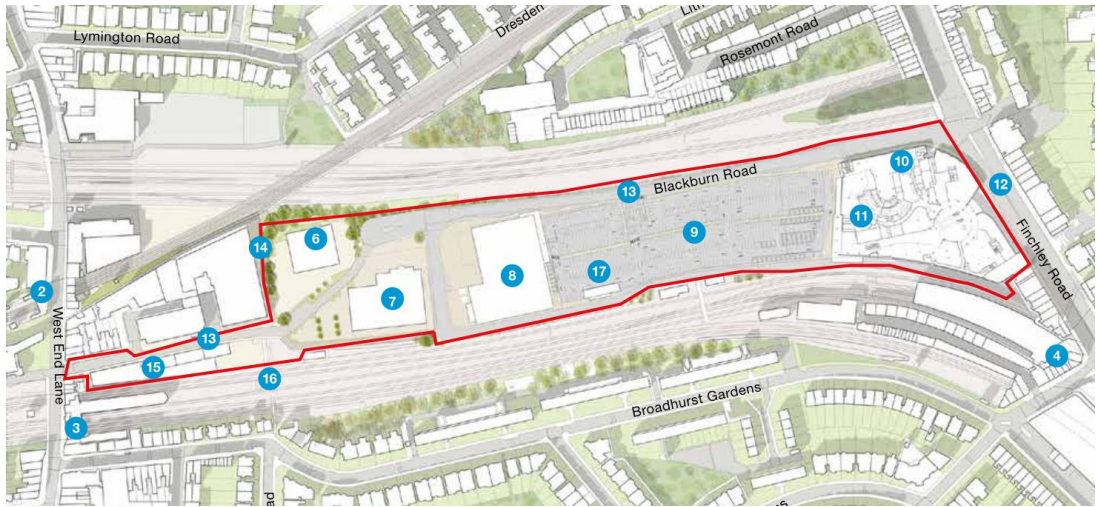


Figure 1 - The existing site

- 1.6 The image below shows an aerial view of the site. The Approved Masterplan and this s73 Application are hybrid applications which consist of a Detailed Element seeking full planning permission, and an Outline Element seeking outline permission. The red dotted line is the masterplan outline, and the yellow line is the Detailed Element (Phase 1).



Figure 2 Aerial View with key below

- 1.7 Whilst the s73 Application relates to the whole of the Site, in terms of design, it is only the Detailed Element which is proposed to change. The Detailed Element of the Site is approximately 1.79 ha and currently comprises hardstanding used as a car park, and the now vacant former Homebase plot.
- 1.8 The key floorspace areas for the existing site are set out in the table below.

Building	Floorspace (GIA) in sqm
O2 Centre	28,418 (24,875 lettable space)
Homebase Store (now demolished)	(4,084)

Car showrooms	4,356
Builders' Merchant Yard	640
Car wash (in the main car park)	257

*Table 1 – Key existing floorspaces in the application site*

- 1.9 The site is in or near several relevant planning designations, including:
- Fortune Green and West Hampstead Neighbourhood Plan (NP)
  - Swiss Cottage/Finchley Road Town Centre
  - Site Allocation 29 – O2 Car Park
  - Draft Camden Local Plan (DCLP) 2025 West Hampstead – Site allocation W2 O2 Centre, car park and car showroom sites and 14 Blackburn Road
  - West Hampstead Interchange Growth Area (WHI)
  - Conservation areas and locally listed buildings near the application site
- 1.10 The whole site is included in the Fortune Green and West Hampstead Neighbourhood Plan Area. The policies in this plan have equal weight to the local plan policies and, along with the London Plan and adopted Site Allocation, form part of the development plan for the application site.
- 1.11 The eastern and central parts of the application site are in the Swiss Cottage/Finchley Road Town Centre, with the O2 frontage designated as a 'Secondary Retail Frontage'. The West Hampstead Town Centre is close to the western end of the application site. The whole site is within the West Hampstead Interchange Growth Area. The areas to the north and south of the railway lines bordering the application site are residential in character and generally low-rise.
- 1.12 The majority of the application site has an isolated island feel, given the rail severance to the north and south and the poor connections to and across the site from east to west. The only vehicular access to most of the application site is from the north-east, where Blackburn Road meets Finchley Road. The western part of Blackburn Road, which has a junction with West End Lane, provides a second vehicular access point, but this does not connect, so there is no vehicular through route across the application site. There is a pedestrian and cycle route from Finchley Road, along Blackburn Road east connecting to Blackburn Road west (onto West End Lane), Billy Fury Way to the north-west and Granny Dripping Steps to the south-west.
- 1.13 The application site is close to Finchley Road Underground Station (Metropolitan and Jubilee lines), Finchley Road and Frognaal Overground Station to the east, and the West Hampstead interchange to the west (National Rail, Overground, and Jubilee lines). There are numerous bus

services on both Finchley Road and West End Lane (113, 13, 18 & 268). Bus services (the 187 to Central Middlesex Hospital and the 268 to Golders Green) enter the application site and use it to turn/terminate. The map below shows the application site in relation to the nearby stations.

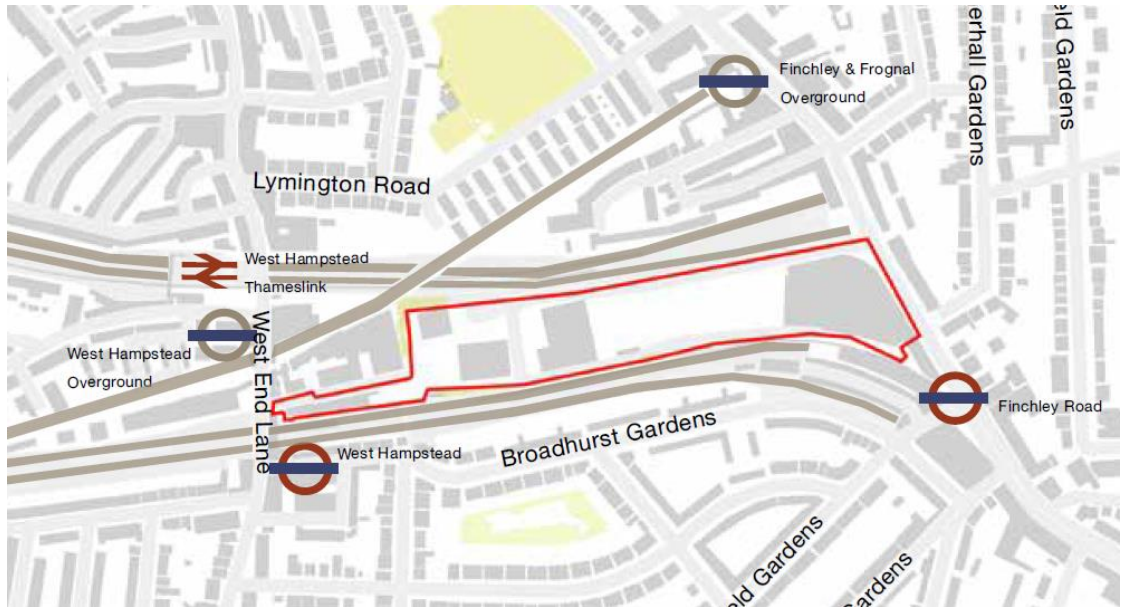


Figure 3 - Site and nearby stations

1.14 Public Transport Access Level (PTAL) scores are used to assess the proximity of locations to frequent public transport services. These combine walk time to the public transport network with service wait times. The scale runs from 0 (the worst access) to 6B (the best access). The application site has an excellent PTAL of 6A rising to 6b at the east and west ends of the site. The map below shows the PTAL map.



Figure 4 - PTAL map of the application site

- 1.15 Part of the application site is included in the adopted Site Allocations (Site 29), which identifies the car park only for housing, retail, community floorspace and open space. The O2 Centre, car park and car showroom sites and 14 Blackburn Road are also included in the draft Site Allocation (Reference W2) within the Draft Camden Local Plan, currently undergoing Examination in Public. The draft allocation provides an indicative capacity of 1,800 homes. A range of development, design and infrastructure principles and requirements are also established.
- 1.16 A supplementary planning document (SPD) has been prepared for the application site 'West End Lane to Finchley Road', which sets out a vision and key principles for creating a new sustainable place with a mixture of spaces that help connect West Hampstead to Finchley Road. This is an important material consideration.
- 1.17 There are no listed buildings on site, and the site is not in a conservation area. There are four conservation areas close by (West End Green, Redington/Frognaal, Fitzjohns/Netherhall, and South Hampstead), as well as the Belsize Conservation Area, slightly further away, to the east. The map below shows the application site relative to conservation areas.

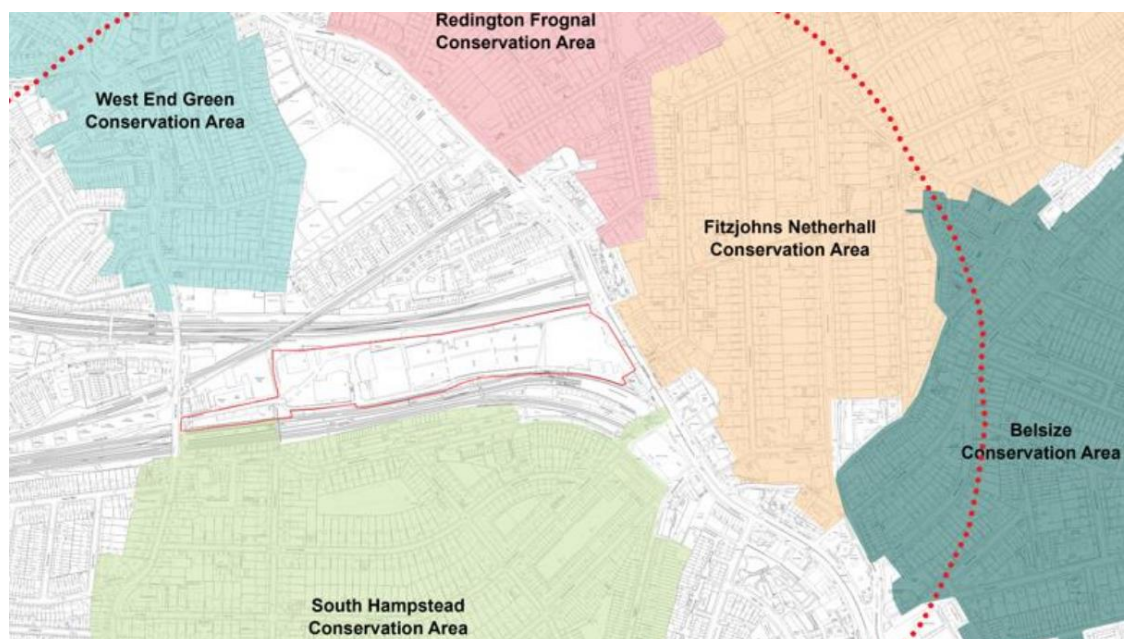


Figure 5 - Map of the site and nearby conservation areas

- 1.18 The character of the surrounding areas is a mix of generally Victorian and Edwardian architectural styles and heights, with some more modern buildings at the Finchley Road end, though these are generally low-rise.
- 1.19 There are some Locally Listed buildings at 227 to 239 Finchley Road, which are non-designated heritage assets, next to the southeast corner of the application site. The site sits in the background of a protected vista

'Greenwich Park to St Paul's (background). Within that view is a strategically important landmark, St Paul's Cathedral.

- 1.20 The applicant, Landsec, owns the majority of the site, but does not own the car showroom sites or the Builders' Merchant Yard on 14 Blackburn Road as shown below.

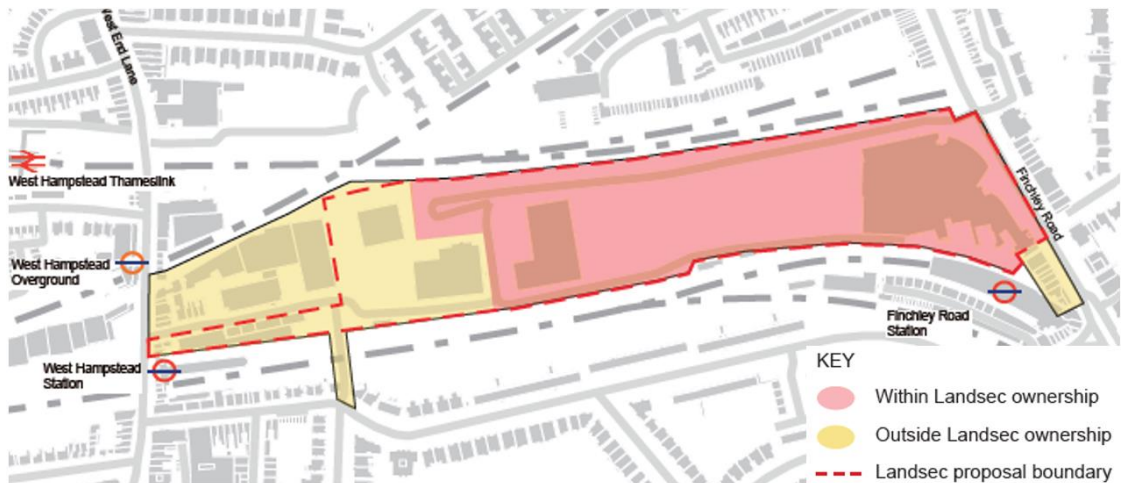


Figure 6 - Land ownership

- 1.21 The SPD and draft site allocations support the application site coming forward as a whole to deliver design, transport, housing, affordable housing, and public open space priorities in line with the Camden Local Plan (CLP), Draft Camden Local Plan (DCLP), and the Neighbourhood Plan (NP).

## 2. THE APPROVED MASTERPLAN

- 2.1 Planning permission was granted on 20 December 2023 (Ref: 2022/0528/P) for redevelopment of the site. The permission granted full planning permission for a detailed phase (1) in the centre of the application site and outline permission for phases (2 and 3) in the west and east of the application site, respectively ("Approved Masterplan"). Within the masterplan there are 10 Development Plots (N1, N2, N3, N3-E, N4, N5, N6, N7, S1 and S8) which sit within the three indicative phases
- 2.2 The phases correspond to three character areas: New Town Square (Outline Phase 3), Residential Area (Detailed Phase 1) and Community Green (Outline Phase 2).
- 2.3 Development Plots S8, N7 and N6 located in the west of the site are approved in outline and form "Outline Element West". Development Plots N3, N2, N1 and S1, located in the east of the site, are approved in outline and form "Outline Element East". These plots are collectively referred to as the "Outline Elements" (Development Plots N1, N2, N3, N6, N7, S1 and S8).

- 2.4 The Outline Elements are not affected by the amendments proposed as part of this S73, except for a reduction in the maximum residential floor area, to account for the residential floorspace allocation that has been moved into Phase 1.
- 2.5 The Detailed Element of the Approved Masterplan comprises Development Plots N3E, N4 and N5, and the associated landscaping, access roads and infrastructure, which extend to 1.79ha. These proposals are referred to as the “Detailed Elements”.
- 2.6 The plan below shows the Approved Masterplan.

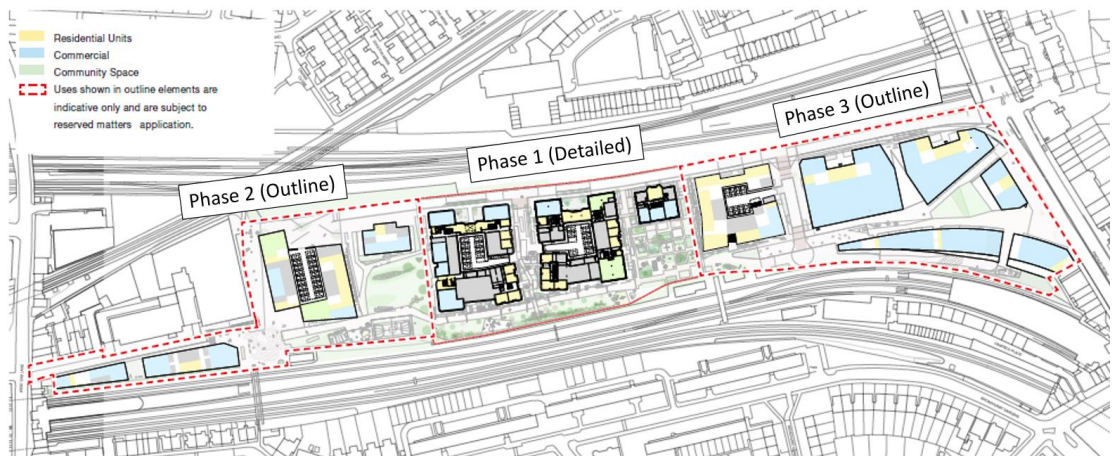


Figure 7 - Phasing plan

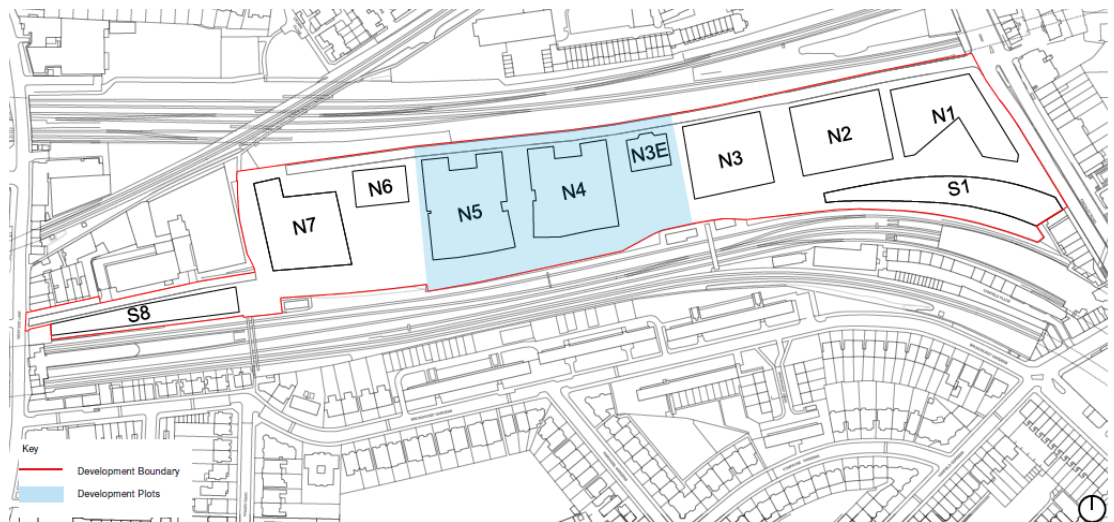


Figure 8 – Development plots within the phases

- 2.7 The Approved Masterplan proposal included the demolition of the O2 shopping centre, the Homebase store, the car showrooms and the builder’s merchant yard at 14 Blackburn Road. It is a residential-led scheme (Class C3), with retail (Class E(a)/Class F2(a)), workspace (Class E(c)) as well as other Class E uses and community uses (Class F2(b)). The proposed uses would also include a supermarket, a health facility and a cinema.

- 2.8 Under the Approved Masterplan, 608 dwellings were to be provided in the detailed (Phase 1) proposals and around 1,188 dwellings were provided in the outline proposals (in the illustrative mix). This is a total of c. 1,796 dwellings, subject to detailed reserved matters applications on the outline plots.
- 2.9 Of the 608 approved dwellings in the detailed phase, 192 were affordable (107 for London Affordable Rent and 85 for Intermediate Rent), which represented 36% of the residential floorspace or 38% of habitable rooms. In addition, 35% of the outline residential floorspace would have been affordable.
- 2.10 The Approved Masterplan includes several areas of public open space: a 'Town Square', a 'Central Square', a 'Community Green' and a 'Linear Park'.
- 2.11 The outline phases of the application have permission subject to several principles which set out a Development Framework:
- Parameter Plans – these set out the plan form, including the maximum and minimum parameters, and the detailed design of the final development
  - The Design Codes – these provide a detailed guide to the design principles the final development must comply with, in terms of heights, building footprints, amount of open public realm etc.
  - Development Specification – details around minimum and maximum land use floor areas.
- 2.12 There are no changes to the Parameter Plans or Design Codes for the Outline Elements for the Approved Masterplan ref. 2022/0528/P. These Parameter Plans set the building envelope for the Outline Elements.
- 2.13 Outline permission for Phases 2 and 3, covered indicative layout, bulk, height and means of access only, with all matters reserved for later detailed approval. Details reserved for later approval are:
- Access – the accessibility within the application site, for vehicles, cyclists and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
  - Appearance – the aspects of a building or place, which determine the visual impression it makes, excluding the external built form of the development.
  - Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

- Scale – the height, width and length of each building proposed in relation to its surroundings. The maximum parameters are provided at this stage.

2.14 Reserved Matters Applications (RMAs) will be submitted for each Outline plot, providing full detail of land uses and design of those plots, within the Development Framework of the Parameter Plans, Design Codes, and Development Specifications.

***This s73 Application***

2.15 The amendments proposed as part of this s73 Application are submitted under section 73 of the Town and Country Planning Act 1990.

2.16 The National Planning Practice Guidance (NPPG) explains:

*Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.*

2.17 Legislation and caselaw is clear that decision-makers must consider only the question of the planning merits of the proposed changes, rather than reopening the entire original planning permission. However, material changes in policy, or other circumstances, are relevant material considerations.

2.18 The application seeks to vary the conditions (including the approved plans conditions) to make minor material amendments to the Approved Masterplan scheme.

2.19 As with the Approved Masterplan, full details of Plots N3-E, N4 and N5 (Phase 1) are submitted (Detailed Elements), with no matters reserved. Primary road infrastructure for that section is also included in the Detailed Element, along with the demolition of the former Homebase (completed in Q1 2025) and associated car parking and infrastructure.

2.20 As with the Approved Masterplan, this S73 Application also seeks approval for the Outline Parameter Plans, Development Specification, and the Design Codes. These have not changed from those set out in the Approved Masterplan with the only amendment to reduce the maximum residential floorspace in the Outline Elements to offset the proposed uplift in the Detailed Elements.

### 3. CONTEXT TO THIS S73 APPLICATION

3.1 In February 2025, this s73 Application was submitted to the local planning authority to amend several conditions of the Approved Masterplan, including revisions to the approved drawings for the Detailed Element. The amendments included design revisions to the Detailed Element required to address changes to the Building Regulations surrounding fire safety. The fire safety changes result in the loss of residential floor space due to the increased core sizes. Further amendments included increasing building height, replaced Block N4D with a lower two-storey pavilion, and a new design approach for the building facades.

3.2 The February 2025 S73 application resulted in an additional 43 residential units being delivered in the Detailed Element. At this time, the proposed affordable housing for the Detailed Element was intended to be maintained at 36% by floorspace and 38% by habitable room, with 35% affordable housing (by floorspace and habitable room) delivered across the Masterplan as a whole. The application was paused last year because of changing circumstances which have led to the scope of the application being revisited, as set out below.

#### ***Economic challenges and Jan 2026 revisions to affordable housing***

3.3 Since February 2025, economic challenges facing the housebuilding industry in London have intensified, with costs spiralling and many schemes stalling due to viability challenges.

3.4 The issues have been acknowledged both by the government and the Mayor of London and have led to the introduction of emergency housebuilding measures which are explained in more detail below.

3.5 The O2 Masterplan scheme has been affected by current macroeconomic challenges, and this S73 application had stalled due to the applicant's concerns about viability. Landsec could not progress the approved masterplan or indeed the revised proposal as was submitted in February 2025, they would not be viable development.

3.6 Following announcement of the emergency housebuilding measures, revisions were submitted to this S73 Application which were formally reconsulted on in January 2026. The proposals remained largely unchanged from the February 2025 S73 scheme in terms of the design changes, but the key changes related to the housing tenure.

3.7 The affordable housing for the Masterplan as a whole has been revised to 20% (by habitable rooms and floorspace), although the Detailed Element (Phase 1) will deliver 21% (by habitable room). This means Detailed element provides 92 fewer affordable homes and increases the number of market homes by 135 (including a 43-unit uplift). Phase 1 will provide 651

homes of which 100 are affordable - 60 Social-affordable rent and 40 Intermediate rent.

- 3.8 The scheme is eligible for the Mayor's Time Limited Route, which is set out below; namely, by providing at least 20% affordable housing by habitable room, of which 60% is provided as Social-affordable rent and 40% as Intermediate rent in line with London Plan policy H6 and relevant guidance.

***The Government and the Mayor's 'emergency measures' to support housebuilding***

- 3.9 In October 2025, the government and the Mayor announced a series of 'emergency measures' to support housebuilding in London in response to the aforementioned economic challenges. A Ministerial Statement by Rt Hon Steve Reed OBE MP was issued on 23 October 2025, called 'New measures announced to ramp up housebuilding in London'. This Ministerial Statement was accompanied by a Policy Note developed by the Ministry of Housing, Communities and Local Government and the Mayor of London, outlining measures to accelerate housebuilding in London. The Homes for London policy note sets out a new package of support for housebuilding in London. These are significant material considerations.

- 3.10 In March 2026, the Mayor published the London Plan Guidance ("LPG") entitled "[Support for Housebuilding](#)." Paragraph 1.1.1 of the LPG states the measures respond to "*the current challenging macro-economic circumstances and the changing national regulatory landscape which have led to a reduction in housebuilding in the capital.*"

- 3.11 The LPG sets out changes to cycle parking requirements and housing design guidance (to avoid overly constraining the efficient use of sites), together with a new Time Limited Route for the delivery of affordable housing. It provides updated guidance for the implementation of London Plan 2021 policies T5 related to cycle parking standards, D6 on housing design standards which includes replacing and withdrawing relevant standards in the Housing Design Standards LPG. In respect of affordable housing policy, it creates an additional time-limited emergency route which departs from policy H5 of the London Plan.

Time Limited Route

- 3.12 Paragraph 4.2.1 of the LPG states

*"the Mayor is introducing a new time-limited planning route that will operate in parallel with the existing Threshold Approach to planning applications set out in Policy H5 of the London Plan. The new time-limited planning route is a departure from Policy H4 Part A, Policy H5 and Policy H6 of the London Plan and has been introduced as an*

*emergency measure to help address the current significant downturn in housing delivery in London.”*

- 3.13 There have been significant changes to market conditions, and some recent planning applications have been granted with very low levels of affordable housing, including at appeal, which means schemes coming forward may not effectively meet housing need. Delivery of these schemes could also be delayed and subject to slow build out rates, due to the high proportion of market housing. The Time Limited Route is being introduced in this context to encourage schemes to come forward and existing schemes to progress in the near term, while providing a higher level of affordable housing and more timely build-out than might otherwise have been the case (in other words, dropping below 20%).
- 3.14 The Time Limited Route will allow residential schemes on private land that can provide at least 20 per cent affordable housing (by habitable room) to proceed without an upfront viability assessment where they meet the eligibility criteria, and to access grant funding for affordable homes (excluding the first 10% of homes which must be provided as affordable housing without grant), provided they meet the conditions of the relevant GLA funding programme.
- 3.15 Section 4.8 of the guidance deals specifically with developments which have existing planning permissions, as is the case here. The guidance states that those schemes are eligible for the new time limited planning route, but that *“projects consented at 35 per cent or more affordable housing, that are currently stalled due to viability reasons, are encouraged to assess the availability of grant where this is needed to support delivery”*.
- 3.16 Applicants will be expected to seek a grant and the availability of CIL relief to maintain or increase the level of affordable housing in existing section 106 agreements. Where that has been fully explored and has been demonstrated not to be possible, any amendments to the affordable housing level or tenure should be renegotiated and agreed via a S73 application and deed of variation, with the aim of delivering at least the relevant level of affordable housing established in the new planning route, and on the basis of the same terms.
- 3.17 The guidance requires an Early-Stage review mechanism, which is triggered if an agreed level of implementation progress is not achieved within 30 months (or another agreed period) of the permission being granted. If this is triggered, it would allow for a review of scheme viability to determine whether any additional affordable housing can be provided if viability improves. Where a surplus is identified during the review, if sufficient this should support additional on-site affordable housing first and if not be paid as a financial contribution. As with the London Plan's Fast

Track Route, there is no requirement for Mid-Stage or Late-Stage review mechanisms for schemes following the new route.

3.18 To further support viability, the government is consulting on time-limited relief for CIL. In due course where a scheme provides at least 20 per cent affordable housing, amendments to the CIL regime will allow a 50 per cent borough CIL relief to apply to residential floorspace (excluding student and co-living accommodation) in schemes, or phases of schemes, that commence after the relief is in place and before 31 December 2028. Increased levels of Borough CIL relief can be applied where affordable housing in excess of 20 per cent is provided by a scheme.

3.19 The LPG paragraph 4.4.4 makes clear that “*Local Planning Authorities are strongly encouraged to support applications that meet these minimum levels and conform to the eligibility criteria.*”

3.20 Given this, and indications from the Mayor and central government, this guidance and approach should be given significant weight.

**4. SUMMARY OF S73 APPLICATION – AMENDMENTS TO CONDITIONS AND DESIGN**

4.1 As noted above, the changes principally relate to the Detailed Element of the Approved Masterplan (Phase 1, the ‘*residential area*’). The Outline Elements will be unaffected by the proposed changes, except for a reduction in the maximum residential floor area of 5,475sqm, as this part of its residential floorspace allocation has been moved into Phase 1. This change will be reflected in the Development Specification, an amendment to condition RM21 which sets the maximum floorspace for the outline phases.

4.2 This S73 Application seeks planning permission for a maximum total of 191,027 sqm GIA. This comprises 64,074 sqm in the Detailed Element, and a maximum of 126,935 in the Outline Elements.

4.3 The overall increase in floorspace within the Detailed Element is +5,495 sqm (GIA) compared to the Approved Masterplan. This includes an additional 5,475 sqm of residential and 181 sqm of commercial floorspace. However, there is a 197 sqm reduction in the community (F2) floorspace. The table below sets out the main changes.

Use Class	Description	Approved GIA (sqm)	S73 Application GIA (sqm)	Difference to Approved (sqm)	Difference to Existing GIA (sqm)
C3	Dwellings (flats)	56,784	62,259	+5,475	+62,259

E (a)	Retail (Homebase)	1,308	1,504	+196	-2,580
E (b)	Food and drink	97	97	0	+97
E (c)	Professional Services	158	143	-15	+143
F2	Community	268	71	-197	+71
<b>TOTAL</b>		<b>58,615</b>	<b>64,074</b>	<b>5,495</b>	<b>59,042</b>

*Table 2 - Floorspace changes in Detailed (phase 1) comparison*

- 4.4 The maximum floorspace of the Approved Masterplan remains unchanged, as there would be a corresponding reduction in the maximum residential floorspace deliverable within the Outline Element of -5,475 sqm.
- 4.5 No physical alterations are proposed to the Outline Elements parameter plans, and the Applicant would need to decide how to deliver the reduced quantum of residential (and total) floorspace within the maximum envelope of the parameters as part of their Reserved Matters Applications (RMAs).
- 4.6 As with the Approved Masterplan, this S73 Application seeks permission for a maximum floor area rather than the number of residential units. However, the overall floor area is unchanged and assumed to equate to around 1,800 residential units, also unchanged from the Approved Masterplan.
- 4.7 In Phase 1, 651 residential units are proposed, with 100 of them being affordable units, split 60/40 as Social-affordable rent (SAR)/Intermediate rent (IR). Social-affordable rent is a term used in the Camden Local Plan that includes the most affordable tenures of Social Rent and London Affordable Rent. The London Plan uses the term Low-Cost Rent instead.
- 4.8 In the Outline Elements, a maximum of 109,525 sqm (GIA) of residential floorspace is proposed. The Outline Elements are expected to comprise around 1,149 residential units. The Outline Elements, coupled with the Detailed Element, would therefore continue to deliver around 1,800 residential units.
- 4.9 The changes are proposed to the detailed Phase 1 (Plots N3E, N4 and N5). The amendments to Phase 1 address changes to Building Regulations regarding fire safety. There are variations to the conditions related to changes to plan and document numbers. The council can make other changes to conditions where those are necessary, relevant to the scope of the application, and meet the other normal tests.
- 4.10 The changes to Phase 1 are as follows:

- New mix for affordable units in N4 with a higher proportion of three beds (63% of all London Affordable Rent units).
- The reconfigured N4 plot has affordable homes in buildings N4A and N4B, and market housing in building N4C.
- An increase in total residential units within Phase 1.
- Revisions to façade architecture.
- Increase in residential floorspace of 5,475 sqm (GIA) to create 43 additional homes in phase 1.
- An increase in commercial floorspace of 181 sqm.
- Relocation of the community centre and a 197 sqm reduction in community floorspace.
- Removal of block N4D (see plan below).
- Increase in height of remaining blocks by equivalent of 1-2 storeys, with a maximum increase in height of 5.8m.
- Extending the length of block N4C southwards by 5.9m.
- Reducing the length of block N4B northwards by 4.4m.
- Reducing the length of the podium of block N4 northwards by 9.5m.
- 312 sqm of additional public open space.

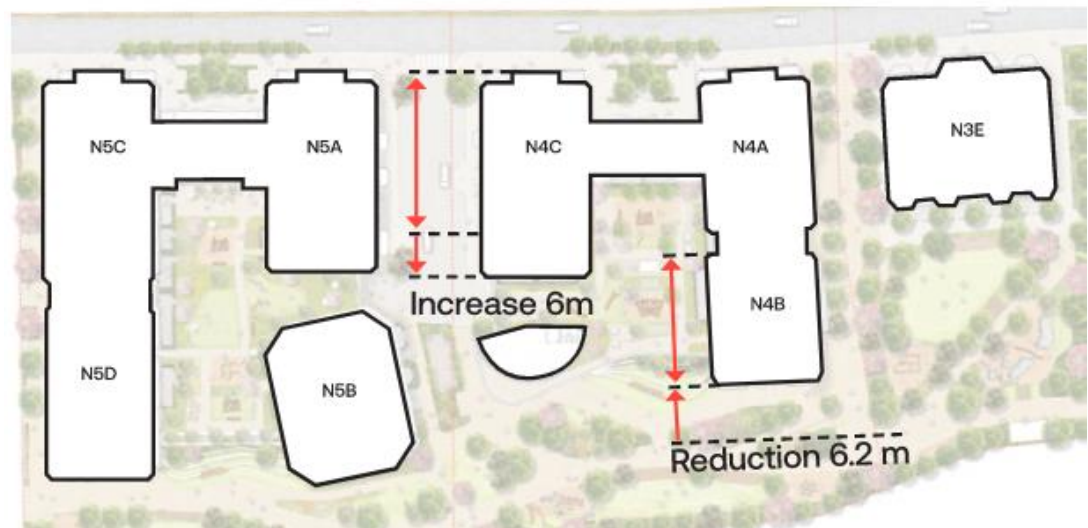
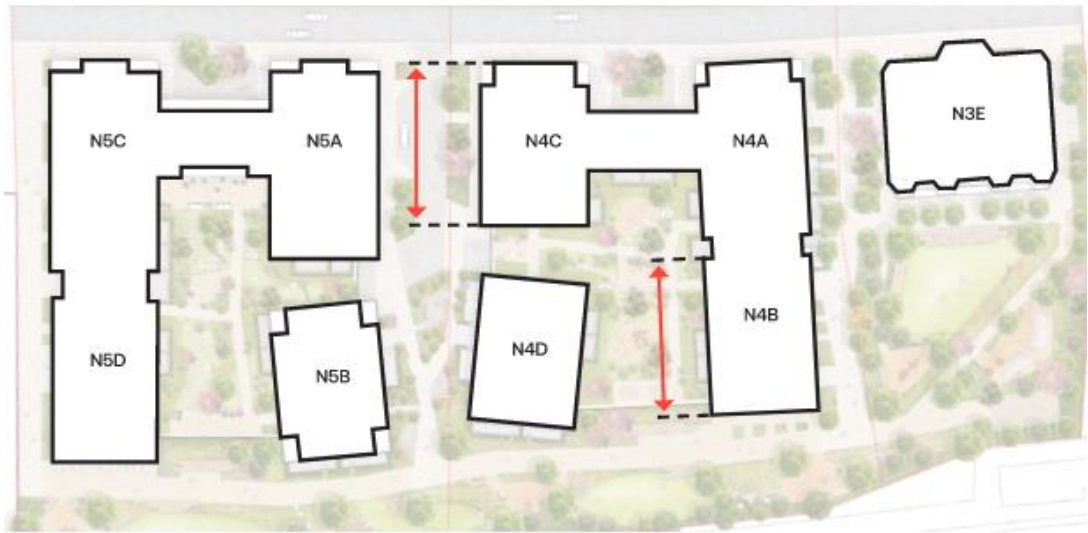


Figure 7 - Footprint comparison of Approved Masterplan (top) and s73 Application (bottom)

Detail Element Massing, North Elevation - Proposed

Detail Element Massing, South Elevation - Proposed

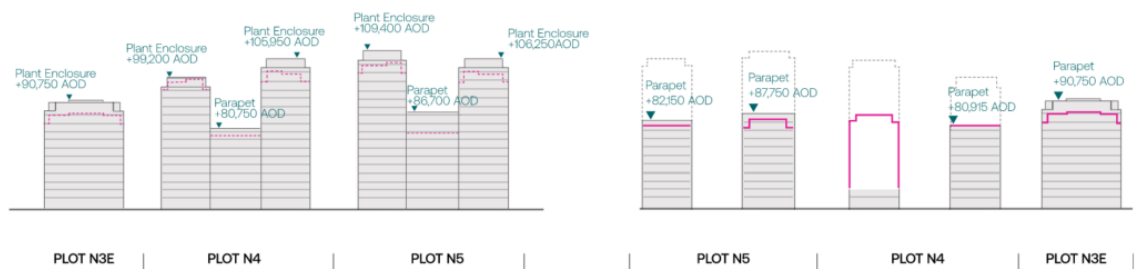


Figure 8 - Detailed element north and south elevations showing approved heights in pink

#### 4.11

The O2 Centre Car Park is a key opportunity site in the West Hampstead Growth Area of the Neighbourhood Plan, and an allocated site in the Council's adopted Site Allocations document. The West End Lane to Finchley Road: Principles for a new place planning guidance SPD 2021 established that the Council is keen to ensure a cohesive approach to other

development opportunities in the Growth Area, including Homebase, the car showrooms, builder's merchant at 14 Blackburn Road, and improvements to the O2 Centre itself. The SPD aims for the O2 masterplan and its constituent plots to come forward together to achieve a comprehensive development, for reasons of transport, permeability, design, open space and land use. This includes sites contributing to the surrounding infrastructure. Other sites within the SPD area could be delivered separately, and it is not essential that they form part of this wider proposal.

- 4.12 Construction of the proposal is expected to last 10-15 years. A series of future individual planning applications is expected for temporary routes, landscaping, and interim uses to ensure an attractive and liveable environment for Phase 1 occupants.

## **5. SEVERABILITY**

- 5.1 Comprehensive redevelopment of the whole O2 Masterplan site is an aspiration of the Council, as it will optimise the development potential of this site and achieve all the planning policy strategic objectives. It is seen as beneficial for delivering an east/west route, significant open space, and improvements to transport improvements.
- 5.2 The Approved Masterplan sought to address the issue of severability raised in the Supreme Court Judgment in the case of Hillside Parks Ltd v Snowdonia National Park Authority [2020] and was granted on the basis of the areas shown on the Severability Plan being severable. This included express severability wording in the description of development; a severability planning condition (Condition I4); and an approved "severable plots" plan.
- 5.3 The S73 application seeks amendments to the Detailed Element (Phase 1) of the Approved Masterplan. It will result in a new planning permission for the whole site, which largely reflects the Approved Masterplan, but with the requisite amendments made to the relevant conditions. As such, the new permission will repeat the overarching principles of the Parent Permission, and will not amend the operative description of development.
- 5.4 Since the Parent Permission was granted, the High Court further considered the principles set out in Hillside in the case of Dennis v Southwark Council [2024].
- 5.5 In association with the physical design changes to the Detailed Element in Phase 1 and having regard to relevant case law since the Hillside decision, it is proposed to update the severable plot plan approved under the Parent Permission.

- 5.6 There is an extant planning permission (Ref: PWX0202103), together with an extant S73 permission (Ref: 2023/1292/P), that exists in relation to part of Plot S8. There is also a current application at 14 Blackburn Road (Plot S8) (Ref: 2025/1685/P) pending determination. As a consequence, the proposed update to the severable plot plan retains this area as severable.
- 5.7 Accordingly, as part of this S73 application, the severable plot plan is updated to only show the part of Plot S8 that is severable, and the reserved matters Condition (I4) is amended accordingly. Severability Plan ref. P011 rev. A confirms that the extent of the severable area relates solely to part of Plot S8 within Outline Element West.
- 5.8 An assessment has been made within the S73 application of the environmental impacts that could arise if this area is brought forward under the existing extant planning permissions rather than pursuant to reserved matters under the hybrid consent. The documents submitted in support of the S73 application aim to consider the implications of the updated severable plots plan.
- 5.9 The S106 agreement would be structured so plots or phases make a proportionate contribution to the overall package of S106 obligations. The S106 Agreement will incorporate revisions to S106 financial triggers accordingly, albeit the obligations themselves would remain, protecting the deliverability of the scheme and mitigation measures.
- 5.10 Plot-by-plot triggers (based on GIA) are generally to be used, rather than fixed phase-wide payments. Adjustments would be made to allow Plot S8 to come forward separately (if severed from the Overall Masterplan), with a recalculation of contributions where necessary.

## **6. RELEVANT PLANNING HISTORY**

- 6.1 The following sets out the most relevant planning history for the application site and the surrounding area.

### ***The masterplan site***

- 6.2 2022/0528/P - Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and sui generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with

the Development Specification. **Granted 20/12/2023** (“the Approved Masterplan” and “Parent Permission”).

6.3 The conditions below, which were attached to the Approved Masterplan, have been discharged and will be amended to compliance conditions as appropriate.

Condition	LPA Reference	Condition Requirement	Date Approved
RM6	2024/0727/P	Phasing Plan	30/05/2024
M19	2024/0661/P	Air Quality Dust Monitoring	04/07/2024
M26	2024/0662/P	Land Contamination Risk Assessment (Part A and B)	08/10/2024
M16	2024/0665/P	Basement Suitable Qualified Engineer	30/05/2024
M21	2024/0663/P	London Underground (Part A)	04/07/2024
M22	2024/0664/P	Network Rail	04/07/2024

6.4 2024/2863/P – Installation of temporary substation and associated external works for a period of five years. **Granted 09/09/2024.**

6.5 2024/3534/P – Reconfiguration of existing car park to provide a bus turning circle, landscaping works, and associated external works for a period of ten years. **Granted 28/02/2025**

6.6 The Homebase store on the site was demolished. Other site clearance and preparatory works are underway.

6.7 In January 2026, a full planning application (Ref: 2026/0201/P) was submitted for “Temporary installation of 10no. padel courts with associated enclosures, erection of an all-weather canopy structure, and associated ancillary facilities (including a clubhouse, sauna building and golf pods) for use as outdoor padel centre (Class F2) for a period of up to 5-years, together with accessible car parking, cycle parking, hard landscaping and other associated work.”

6.8 The proposal will serve as a meanwhile use by S3 Padel, operating up to 5 years or until the residential development proposed on the approved O2

Masterplan Site Phase 1 site comes forward. This application has a resolution to grant permission, pending completion of a s106 agreement.

***Parts of the application site***

O2 Centre

- 6.9 9501238R2 - Redevelopment of land to the rear of 241-279 Finchley Road by the erection of a 3 storey development comprising a mix of retail, leisure and restaurant use and a Sainsbury's food store fronting Finchley Road, and by the erection of a non-food retail store to the rear, together with the formation of a new access road and traffic light controlled junction with Finchley Road and the provision of a surface level car park for 561 cars. **Granted 13/09/1996.** This permission included numerous section 106 obligations, though none are directly relevant to the consideration of the current application.

Car showrooms

- 6.10 PW9802413R2 - Redevelopment of the application site to provide two 2 storey buildings for VW and Audi dealerships, comprising 4490m<sup>2</sup> of showroom and workshop/service space and parking for 258 cars, together with a new vehicular entrance to the access road onto Finchley Road which serves the O2 and Sainsbury's sites. **Granted 25/03/1999.**

14 Blackburn Road (builders' merchants)

- 6.11 PWX0202103 - Redevelopment of the whole site by the erection of a 4 storey eastern block comprising two Class B8 and eight Class B1 units with an associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground car parking; **Granted 06/01/2004**
- 6.12 2022/0509/P - Non material amendment to the wording of condition 1 (to alter the trigger for submission of the details) of 'Redevelopment of whole site by the erection of a 4-storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwelling houses and 6 self-contained flats with associated underground car parking' approved under planning application PWX0202103 dated 08/05/2003. **Granted 04/05/2022**
- 6.13 2022/3151/P - Details of new facing material as required by condition 1 of amended application ref 2022/0509/P dated 04/05/2022 for 'Redevelopment of whole site by the erection of a 4-storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block **Granted 06/10/2022**

- 6.14 2022/4576/P - A certificate of lawfulness for the boring of two piles permitted pursuant to planning permission PWX0202103 granted on 6 January 2004, in accordance with section 56(4) of the Town and Country Planning Act 1990 constituting a material operation for commencement of planning permission PWX0202103, in accordance with the “standard condition” for that permission. **Granted 24/04/2023**
- 6.15 2023/1454/P - Non material amendment to planning permission ref PWX0202103 dated 06/01/2004 (for Redevelopment of the whole site by the erection of a 4 storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground carparking), as amended by 2022/0509/P dated 04/05/2022; namely to remove reference to plan numbers in the development description; to amend condition 2 to list only plan numbers and not refer to goods lifts; and to insert a new condition to secure provision of a good lift. **Granted 02/05/2023**
- 6.16 2023/1292/P - Variation of Condition 2 (approved plans) of planning permission (Ref. PWX0202103) dated 06/01/2004 for redevelopment of whole site by the erection of a 4-storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground car parking as amended by 2022/0509/P dated 04/05/2022 and 2023/1454/P dated 02/05/2023. Changes include revisions to elevational design, floor levels, lower ground floor, first floor and roof plan. **Granted 25/07/2024**
- 6.17 2024/1145/P - Erection of three floors of commercial floorspace (Use Class (E(g)) over to 5th to 7th floors with cycle parking, and associated works (the proposal is designed to be developed above the eastern block granted planning permission on 06/01/04 under Ref: PWX0202103 as amended by Refs. 2022/0509/P dated 04/05/2022 and 2023/1292/P dated 25/07/24 for redevelopment of whole site by the erection of a 4 storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground car-parking which has been lawfully implemented). **Refused 28/08/2025**
- 6.18 There were 19 reasons for refusal, including:
- commercial-led scheme on a site identified for housing, through an extant planning permission;
  - massing, building line and relationship with the public realm;
  - undermining the ability to deliver comprehensive redevelopment of the O2 Masterplan site; and

- Three separate reasons for refusal on Transport, including: 1) inadequate information on servicing, 2) trip generation and 3) provision of parking.

6.19 **2025/1685/P** - Demolition of the existing buildings at the application site and redevelopment of the application site for a mixed-use development comprising purpose-built student accommodation (Sui Generis), affordable housing (Use Class C3), lower ground and ground floor flexible commercial/business space comprising of showrooms, retail and ancillary offices (Use Class E/Sui Generis) and a cafe/PBSA amenity space (Use Class E/Sui Generis) and associated works including service yard, cycle parking, hard and soft landscaping, amenity spaces and plant. **Pending determination**

***The surrounding area***

Land at Midland Crescent (off Finchley Road)

6.20 2014/5527/P - Redevelopment of the application site by the erection of a part 3, part 4 and part 5 storey building with a double level basement comprising flexible commercial space (Use Classes A1/A2/A3/A4/B1/D1 & D2) at lower basement and ground floor levels, 60 student bedrooms with communal kitchen, lounge and common room areas, and 9 residential dwellings (Class C3). **Granted 25/03/2015**. This scheme has been implemented.

Nido Student Housing, Blackburn Road

6.21 2017/7072/P - Extensions at roof level to provide 41 additional student studio bedrooms comprising: dormer roof extension to purple block on Blackburn Road; two storey roof extension to red brick block on Blackburn Road; single storey roof extension to middle east seven storey block; and associated alterations including re-cladding existing zinc roof elements, replacement of timber infill panels, alterations to windows, re-cladding of ground floor plinth; and landscaping works to adjacent area. Including re-submission of previously approved common room extension Ref. 2015/5488/P. **Granted 17/05/2023**

13 Blackburn Road

6.22 2020/2940/P – Demolition of existing building and construction of three buildings between 1 and 9 storeys (plus basement) in height comprising 53 residential dwellings, 4,797 sqm of commercial floorspace, publicly accessible space, landscaping and resident's facilities including cycle and refuse facilities. **Granted 21/01/2026**

## 7. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 7.1 A screening opinion for the proposal was provided by the Council on 7<sup>th</sup> October 2022. The Proposal falls within the threshold set out in paragraph 10b of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the 'EIA Regulations'), as it involves an urban development project of more than 1 hectare. The Proposal is likely to give rise to significant environmental effects, and as such, is EIA development and subject to the EIA process.
- 7.2 This S73 application constitutes an EIA development under the EIA Regulations 2017. An Environmental Statement (ES) was submitted with the Approved Masterplan application, and a revised ES was submitted with this S73 application.

## 8. CONSULTATION SUMMARY

- 8.1 This summary includes responses from the initial consultation and from the second consultation following the scheme amendments which included reduced affordable housing. The consultations are summarised as one.

### ***Statutory Consultees***

#### Greater London Authority (GLA) - support

- The proposal is supported in principle.
- The overall land use principles are unchanged by the proposed changes to the consented scheme and remain supported.
- The proposed 20% affordable housing is eligible for the Time Limited Planning Route, subject to the conclusion of discussions with the applicant on some viability information and a suitably worded legal agreement.
- The GLA Housing and Land team have confirmed that maintaining the consented level of affordable housing (35%) through grant is not possible.
- The proposed changes to the internal layouts and external elevations do not raise any strategic planning issues.

#### Historic England – no comments

- No further comments from the Approved Masterplan.

#### Camden and Islington Public Health – no comments

- No further comments from the Approved Masterplan.

#### Building Safety Regulator (BSR) (Fire Gateway 1) – support

- The BSR is content with the fire safety design to the extent it affects land use planning considerations.

### London Underground Infrastructure Protection – no comments

- No comment, but previous comments to the Approved Masterplan should be taken into account.

*Officer's response: Appropriate conditions are attached (M21 and M23).*

### UK Power Networks - comments

- No objections. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department.

### Transport for London (TfL) - support

- TfL has commented on the funding and payment plans for West Hampstead Station Step Free Access.
- TfL remains strongly committed to upgrading West Hampstead station and has recently completed the concept design. The next decision point would be in December 2026 on whether to proceed with detailed design, which could result in building the scheme from 2028 (aligning well with the Landsec programme from 2030).
- Funding certainty is key to any decision TfL makes about taking this project forward.
- The section 106 for the Approved Masterplan is mainly linked to TfL project stages (apart from the phase containing the builder merchants). If that plan remains, and in the absence of any other funding guarantees, TfL will not kick off the project until the last funding tranche is triggered.

*Officer's response: The applicant is not seeking to amend the S106 obligation which relates to the £10m contribution towards the delivery of West Hampstead Step Free Access. The contribution remains the same and the payment plan as negotiated with TfL at the time. The payment plan is triggered on 'implementation' of the masterplan and the payment split into instalments linked to key project delivery dates. TfL would prefer the trigger point to be brought forward and a single payment to be made. The applicant is unable to commit to this. All parties remain committed to the delivery of West Hampstead Step Free Access and discussions regarding funding certainty and delivery will continue, but do not need to be concluded ahead of determination of this application.*

### Thames Water - comments

- No objections subject to conditions and informatives on piling, waste and water.

*Officer response: Noted and conditions and informatives have been added.*

London Wildlife Trust – support

- The O2 Masterplan contributes to the LWT objectives.
- The LWT worked with Landsec to develop this S73 application.
- Removal of car park and planting of trees, new public parks is welcomed.
- Scheme will improve ground permeability and reduce flood risk, introduction of swales, increase in biodiversity and natural habitat, provision of public realm and green infrastructure are all welcomed.

*Officer response: Noted*

Metropolitan Police (Design Out Crime) - comments

- Concerns around permeability with numerous access points, including paths, which provide potential locations for crime and anti-social behaviour (ASB) which are poorly overlooked. Lines of sight should be considered.
- Light industrial uses should be carefully considered as these reduce footfall and natural surveillance after work hours.
- Concerns around potential night-time economy uses.
- Open undercrofts and insecure underground car parks can encourage crime and ASB.
- Division between public realm and private realm is blurred in some areas – in particular the podium steps.

*Officer's response: There are no fundamental changes to the masterplan layout, other than generally improving outlook and so natural surveillance. Active frontages and natural surveillance are proposed across the scheme, with sightlines kept open and potential hiding spaces minimised. There are no industrial uses or night time uses, or underground car parks. The podium steps are designed to act as a transition rather than a barrier. The internal security of buildings is not covered by Planning and is the responsibility of building management.*

London Borough of Barnet – No objection.

London Borough of Haringey – No objection.

City of Westminster – No objection.

London Borough of Lambeth – No objection.

London Borough of Southwark – No objection.

London Borough of Islington – No objection.

## **Local groups**

### Belsize Conservation Area CAAC – Objection

#### *Conservation and design*

- Additional residential units.
- Additional height and massing.
- Reduction in affordable housing to 20%.

*Officer's response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration. The open space has increased in size and quality across the scheme. See sections on 'Heritage' 'Design', 'Landscape and open space', 'Land use', 'Transport' 'Affordable housing' and 'Housing mix'.*

### Fortune Green & West Hampstead Neighbourhood Development Forum – objection and some comments in support

#### *Density*

- 43 extra homes and extra height take proposals further away from the Local Plan and Site Allocations, which state that height, bulk and massing will be an important issue.
- Site Allocations Plan indicated 950 homes is the right number for the Homebase/car park site. That the applicant is now seeking to increase the consented 608 homes in Phase 1 yet further, by 7%, will test LB Camden's governance of its own published planning policies.

*Officer response: Height and massing are important issues. The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The adopted site allocation does not have an indicative housing capacity and only covers part of the site. The draft allocation has an indicative housing capacity of 1,800 homes.*

#### *Conservation and design*

- Additional height and massing.
- Impact on conservation areas.
- Impact on protected LVMF view.

*Officer's response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. There is some additional harm identified to one conservation area. The impact on the protected view would remain negligible.*

#### *Detailed design*

- Recognise improved design and character, especially at ground level.
- Omission of Block N4D to the SW corner is welcome.
- Question the double height community centre – it should be facing the square (to south of N3E).
- The design of the community centre is at odds with other buildings.
- Need to maximise active frontages at ground level.

*Officer's response: Improvements to design are noted. The double height podium was revised to house commercial to better activate the park frontage. The Community Centre has been moved to the side of the block where it faces into the square at the south of N3E. The varied design adds richness to the area. The ground floors have been activated as much as possible.*

#### *Transport*

- Congestion in the local area, at local tube stations and trains.

*Officer response: The changes would have no material impact on the transport infrastructure. Nonetheless, there will continue to be contributions that help mitigate the impact on infrastructure including £10m towards station improvements.*

#### *Tenure*

- Low affordable housing.
- Does not present affordable homes by habitable room, units, and floorspace.

*Officer response: Affordable housing has been further reduced. The reduction is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration. Proportion of affordable homes can be assessed against policy and guidance and is shown in this report under different metrics.*

#### *Proposed housing*

- More of the flats are single aspect.

*Officer response: These will not overheat, are well designed, and comply with the Support for housebuilding LPG.*

#### *Open space and greenery*

- Insufficient increase in open space for 43 more flats - below half of what Camden's policies require.
- Policy 17 of the NP emphasises the need to protect green and open space.
- Should be more greening to the boundaries with TfL land to the south and a path along the railway line.

*Officer response: The open space has improved over the Approved Masterplan and as such, the payment to be made in lieu of open space has reduced. The site boundaries to the south are to be greened, but there are operational access restrictions that prevent access to the railway line.*

#### *Other comments and suggested amendments to the scheme*

- To re-provide the approved number and mix of dwellings, a modest expansion of the building envelope could be acceptable.
- We recognise some improvement in the design.
- Planting as much as possible (especially trees) early.
- Greater detail on the boundary treatment by the TfL lines to the south.
- Missed opportunity for a direct path alongside the railway lines to minimize movement through the remainder of the space.
- A translucent boundary to the north of the railway lines would be preferable. Or planting on this service road.
- Adding extra storeys increases costs, requires additional façade.
- Suggest 'pop-up' community facilities in the O2 Centre building which will remain until Phase 3 to support existing facilities in the area.
- Should identify this as the location for a 'future' community centre, which can be delivered later in the overall site development.

*Officer response: Comments noted. Full details of landscaping and greening, as well as design, will be subject to conditions and RMAs. Desire is to provide a community use in the first phase, although this would not necessarily prevent other community uses in the future.*

#### Heath Drive Association - objection

- Construction impact.
- Traffic and parking issues.
- Schooling pressure.
- Increased density.
- Land should be used for schools and green spaces.

*Officer response: The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. A Construction Management Plan will control impact of construction and the proposal is car free.*

#### CRASH - objection

##### *Height and density*

- Additional height and massing.
- Impact on conservation areas.
- Impact on protected LVMF view.
- Additional residential units.
- Increased density and pressure on infrastructure.

*Officer response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. The same mitigation measures on infrastructure, including contributions for station improvements, would still be secured.*

##### *Affordable housing*

- Low affordable housing.

*Officer response: Affordable housing has been reduced. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration.*

##### *Green spaces*

- Although there will be an increase green space, it is close to railway lines.
- The developer will not maintain it properly.

*Officer response: The site and open space locations remain the same as the Approved Masterplan, but with more green space. There are maintenance and management plans secured for the spaces.*

##### *Building Design*

- Boring and gimmicky design.
- The darker brick will reinforce oppressiveness and visibility.
- Impact on protected LVMF view.
- Impact on conservation area.

*Officer response: The materials and detailed design are high quality and whilst more visible in some views, relate better to their context. The impact of the additional height is relatively minor and is not so significant it warrants refusal.*

#### Netherhall Neighbourhood Association (NNA)

##### *Height and density*

- Additional height and massing.
- Impact on conservation areas.
- Harm must be given significant weight.
- Increased density.
- More homes than site allocation.

*Officer response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. Identified heritage harm has been given substantial weight. The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The adopted site allocation does not have an indicative housing capacity and only covers part of the site. The current draft allocation has an indicative housing capacity of 1,800 homes.*

##### *Housing*

- Low affordable housing.
- More 'single aspect' and low light flats for affordable.

*Officer response: The affordable housing has been reduced further. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration. The affordable homes in block N4 have an improved outlook and amenity due to the design changes and removal of N4D.*

##### *Green space*

- Insufficient extra green space.

*Officer response: The open space has improved over the Approved Masterplan and as such, the payment to be made in lieu of open space has reduced.*

##### *Infrastructure*

- Strain on existing transport infrastructure.

*The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. The same mitigation measures on infrastructure, including contributions for station improvements, would still be secured.*

#### WHAT (West Hampstead Amenity & Transport)

- Reiterated objections to the Approved Masterplan.

#### *Height and density*

- Additional height and massing.
- Impact on conservation areas.
- Impact on protected LVMF view.
- Additional residential units.
- Increased density and departure from site allocation and plan.

*Officer response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. The adopted site allocation does not have an indicative housing capacity and only covers part of the site. The draft allocation has an indicative housing capacity of 1,800 homes.*

#### *Affordable housing*

- Low affordable housing.
- More single aspect units.

*Officer response: The affordable housing has been reduced further. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration. Single aspect units will not overheat, are well designed, and comply with the Support for housebuilding LPG.*

#### *Green space*

- Insufficient extra green space.

*Officer response: The open space has improved over the Approved Masterplan and as such, the payment to be made in lieu of open space has reduced.*

*Community Centre:*

- Should not be design until residents in place.
- Location on podium to south weakens its relationship with the central square.
- South-facing glazed design risks overheating.

*Officer response: The double height podium was revised to house commercial to better activate the park frontage. The Community Centre has been moved to the side of the block where it faces into the square at the south of N3E.*

***Local Councillors***

Cllr Judy Dixey, Cllr Matthew Kirk (Belsize), Cllr Linda Chung (Hampstead Town)

- Inadequate consultation period.
- Support the principle of development.
- Additional height and massing.
- Impact on conservation areas.
- Increased density and pressure on infrastructure.
- Will not support improvements to Finchley Road Station.
- Insufficient affordable housing.
- Insufficient green/open space.

Cllr Nancy Jirira, Cllr Will Coles (Fortune Green), Cllr Janet Grauberg, Cllr Patrick Stillman (West Hampstead)

- Inadequate consultation period.
- Support the principle of development.
- Additional height and massing.
- Impact on conservation areas.
- Light impact to Rosemont and Lithos Road.
- Increased density and pressure on infrastructure.
- Insufficient support for West Hampstead and Finchley Road Station.
- Insufficient affordable housing.
- Insufficient green/open space.

*Officer response: The consultation complies with and exceeds statutory and council requirements.*

*The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D.*

*There are some major adverse impacts to light for properties on Rosemont and Lithos Road, however this was the case with the Approved Masterplan,*

*and the amendments under this s73 Application do not have a significant further impact.*

*The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. The same mitigation measures on infrastructure, including contributions for station improvements, would still be secured.*

*The affordable housing has been reduced further. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration.*

*The open space has increased in size and quality across the scheme.*

Cllr Janet Grauberg, Cllr Patrick Stillman, Cllr Aarti Wadhvani (West Hampstead)

8.2 The following points were added to the above concerns following re-consultation.

- Reduction in affordable housing to 20%.
- Reduction of and relocation of community centre from the pavilion to the side of N4.

*Officer's response: The affordable housing has been reduced further. The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration.*

*The double height podium was revised to house commercial to better activate the park frontage. The Community Centre has been moved to the side of the block where it faces into the square at the south of N3E. The ground floors have been activated as much as possible.*

### ***Landowners***

Chamoss International Limited (Chamoss), freehold owners of the VW and Audi car dealerships

#### ***Overall***

- Support optimisation of the development potential of these sites.
- The proposed amendments undermine the ability to optimise the outline elements of the planning permission.
- A revised full planning application would resolve the above issues.
- Concerns around the continued operation of the car dealerships and on Chamoss's ability to progress its own redevelopment proposals, which would be deliverable by Chamoss as landowner.

### *Impact on the optimisation of the development quantum*

- The Detailed Element would increase by 5,774 sqm, with an equivalent reduction applied to the Outline Element to remain within the overall approved floorspace cap. Condition RM21 would therefore be amended to reduce the maximum floorspace permitted within the outline phases from 132,410 sqm to 126,636 sqm. This reduction is reflected in the revised Development Specification and translated into plot-specific reductions across three Phase 3 plots: S1, N1 and N2.
- The justification for this redistribution is not clear. The application assumes that the detailed plots can accommodate additional floorspace, while the outline plots should deliver the same or less than previously approved. This appears inconsistent with a design-led optimisation approach across the masterplan as a whole.
- There is a missed opportunity to test whether the same optimisation principles applied to the Detailed Element could also support increased, or at least retained, capacity within the outline plots. The proposed 5,774 sqm reduction across Plots S1, N1 and N2 is therefore difficult to reconcile with the objective of optimising a highly sustainable brownfield site, particularly where the Council has already accepted a materially higher quantum as acceptable in planning terms.
- Although reserved matters applications will refine the detailed design of the outline plots, they should come forward within robust and sufficiently ambitious parameters. Reducing the floorspace ceilings at this stage risks unnecessarily constraining future optimisation and could set a precedent for further downscaling across other outline plots, including N6, N7 and S8. That would undermine overall housing delivery and the wider planning benefits of the masterplan.
- A more appropriate approach would be to retain, or potentially increase, the approved maximum floorspace within the Outline Element by preserving flexibility in Condition RM21.
- Chamoss is supportive in principle of optimising building heights across both the detailed and outline elements, provided that increased height and floorspace within the Detailed Element does not prejudice the optimisation of the Outline Element.
- The replacement of Plot N4D, previously approved as a 10-storey building, with a two-storey community building appears to represent a lost opportunity for design-led site optimisation. Limited justification is provided as to why the community centre could not be accommodated within a building that includes additional residential or other floors above.
- The application should also prompt a review of the maximum height and massing parameters for the outline plots, reflecting the revised assumptions about the site capacity of the detailed plots. It may be possible to accommodate additional storeys within the outline plots with only limited increases in overall building height.

- Following the logic of the application, the proposals do not fully optimise the development potential of the masterplan site and may therefore fail to maximise housing delivery and associated planning benefits.
- The sunlight and daylight impacts of the proposed increased massing should not limit the development potential of the neighbouring plots.
- Sunlight impacts have not been assessed with respect to the impact of the increased massing on the developability of the neighbouring outline plots, including the internal light levels likely to be achievable within any proposed units, whilst it is noted that no detailed layouts are available.
- Only sun hours on ground assessments have been carried out for areas of public realm as per the outline scheme.
- Other assessments that could be carried out would include mirror-massing to test the assumptions on the capacity of the outline plots and whether these remain valid and materially unaffected by the amendments.

*Officer response:*

*The outline phases can still be amended at a later date to increase density and would be considered on the same basis. The proposals do not result in an under-optimisation or stymying of development within the outline phases.*

*Optimisation is not a simple maximisation exercise; it requires testing capacity against constraints (fire safety cores, daylight/sunlight, servicing, townscape, residential quality).*

*The outline reductions in maximum floorspace maintain the overall density of the site and continue to provide a flexible approach to delivering the masterplan aspirations across the multiple plots.*

*The increase in height/massing has had negligible impacts on the properties tested, both within and outside the site boundary. There are no designs as this stage for outline plots, and whilst there could be a reduction in light to neighbouring plots, the council will negotiate the detailed design of those plots and layout of the homes under RMA applications to respond to their context, ensuring that light levels are acceptable. The Support for housebuilding LPG guidance on dual aspect has been relaxed to avoid constraining sites, but the council continues to try and ensure dual aspect is delivered as much as possible.*

*Planning process*

- The planning process should not constrain site optimisation; the necessity of a fixed overall floorspace cap is questioned and could be revisited via this S73 or a fresh full application.
- Condition RM21 should remain unamended to preserve flexibility for the outline phases to deliver at least the originally approved quantum.

- A whole-site reassessment is required, applying the same optimisation principles used for the detailed element to the outline plots, which may support increased capacity.
- Reliance on an outline consent risks locking in sub-optimal development through artificially restrictive parameters.
- A preferable route may be to allow separate full planning applications for individual land parcels, enabling proper testing of optimisation on a plot-by-plot basis.
- Only a full detailed application allows the LPA to robustly assess whether development is optimised.
- There are misalignments between approved plot boundaries and land ownership, notably Plot N6 spanning multiple ownerships, which may hinder delivery under the current structure.
- The distribution of lower-value uses (e.g. public open space, turning heads) is uneven across ownership parcels, raising equity and viability concerns.
- Specific changes (e.g. relocation of a turning head and concentration of open space within outline plots) may undermine deliverability and should be addressed within planning and viability considerations.

#### *Planning Employment uses*

- Continued use of the car showrooms during development, or the potential to accommodate these uses as a permanent condition within a redevelopment scheme could be considered. The approved permission is for an overall loss of employment space. The loss of employment space is contrary to planning policy, which requires that employment space be increased or at least maintained. These existing businesses are viable, operational, and provide local benefits to the local community. The outline application approach does not allow the LPA to consider the potential for retaining these businesses in a redevelopment scheme.
- The site is currently occupied by two successful, operational car showrooms. The proposals do not adequately address the construction impacts on these businesses.
- The application fails to properly explore the potential to retain and accommodate these existing commercial uses within a genuinely mixed-use redevelopment of the Chamoss land.

#### *Officer response:*

*The use of a Section 73 application to retain and adjust the distribution of the consented quantum is lawful and appropriate and does not frustrate optimisation.*

*The parameters do not artificially constrain development. A further S73 amendment can be made to vary condition RM21.*

*The overall quantum is effectively unchanged meaning the scheme continues to optimise capacity at the masterplan scale, consistent with London Plan Policy D3. A fixed cap is a standard and necessary control mechanism in hybrid permissions to ensure impacts (EIA, infrastructure, servicing, energy, transport) remain within reasonable assessed limits.*

*A comprehensive hybrid permission is intended to coordinate large, phased regeneration sites.*

*Hybrid permissions are commonly granted across multiple ownerships; this is not unusual nor a barrier to delivery.*

*The spatial distribution of infrastructure and open space reflects: urban design logic (connectivity, legibility, placemaking) and functional requirements (servicing, highways).*

*Planning is concerned with overall acceptability and functionality, not equal distribution of “value” between landowners.*

*The site has been accepted in principle for comprehensive mixed-use redevelopment, including commercial uses in updated formats (e.g. flexible Class E, workspace). Policy does not require like-for-like retention of specific occupiers or formats, particularly where existing uses are low-density / inefficient land uses. The site has adopted and draft site allocations that apply to some or all of it, prioritising housing which is also the priority land use of the Local Plan. Car showrooms are typically low plot ratio, car-dependent uses. The site is in a highly sustainable location suitable for intensification (including residential). The S73 application does not amend this aspect of the approved masterplan in any event.*

*Construction impacts are addressed through Construction Management Plans and phasing. These impacts do not constitute a reason to resist comprehensive redevelopment.*

Hampstead Asset Management Limited (HAML) freeholders of 14 Blackburn Road

- HAML maintains its objection to the inclusion of Plot S8 in the O2 Masterplan, but supports the revised severability plan (showing Plot S8 only), noting this is the next best solution to removing Plot S8 through marking it as “white land”.
- The 2004 permission (PWX0202103) is considered implemented and extant.
- Condition I4 concerns: HAML considers that the wording fails to clearly address how existing implemented permissions (2004 and 2024) interact with the Masterplan, particularly whether they constitute a “further planning permission”, and whether they render the Masterplan physically incapable of full implementation (per *Hillside*).
- Condition I4 position: HAML raises no objection in principle with the condition, provided the wording is clarified to: to refer to “any part” to align with case law, and that it explicitly recognises that the 2004 and 2024 permissions have already engaged the severability mechanism,

and apply equally to any future permission (including the 14 BR application).

*Officer response: Physical impossibility has not been engaged in respect of Plot S8, either in respect of the 2004 permission (which was implemented in 2009 through limited works only prior to grant of the original masterplan permission) or the later s73 permission (as no further development has taken place since the 2009 implementation works). The minor updates to the severability condition (Condition I4) now provide clarity that severability is triggered when a further planning permission is implemented so it becomes physically impossible to carry out the approved development, and which accords with the caselaw associated with the Pilkington principle as clarified by the Supreme Court in Hillside (see amended condition I4).*

### *O2 Approved Masterplan Permission*

- Floorspace rebalancing: The uplift in residential floorspace within the Detailed Element is offset by an equivalent reduction in the Outline Elements, maintaining the overall quantum across the masterplan.
- Implicit rationale: This redistribution appears to anticipate separate delivery of the Site by HAML, although this is not explicitly stated.
- Compatibility of permissions: The O2 S73 scheme (excluding Plot S8) and the 14 Blackburn Road (14 BR) scheme are considered compatible, can be implemented independently, and do not physically or functionally conflict (including access, servicing, and movement routes).
- Deliverability and public benefits: The wider masterplan benefits remain intact, and the scheme (excluding Plot S8) can be delivered without prejudicing development of the Site.

### **Publicity**

- 8.3 For the original S73 submission, site notices were displayed from 14<sup>th</sup> February 2025, expiring on the 10<sup>th</sup> March 2025. A press advert was placed in the Ham and High on the 14<sup>th</sup> of February 2025.
- 8.4 For the revised S73 submission received in January 2026, site notices were re-displayed with a revised description from 4<sup>th</sup> February 2026, expiring on 28<sup>th</sup> February 2026. A press advert re-advertised in the Ham and High on 12<sup>th</sup> February 2026.
- 8.5 There were approximately 53 letters of **objection** and 5 letters of support from the first consultation based on the originally submitted S73 proposals.
- 8.6 The chart below shows the proportion of responses that raise a particular issue, as far as officers can judge from the content of individual responses.

This is an indication as many responses raise multiple issues, and some issues are overlapping.

8.7 The representations in objection are dominated by concerns over:

- Increased scale and massing
- Increased density
- Insufficient green space and open space
- Transport infrastructure pressure
- Reduced affordable housing.

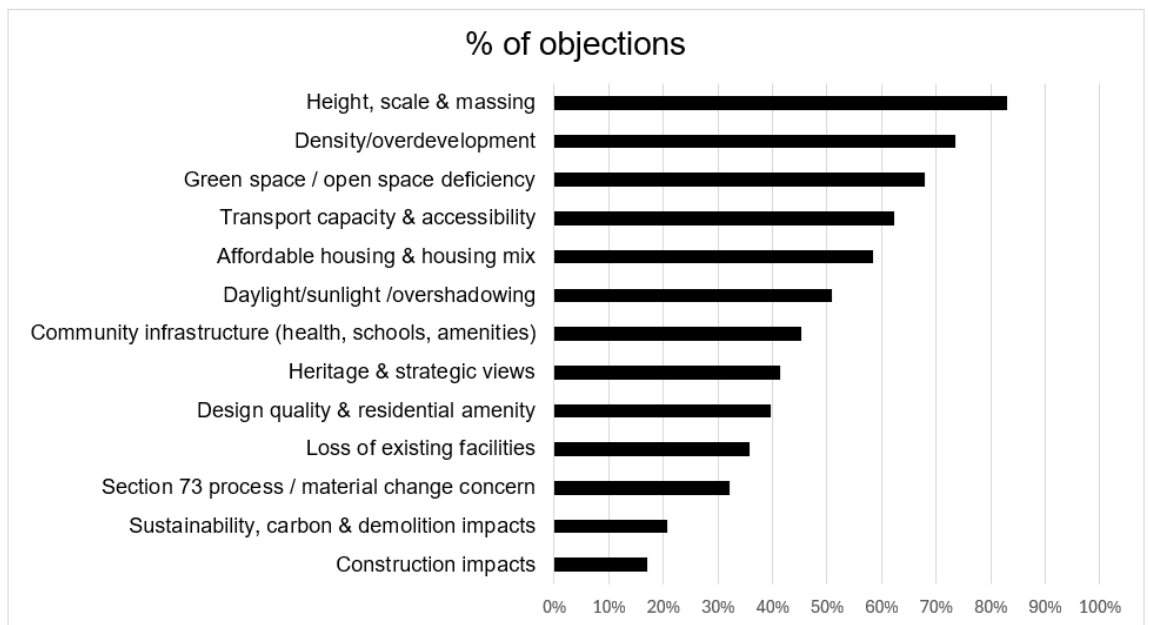


Figure 9 - Proportion of letters in objection that mention a key issue

### **Issues raised by local residents in objection**

#### ***Height, Scale, Massing, Design and Heritage***

- Additional height and massing.
- Impact on conservation areas.
- Impact on protected LVMF view.
- Ignoring Historic England advice.

*Officer's response: The impact of the additional height is relatively minor and is not so significant it warrants refusal. The additional height also allows a more significant reduction in height and increase in public open space through the removal of block N4D. There is additional harm arising from the amendments. All harm identified has been given significant weight. Historic England offered no comments on the amendments. See 'Heritage' and 'Design' sections.*

#### ***Density and overdevelopment***

- Additional residential units.

- Increased density and pressure on infrastructure.
- More homes than site allocation.
- Fire regulations blamed for increases.

*Officer response: The additional homes in phase 1 are already consented residential floorspace moving to earlier phases – there is no overall increase in homes. The adopted site allocation does not have an indicative housing capacity and only covers part of the site. The draft allocation has an indicative housing capacity of 1,800 homes. An earlier draft (which covered a smaller site) allocated a lower number but this has been superseded. The proposed amendments will not impact overall density or capacity of the site compared to the Approved Masterplan. Developers are required to respond to fire regulations. See the ‘Principle of Increase in Housing Density’ section.*

### *Housing*

- Low affordable housing.
- Not enough two and three-bedroom flats, there should be fewer one-bedroom and studio flats.
- Fear of future viability-led erosion of affordable provision.

*Officer response: The reduction in affordable housing is unfortunate, but the 20% Affordable Housing complies with the Time Limited Route in the LPG on housebuilding in London which is a significant material consideration. The mix in the detailed element is improved with higher priority homes in each tenure generally seeing an increase in the proportion of homes. National, regional, and local policy makes clear that viability is an important material consideration. The See section on ‘Tenure and unit size mix of the proposed housing’, ‘Affordable Housing’ and ‘Quality of proposed housing’.*

### *Design Quality and Residential Amenity*

- Single-aspect dwellings.
- Overheating risk.
- Wind effects at ground level.
- Poor quality internal layouts.

*Officer response: The single aspect homes are well-designed with improved outlook and pass an overheating analysis. Impacts of the changes on wind are minimal, and where there are impacts (like some balconies), these are mitigated through design. See ‘Quality of Proposed Housing’ and ‘Micro-climate’ sections of the report*

### *Amenity - Daylight, Sunlight and Overshadowing*

- Loss of light to neighbouring streets and blocks.

- Increased canyoning effects.
- Non-compliance with BRE guidance.

*Officer response: There are some major adverse impacts to light for properties, however this was the case with the Approved Masterplan, and the amendments under this s73 Application do not have a significant further impact. BRE guidance should be applied flexibly in appropriate context and weighed into the planning balance. See 'Impact on neighbouring amenity' section.*

#### *Retail and Loss of Existing Facilities*

- Loss of major supermarket provision.
- Loss of cinema and leisure uses.
- Replacement retail is considered fragmented and inferior.

*Officer response: The loss of the O2 is established under the Approved Masterplan and this application makes no changes to this. The scheme is a residential-led mixed use scheme that would support but not undermine the town centres. See the 'Land Use' section of the report*

#### *Infrastructure*

- Insufficient GP and health provision.
- Pressure on schools, childcare, and local services.
- Delivery of facilities deferred to later phases.

*Officer's response: No changes to these elements are made under this s73 Application. The health centre would continue to be secured as would the other benefits of the scheme. See 'Health', 'Community Infrastructure Levy (CIL)' and 'Impact on neighbouring amenity' sections.*

#### *Open space, trees and biodiversity*

- Insufficient open space.
- Insufficient play space.
- "Linear park" and podium spaces not considered functional open space.
- Additional population growth not matched by usable green infrastructure.

*Officer's response: The level of open space provision has increased under these amendments, whereas the total residential floorspace overall would remain the same (approximately 1,800 homes). The scheme provides sufficient play space for a variety of ages, genders, and needs. The scheme provides a high-quality landscaping approach. See section on 'Landscape and open space' and 'Trees and biodiversity'.*

### *Sustainability, carbon and demolition*

- Demolition of the O2 – less than 30 years old, resultant pollution, carbon emissions, and air quality.
- Embodied carbon of demolition and new build not justified.
- Inadequate whole-life carbon assessment.
- Air quality and construction impacts understated.

*Officer's response: The principle of demolition was established by the Approved Masterplan. The demolition is necessary to achieve comprehensive redevelopment of a brownfield site with excellent transport connections to provide a substantial number of homes. Updated information for Whole Life Carbon and energy use is required at each stage through conditions and the Energy Strategy. Air quality and construction impacts have been modelled professionally and are further controlled by conditions and Construction Management Plans. Further See section on 'Sustainable design and construction' and 'Air Quality'*

### *Transport*

- Finchley Road and West Hampstead stations are already overcrowded.
- No proportionate mitigation for the increased residential population.
- Contributions seen as inadequate or misdirected.
- Couriers may abuse pedestrian routes provided in the scheme.

*Officer's response: The changes under this s73 Application would make no changes to site capacity. The site is car free and is replacing a large car park so there will not be harmful impacts from motor vehicles. Considerable contributions are secured for transport infrastructure. Potential misuse of a pedestrian route is not a reason to remove it from a scheme. See the section on 'Transport'.*

### *Fire safety*

- For Block N5, the removal of a staircase by creating a very long corridor is potentially dangerous.

Officer Response: Th Building Safety Regulator has not identified non-compliance at this stage, and the development will be subject to Building Regulations. See 'Fire Safety' section of the report.

### *Flood risk and drainage capacity*

- This development has been identified by Thames Water as being in site surrounded by other areas subjected to unacceptable flooding.
- The existing surface water network may not be able to deal with this.

*Officer response: Flood risk is properly mitigated. Thames Water do not object to the application, subject to the attached conditions.*

### *Community centre functionality*

- The Community Centre is poorly located for proper use.

*Officer response: The community centre will be accessible and is well located with the masterplan, in the base of N4 and facing towards the public square south of N3E.*

### *Other*

- These changes are value engineering, reducing overall quality.
- Will we really end up with a couple of towers in the middle of a car park for so many years before other phases have begun.

*Officer response: The proposals are partly to improve the commercial viability of the proposals to allow delivery; however, the optimisation of the site to provide 43 additional homes is welcome. The removal of the block ND4 also improved the public realm and the quality of the homes' accommodation. The design changes improve the block's architecture rather than eroding quality. See section 31 'Managing Phasing'*

### *Consultation and process*

- Section 73 is viewed as an inappropriate route.
- Developer has consistently ignored community feedback; only token gestures have been made.
- Greenwashing during the consultation process.
- Objections are being sidelined or dismissed.
- The 'Statement of Community Involvement' is spin.

### *Officer's response:*

*A s73 is an appropriate route and aligns with the Town and Country Planning Act 1990. The scope of the proposed amendments are considered appropriate to be dealt with via this route.*

*The applicant has consulted with residents leading up to the application, and the scheme is acceptable when assessed against planning policies.*

### ***Issues raised by local residents in support***

8.8 There were 5 letters of supports received from local residents, highlighting the following:

- Delivers much-needed housing.
- Appropriate brownfield land redevelopment.
- Height is appropriate next to major roads and stations.
- Finchley Road is already a tall buildings corridor.
- The scheme will improve the public realm.

- Some impacts are unavoidable if we want growth.

## 9. POLICY

### ***National and regional policy and guidance***

[National Planning Policy Framework 2024 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[Draft National Planning Policy Framework](#)

[London Plan 2021 \(LP\)](#)

[GG1 Building strong and inclusive communities](#)

[GG2 Making the best use of land](#)

[GG3 Creating a healthy city](#)

[GG4 Delivering the homes Londoners need](#)

[GG5 Growing a good economy](#)

[GG6 Increasing efficiency and resilience](#)

[Policy SD1 Opportunity Areas](#)

[Policy SD6 Town centres and high streets](#)

[Policy SD7 Town centres: development principles and Development Plan Documents](#)

[Policy SD8 Town centre network](#)

[Policy SD9 Town centres: Local partnerships and implementation](#)

[Policy SD10 Strategic and local regeneration](#)

[Policy D1 London's form, character and capacity for growth](#)

[Policy D2 Infrastructure requirements for sustainable densities](#)

[Policy D3 Optimising site capacity through the design-led approach](#)

[Policy D4 Delivering good design](#)

[Policy D5 Inclusive design](#)

[Policy D6 Housing quality and standards](#)

[Policy D7 Accessible housing](#)

[Policy D8 Public realm](#)

[Policy D9 Tall buildings](#)

[Policy D10 Basement development](#)

[Policy D11 Safety, security and resilience to emergency](#)

[Policy D12 Fire safety](#)

[Policy D13 Agent of Change](#)

[Policy D14 Noise](#)

[Policy H1 Increasing housing supply](#)

[Policy H4 Delivering affordable housing](#)

[Policy H5 Threshold approach to applications](#)

[Policy H6 Affordable housing tenure](#)

[Policy H7 Monitoring of affordable housing](#)

[Policy H10 Housing size mix](#)  
[Policy H11 Build to Rent](#)  
[Policy S1 Developing London's social infrastructure](#)  
[Policy S2 Health and social care facilities](#)  
[Policy S3 Education and childcare facilities](#)  
[Policy S4 Play and informal recreation](#)  
[Policy S5 Sports and recreation facilities](#)  
[Policy S6 Public toilets](#)  
[Policy E1 Offices](#)  
[Policy E2 Providing suitable business space](#)  
[Policy E3 Affordable workspace](#)  
[Policy E9 Retail, markets and hot food takeaways](#)  
[Policy E11 Skills and opportunities for all](#)  
[Policy HC1 Heritage conservation and growth](#)  
[Policy HC2 World Heritage Sites](#)  
[Policy HC3 Strategic and Local Views](#)  
[Policy HC4 London View Management Framework](#)  
[Policy HC5 Supporting London's culture and creative industries](#)  
[Policy G1 Green infrastructure](#)  
[Policy G4 Open space](#)  
[Policy G5 Urban greening](#)  
[Policy G6 Biodiversity and access to nature](#)  
[Policy G7 Trees and woodlands](#)  
[Policy G9 Geodiversity](#)  
[Policy SI 1 Improving air quality](#)  
[Policy SI 2 Minimising greenhouse gas emissions](#)  
[Policy SI 3 Energy infrastructure](#)  
[Policy SI 4 Managing heat risk](#)  
[Policy SI 5 Water infrastructure](#)  
[Policy SI 6 Digital connectivity infrastructure](#)  
[Policy SI 7 Reducing waste and supporting the circular economy](#)  
[Policy SI 8 Waste capacity and net waste self-sufficiency](#)  
[Policy SI 12 Flood risk management](#)  
[Policy SI 13 Sustainable drainage](#)  
[Policy T1 Strategic approach to transport](#)  
[Policy T2 Healthy Streets](#)  
[Policy T3 Transport capacity, connectivity and safeguarding](#)  
[Policy T4 Assessing and mitigating transport impacts](#)  
[Policy T5 Cycling](#)  
[Policy T6 Car parking](#)  
[Policy T7 Deliveries, servicing and construction](#)  
[Policy T9 Funding transport infrastructure through planning](#)

[Policy DF1 Delivery of the Plan and Planning Obligations](#)  
[Policy M1 Monitoring](#)

**London Plan Guidance (LPG)**

[Accessible London SPG](#)

[Planning for Equality and Diversity in London SPG](#)

[Characterisation and Growth Strategy LPG](#)

[Optimising Site Capacity: A Design-led Approach LPG](#)

[Housing Design Standards LPG](#)

[Public London Charter LPG](#)

[Affordable Housing and Viability SPG](#)

[Housing SPG](#)

[Play and Informal Recreation SPG](#)

[Social Infrastructure SPG](#)

[London View Management Framework SPG](#)

[All London Green Grid SPG](#)

[London's Foundations SPG](#)

[Urban greening factor LPG \(February 2023\)](#)

[Air quality positive LPG](#)

[Air quality neutral LPG](#)

[Be Seen energy monitoring LPG](#)

[Circular economy statements LPG](#)

[Energy Planning Guidance](#)

[The control of dust and emissions in construction SPG](#)

[Whole life carbon LPG](#)

[Sustainable Transport, Walking and Cycling](#)

[Support for Housebuilding LPG](#)

***Local policy and guidance***

**Camden Local Plan (2017) (CLP)**

[Policy G1 Delivery and location of growth](#)

[Policy H1 Maximising housing supply](#)

[Policy H2 Maximising the supply of self-contained housing from mixed-use schemes](#)

[Policy H4 Maximising the supply of affordable housing](#)

[Policy H6 Housing choice and mix](#)

[Policy H7 Large and small homes](#)

[Policy C1 Health and wellbeing](#)

[Policy C2 Community facilities](#)

[Policy C3 Cultural and leisure facilities](#)

[Policy C5 Safety and security](#)

[Policy C6 Access for all](#)  
[Policy E1 Economic development](#)  
[Policy E2 Employment premises and sites](#)  
[Policy A1 Managing the impact of development](#)  
[Policy A2 Open space](#)  
[Policy A3 Biodiversity](#)  
[Policy A4 Noise and vibration](#)  
[Policy A5 Basements](#)  
[Policy D1 Design](#)  
[Policy D2 Heritage](#)  
[Policy D3 Shopfronts](#)  
[Policy D4 Advertisements](#)  
[Policy CC1 Climate change mitigation](#)  
[Policy CC2 Adapting to climate change](#)  
[Policy CC3 Water and flooding](#)  
[Policy CC4 Air quality](#)  
[Policy CC5 Waste](#)  
[Policy TC1 Quantity and location of retail development](#)  
[Policy TC2 Camden's centres and other shopping areas](#)  
[Policy TC3 Shops outside of centres](#)  
[Policy TC4 Town centre uses](#)  
[Policy TC5 Small and independent shops](#)  
[Policy T1 Prioritising walking, cycling and public transport](#)  
[Policy T2 Parking and car-free development](#)  
[Policy T3 Transport infrastructure](#)  
[Policy T4 Sustainable movement of goods and materials](#)  
[Policy DM1 Delivery and monitoring](#)

**Fortune Green & West Hampstead Neighbourhood Plan (2015) (NP)**

[Policy 1 Housing](#)  
[Policy 2 Design & Character](#)  
[Policy 3 Safeguarding and enhancing Conservation Areas and heritage assets](#)  
[Policy 4 West Hampstead Growth Area](#)  
[Policy 5 Public Transport](#)  
[Policy 6 Public Transport Facilities](#)  
[Policy 7 Sustainable Transport](#)  
[Policy 8 Cycling](#)  
[Policy 9 Pavements & Pedestrians](#)  
[Policy 10 New and Improved Community Facilities](#)  
[Policy 11 Protecting Community Facilities](#)  
[Policy 12 Business, Commercial and Employment Premises and Sites](#)

[Policy 16 Local Green Space](#)

[Policy 17 Green/Open Space](#)

[Policy 18 Trees](#)

[Policy 19 Community Infrastructure Levy Priorities](#)

### Camden Site Allocations 2013

- 9.1 The adopted [Site Allocations \(2013\)](#) identifies part of the site as a site allocation. It is allocated under [Site 29: O2 Centre Car Park](#):
- Maximise housing delivery (including affordable) while managing land-use conflicts.
  - Ensure retail is appropriately scaled to support Finchley Road Town Centre without harming West Hampstead.
  - Provide sufficient community facilities to meet resident needs.
  - Deliver on-site open space proportionate to the development.
  - Enhance West End Lane streetscape and interchange.
  - Improve pedestrian and cycle connectivity, including new north–south links and cycle parking.
  - Support energy infrastructure, including on-site generation or network connections where feasible.

### Proposed Submission Draft Camden Local Plan (DCLP)

- 9.2 The [Proposed Submission Draft Camden Local Plan](#) was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Local Plan Examination opened on 19<sup>th</sup> May 2026 and is scheduled to run until 11<sup>th</sup> June 2026.
- 9.3 Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.
- 9.4 The Proposed Submission Draft Camden Local Plan (DCLP) is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

*DCLP Draft Site Allocation – W2: O2 Centre, car park, car showrooms and 14 Blackburn Road*

- 9.5 The DCLP identifies the application site as a draft site allocation [W2: O2 Centre, car park, car showrooms and 14 Blackburn Road](#).
- 9.6 It is allocated for 1,800 additional homes. It seeks a mixed-use development including permanent self-contained homes, town centre uses including retail and leisure uses, community uses, a health centre, employment and open space. It continues to support the principles set out in the 2013 Site Allocation and identifies the need for many of the key features secured under the Approved Masterplan.

#### Supplementary Planning Documents and Guidance

##### *Area Guidance:*

[West End Lane to Finchley Road Area Guidance \(2021\)](#)

[Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan \(2022\)](#)

[Redington/Frognaal Conservation Area Character Appraisal & Management Plan \(2022\)](#)

[South Hampstead Conservation Area Appraisal and Management Strategy \(2011\)](#)

[West End Green Conservation Area Appraisal and Management Strategy \(2011\)](#)

##### *Most relevant Camden Planning Guidance (CPGs):*

[Access for All CPG - March 2019](#)

[Adverts CPG - March 2018](#)

[Air Quality - January 2021](#)

[Amenity - January 2021](#)

[Artworks, statues and memorials CPG - March 2019](#)

[Basements - January 2021](#)

[Biodiversity CPG - March 2018](#)

[Community uses, leisure and pubs - January 2021](#)

[Design - January 2021](#)

[Developer Contribution CPG - March 2019](#)

[Digital Infrastructure CPG - March 2018](#)

[Employment sites and business premises - January 2021](#)

[Energy efficiency and adaptation - January 2021](#)

[Housing - January 2021](#)

[Planning for health and wellbeing - January 2021](#)

[Public open space - January 2021](#)

[Town centres and retail - January 2021](#)

[Transport - January 2021](#)

[Trees CPG - March 2019](#)

[Water and flooding CPG - March 2019](#)

*Other guidance:*

[Planning Statement - Intermediate Housing Strategy and First Homes \(2022\)](#)

## **10. ASSESSMENT**

The principal considerations material to the determination of this S73 Application are considered in the following sections of this report:

11. PRINCIPLE OF ADDITIONAL HOUSING IN DETAILED PHASE
12. LAND USE
13. AFFORDABLE HOUSING
14. HOUSING MIX
15. QUALITY OF PROPOSED HOUSING
16. HERITAGE
17. DESIGN
18. IMPACT ON NEIGHBOURING AMENITY
19. MICROCLIMATE
20. LANDSCAPE AND PUBLIC OPEN SPACE
21. TREES AND BIODIVERSITY
22. TRANSPORT
23. SAFETY AND SECURITY
24. FIRE SAFETY
25. AIR QUALITY
26. WASTE AND RECYCLING
27. BASEMENT CONSIDERATIONS
28. ENERGY AND SUSTAINABILITY
29. CONTAMINATED LAND
30. FLOOD RISK AND DRAINAGE
31. CONSTRUCTION PHASE EMPLOYMENT AND TRAINING
32. HEALTH IMPACT
33. MANAGING PHASING
34. PLANNING OBLIGATIONS
35. COMMUNITY INFRASTRUCTURE LEVY (CIL)
36. CONCLUSION

## 11. PRINCIPLE OF ADDITIONAL HOUSING IN DETAILED PHASE

### *Housing delivery in Camden*

- 11.1 The total housing floorspace for the Masterplan would not change from the Approved Masterplan, but delivery of some of this floorspace would be brought forward from the later Outline Phases to the first Detailed Phase. So, the first phase of the scheme would deliver more homes than originally planned.
- 11.2 The Council's Annual Monitoring Report<sup>1</sup> (AMR) Meeting Housing Needs Indicator 1 is: 'To deliver 1,038 net additional homes per year to meet the housing target set for Camden in the 2021 London Plan'. The AMRs for 2021-22, 2022-23, and 2023-24 show that housing delivery in Camden has not met this indicator.

Year	Camden Housing Delivery	Target	% of Target
2024/25	997	1,038	96%
2023/24	508	1,038	49%
2022/23	364	1,038	35%
2021/22	532	1,038	51%

*Table 3 - Camden Housing Delivery GLA Datahub*

- 11.3 For plan-making purposes, in association with the Local Plan Review and submission of the DCLP, in October 2025, the Council published a 5-year housing land supply (5YHLS) for the period commencing 1 April 2026. This indicates a supply of 5.2 years before the application of the buffer/backlog, 4.4 years after the application of the buffer, and 2.8 years after the application of the buffer and the backlog.
- 11.4 The Housing Delivery Test results for 2023 (up to March 2023, reported in December 2024) are 53%, with declining delivery figures of 644 dwellings per annum (dpa), 532 dpa, and 363 dpa (2020/21-2022/23).
- 11.5 A minimum of 975 dpa were required over this period, and only 513 dpa (on average) delivered. The Council's housing delivery has therefore fallen short of HDT requirements. The figures from the London Planning Datahub for 23/24 and 24/25 show that housing delivery has been increasing (see the table above), but it remains below the target.
- 11.6 Because the Council does not have a 5YHLS and has not met the Housing Delivery Test (less than 75%), the housing policies, which are some of the most important for determining the application, are considered out-of-date.

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<sup>1</sup> AMR (2024) for the period 2021/22 and 2022/23, [link](#)

This means the presumption in favour of sustainable development in paragraph 11(d) of the NPPF is engaged, and great weight should be given to the provision of housing in decision making. The NPPF indicates that applications should be granted unless their adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.

- 11.7 Given the above, officers welcome the consented housing floorspace that will now be delivered in the earlier detailed phase, rather than the later outline phases. Although there is no increase in housing overall, the earlier delivery will be important in terms of meeting need and the rate of housing delivery in the coming years.

**Policy context**

- 11.8 The principle of a high-density, residential-led, mixed-use development with buildings of height, compared to the surrounding area, was established by the Approved Masterplan (see History).
- 11.9 The site is brownfield land, much of which is under-utilised (for instance, the car parking, the former Homebase Store, the car dealerships, and the builders' merchant) with very low-density development. The application site is near several rail and tube stations and is well-connected to bus routes.
- 11.10 CLP Policy G1 states that the Council will create the conditions for growth to deliver the homes, jobs, infrastructure, and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough. West Hampstead Interchange is identified as a growth area in Policy G1 of the CLP, where the most significant growth in the borough is expected to be delivered. The application site, excluding the O2 shopping centre, is located within this growth area, which is shown below.

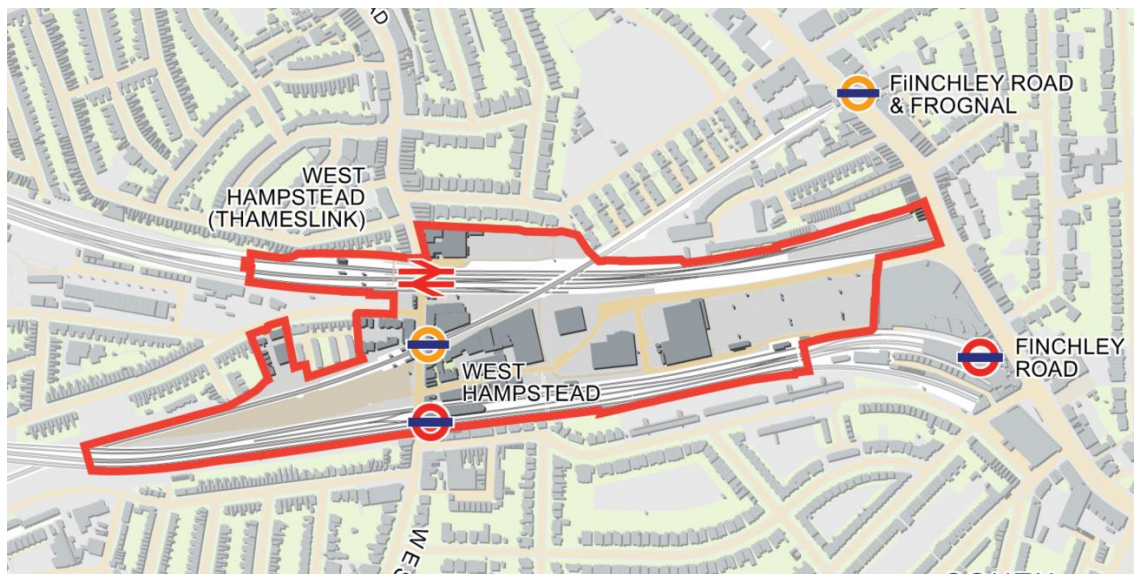


Figure 10 - West Hampstead Interchange Growth Area

- 11.11 As per the Approved Masterplan consent, the removal of a large area of car parking aligns with the Council’s transport and sustainability objectives. Policy H1 of the London Plan (LP) encourages the development of car parks to provide residential-led mixed-use developments.
- 11.12 The application site, excluding the O2 shopping centre, is covered by Policy 4 of the Fortune Green and West Hampstead Neighbourhood Plan (NP). This policy covers the West Hampstead Growth Area, shown above, and states “*the area shall be promoted for a mix of uses, including new housing, employment and town centre and public/community uses*”.
- 11.13 The Adopted Camden Site Allocations (2013) designate the O2 car park (Site 29) for development. This designation only allocates the surface car park and does not include the O2 Centre. The designation states that the application site is suitable for ‘*an appropriate Town Centre mixed use development, including housing, retail, community uses and open space*’.
- 11.14 The draft site allocation in the DCLP ([Allocation W2](#)) allocates a wider area which incorporates the full extent of the Parent Permission (see image below). It recognises that integrating the O2 centre into the car park redevelopment is essential to a coherent and comprehensive approach to redevelopment of the area.

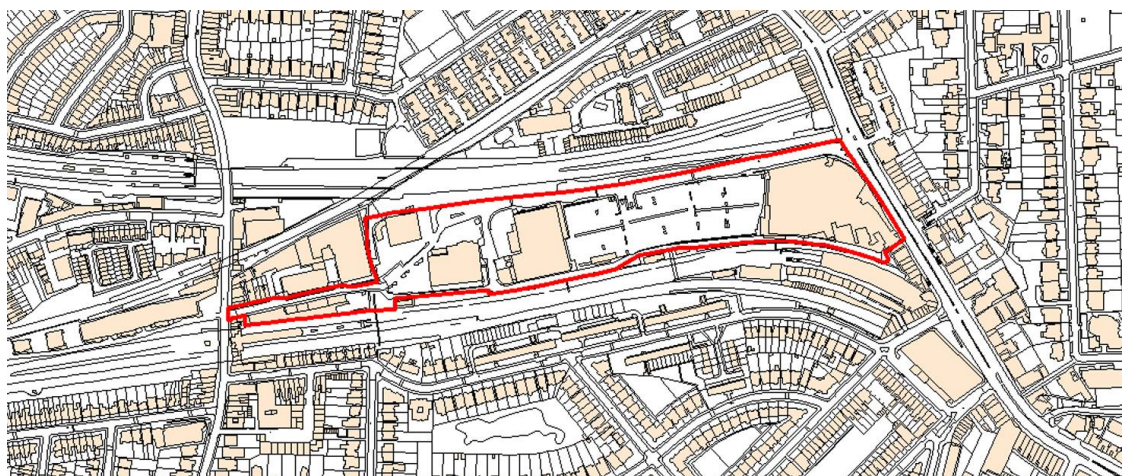


Figure 11 - Draft Site Allocation W2 (O2 Centre, car park, car showrooms and 14 Blackburn Road)

- 11.15 The West End Lane to Finchley Road Supplementary Planning Guidance (2021), an adopted Supplementary Planning Document (SPD), sets out objectives for the site regarding land use, open space, and transport.
- 11.16 The West End Lane to Finchley Road SPD includes the builders’ merchant on the western end of Blackburn Road, which is a low-density existing development. The area in the guidance is shown in **Error! Reference source not found.** below.



Figure 12 - West End Lane to Finchley Road SPD area

- 11.17 The currently adopted NPPF (2024) has been updated from the NPPF 2021 and 2023 used at the time of assessment of the Approved Masterplan. The 2024 version now states in paragraph 125 (c) that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused (emphasis shows updated wording).
- 11.18 The use of highly accessible brownfield sites for the delivery of new housing is promoted and supported by paragraphs 124-130 of the NPPF (2024), '*making effective use of land*'. Paragraph 125(d) specifically relates to the use of under-utilised sites, especially if this would meet housing need and in locations where land supply is constrained. It refers to redeveloping car parks.
- 11.19 Camden Local Plan policies are in accordance with the NPPF in this respect and seek to direct growth to the most sustainable locations.
- Increase in density on the Detailed Phase plots***
- 11.20 An increase in floorspace and height of some buildings on Phase 1 is supported in principle by officers, given the benefits of providing more housing early on. The principle of maximising and optimising site density complies with national, regional, and local planning policy.
- 11.21 London Plan policy D2 states that the density of development proposals should consider future planned infrastructure levels, rather than existing levels, and be proportionate to the application site's connectivity and accessibility in terms of transport, jobs, and services. London Plan policy D3 says higher density developments should generally be promoted in areas well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 11.22 The application site benefits from good transport links, ensuring that new homes will have good access to public transport.

- 11.23 The additional housing in the detailed phase provides a significant public benefit by helping to quantitatively meet urgent general housing needs and contribute to meeting current housing targets. The benefit of earlier delivery is notable, when seen in the context of the Council's 5-year Housing land supply (2.8 years after the application of the backlog and the buffer) and Housing Delivery Test (53%) discussed above. Both past delivery and future land availability are concerning; as such, this application's move to increase development density in the earlier phases of development is welcome, albeit there would be no overall increase in the longer term.
- 11.24 Given the above, increasing the density of development on Phase 1 is supported in principle, subject to other environmental considerations. The acceptability of the development's density is informed by conservation, design, and amenity considerations within a design-led approach. These are assessed in turn in the report below.

## **12. LAND USE**

### ***Introduction***

- 12.1 The S73 application seeks to amend the proposed floorspace in Phase 1 of the Approved Masterplan. In summary, there is an uplift in residential floorspace, a reduction in community floorspace and an increase in commercial floorspace. There is no increase in the maximum floorspace cap for the overall development or the residential floorspace. Part of the outline residential allocation has instead been transferred to the detailed phase 1. Therefore, the increase in residential floorspace in phase 1 is accompanied by a reduction in the outline phase 3.

### ***Residential use – Class C3***

- 12.2 The proposal maintains the amount of housing secured in the Parent Permission and helps to improve the rate of supply by bringing some of the housing floorspace earlier into the delivery phases.
- 12.3 Paragraph 61 of the NPPF sets out the Government's objective to significantly boost the supply of homes.
- 12.4 LP policy H1 seeks to increase housing supply and meet the borough's housing targets. Camden's target for net housing completions from 2019/20 to 2028/29 is 10,380 (or 1,038 dpa). LP policy H1 says boroughs should deliver the housing by optimising the potential for housing delivery on all suitable and available brownfield sites, primarily through well connected town centre sites, and redevelopment of car parks and low-density retail parks and supermarkets.
- 12.5 Policy H1 concludes:

*‘We will monitor the delivery of additional housing against the housing target, and will seek to maintain supply at the rate necessary to exceed the target. In seeking to maintain the housing supply, the Council will adjust the type and mix of housing sought, having regard to the financial viability of development, the sales or capital value of different house types and tenures, and the needs of different groups.’*

- 12.6 Residential use is the Council’s priority land use, and the maximisation of housing delivery on the site is welcomed in principle, in line with policy H1. The earlier delivery of housing is also supported and important in helping improve rate of supply over the next few years.
- 12.7 The total residential use across the site could be up to 171,784 sqm GIA. This equates to around 1,800 residential units and has not changed from the Approved Masterplan. The residential floorspace remains around 90% of the total proposed floorspace of the overall development project.
- 12.8 However, under this s73 Application, 5,475 sqm of residential floorspace would be moved from the Outline phases and into the Detailed phase. The re-design of the blocks accommodates the additional residential floorspace, and re-distributes it across blocks. The table below shows the change in residential floorspace across the Detailed Element (Phase 1).

<b>Phase 1 plot</b>	<b>Approved</b>	<b>s73 Application</b>	<b>Difference</b>
Plot N3-E	5,660	7,026	+1,366
Plot N4	23,839	22,271	-1,568
Plot N5	27,285	32,962	+5,677
<b>TOTAL</b>	<b>56,784</b>	<b>62,259</b>	<b>+5,475</b>

*Table 4 - The approved and proposed residential floorspace (including car parking) in three plots in Phase 1 (detailed)*

- 12.9 The proposed amendments to the Detailed Elements have a total GIA of 62,259 sqm for residential floorspace, including car parking and substation. This equates to 651 dwellings. The Approved Masterplan had 56,784 sqm and 608 new dwellings in the Detailed Phase.
- 12.10 Approved Masterplan had a maximum of 115,000sqm of residential floorspace in the outline phases. Consequently, the Outline Elements will have a reduced maximum level of Use Class C3 residential floorspace of 109,525 sqm.
- 12.11 The development will provide a mix of housing types, including studio, 1-, 2- and 3-bedroom units. The exact number of units this would provide overall will be finalised when the reserved matters applications come forward for the latter two outline phases.

- 12.12
- 12.13 The detailed Phase 1 featured housing across three blocks, with most of it provided in plots N4 and N5. Plot N3E included a smaller housing block because the central square is located in this plot taking up a significant footprint to the south of the block.
- 12.14 Residential is the Council's priority land use, and this increase in phase 1 is strongly welcomed in land use terms. The proposal would deliver a significant amount of housing earlier on to help meet the borough's urgent housing needs. It achieves this by optimising the use of underused, low-density land, including a large car park, near two town centres in an area of excellent transport accessibility.
- 12.15 The S73 proposal shows a range of 40 to 112 homes per building. The Approved Masterplan layout shows a range of 38 to 83 homes per building.
- 12.16 Objectors raised concern that the density was increasing on the site. However, the overall amount of housing and floorspace caps would remain so there would be no increase for the Masterplan overall. Conversely, objectors also raised concern that the overall floorspace figure and residential floorspace has not been increased, meaning the developer cannot optimise use of the land in phase 2 and 3. The council can only assess the application before it, and consider the scope of the proposed amendments rather than revisiting the entire application. The floorspace ranges and caps still allow flexibility, and the site would be optimised for the same level of development. This application does not preclude subsequent applications to redesign or optimise elements as long as it is compatible and takes a design -led approach.
- 12.17 The improved rate of supply of housing complies with policy. Taking account of the Council's position with regard to its housing land supply, and performance against the Housing Delivery Test, significant weight should be attached to the delivery of this housing, and the application should only be refused if the adverse impacts would significantly and demonstrably outweigh the benefits. As such, the proposed change is in accordance with the development plan and other material considerations including the NPPF. Tenure and unit sizes are dealt with in the 'Tenure and unit size mix of the proposed housing' section.

***Retail – Class E(a)***

- 12.18 Camden Local Plan policies TC1, TC2, TC3, TC4 and TC5 are relevant with regard to retail and Town Centre uses. These policies seek to protect the vitality and viability of Town Centres. London Plan policy SD7 states that '*when considering development proposals, boroughs should take a town centres first approach, discouraging out-of-centre development*'.

- 12.19 Phase 1 of the Approved Masterplan included 1,308 sqm of Class E retail floorspace. This Section 73 application proposes 1,504 sqm – an increase of 196 sqm in the Detailed Phase.
- 12.20 The maximum retail floorspace in the Outline Elements would not change and the maximum cap of 5,460 sqm GIA for retail use across the outline plots remains.
- 12.21 The small increase in retail floorspace in the detailed phase is supported given the location between two significant town centres. Nonetheless the increase is marginal, and the scheme would remain housing led. As such, the proposed change is in accordance with the development plan.

***Food and drink uses – Class E(b) and Sui Generis***

- 12.22 There are no proposed changes to these uses under this s73 application.
- 12.23 CLP policies TC1, TC2 and TC4 promote Town Centres. CLP policy C4 supports the provision of new public houses in growth areas and Town Centres. Policy 13 of the NP states that to enhance Town Centres, proposals should increase the range of food and drink outlets.
- 12.24 The food and drink provision in the scheme would include general food and drink uses, such as restaurants falling within use class E(b). No vertical drinking establishments, which are outside of any use class (Sui Generis “SG”) were proposed in the Approved Masterplan in Phase 1. None are proposed in the Section 73 application in Phase 1 either.
- 12.25 The detailed phase 1 of the Approved Masterplan included 97 sqm of Class E(b) floorspace. The current Section 73 application proposes the same amount. The Outline Elements seek permission for a maximum of 1,000 sqm GIA of food and drink use.

***Employment and commercial/business use – Class E(c) professional services and Class E(g) office/workspace and Sui Generis***

- 12.26 Camden Local Plan policies E1, E2 and CPG – Employment sites and business enterprises seek to secure a successful and inclusive economy. NP Policy 12 states that development, where appropriate and viable, should provide space for new business and new employment uses. Camden seeks to secure 695,000 sqm of additional office floorspace by 2031. The application site Allocations document and the SPD designate housing as the priority land use for this site, rather than employment.
- 12.27 The Approved Masterplan included a maximum of up to 658 sqm of Class E(c) Professional Services floorspace (estate agencies, accountancy firms, for example). Of this, 158sqm was to be in the detailed phase, with allowance for up to 500 sqm in the Outline phases.

12.28 The current s73 Application proposes 143 sqm for the detailed phase – a reduction of 15 sqm in phase 1. However, there would be no change in the 500sqm maximum in the Outline phases. Therefore, there could be a maximum of up to 643 sqm of Class E(c) Professional Services floorspace across the masterplan under this s73 Application.

12.29 This could result in a minor decrease in the total across the whole masterplan development of 15 sqm. The reduction in professional services floorspace only equates to 15 sqm, a very small proportion of the Overall Masterplan. Given the Outline elements only set a maximum and no minimum, this minor reduction in in the Detailed phase is acceptable and in compliance with the development plan.

12.30 The Outline Elements seek permission for a maximum of 800 sqm GIA of office / workspace / makerspace use (Class E(g)). This is unchanged and there is none proposed in the Detailed phase, as was the case with the Approved Masterplan. This continues to comply with the development plan.

***Affordable Commercial Space (Class E(a) and/or Class E(g))***

12.31 There are no proposed changes to these uses under this s73 application.

12.32 As per the Approved Masterplan, the Outline Elements will continue to provide a minimum of 250 sqm of affordable commercial space, comprising either affordable workspace/makerspace (Class E(g)) and/or affordable retail space (Class E(a)). This continues to comply with the development plan.

***Indoor sport, recreation or fitness – Class E(d)***

12.33 There are no proposed changes to these uses under this s73 application.

12.34 Policy C3 of the Camden Local Plan seeks to protect culture and leisure facilities and for the provision of ‘new cultural and leisure facilities in major mixed-use development’.

12.35 This floor space was located in the outline phases of the masterplan application, and its provision continues to comply with the development plan.

***Cinema – Sui Generis***

12.36 There are no proposed changes to this use under this s73 application.

12.37 Policy C3 of the Camden Local Plan seeks to protect culture and leisure facilities and for the provision of ‘new cultural and leisure facilities in major mixed-use development’. Within the O2 Centre, there is currently a cinema, operated by the Vue franchise. This cinema has a floorspace of 4,340 sqm. Cinemas are considered appropriate uses that contribute to the vitality of Town Centres.

- 12.38 The Parent Permission included cinema floorspace in the outline phases with a minimum of 1,250 sqm and a maximum of 3,050 sqm GIA of cinema use. There are no changes to this proposal, and its provision continues to comply with the development plan.

***Medical/health services – Class E(e)***

- 12.39 There are no proposed changes to this use under this s73 application.
- 12.40 Camden Local Plan policies C1 and C2, and NP policies 10 and 11, are relevant to community and health facilities. NP policy 4 also says that where appropriate and viable, schemes in the area should provide new community facilities or contribute to improving existing ones. The SPD states that new social infrastructure, including new health facilities, should be provided.
- 12.41 This floorspace (minimum 1,000 and maximum 1,200 sqm) and was located in the outline phases (Plot N7) of the masterplan application and there is no change under this Section 73 application. It would continue to address the additional need for healthcare provision in the area and be delivered in outline west (phase 2). It continues to comply with the development plan.

***Crèche/day nursery – Class E(f)***

- 12.42 There are no proposed changes to this use under this s73 application.
- 12.43 Camden Local Plan policies C1 (Health and wellbeing) and C2 (Community facilities) and NP policies 4 (West Hampstead Growth Area), 10 (New and Improved Community Facilities) and 11 (Protecting Community Facilities) are relevant with regards community facilities. These policies seek new and improved community facilities with new developments.
- 12.44 This floorspace was located in the outline phases of the masterplan application, and there is no change under this Section 73 application.

***Local community use – Class F2***

- 12.45 There is 355 sqm of existing community-use floorspace within the O2. As stated above, development plan policies seek new and improved community facilities with new developments.
- 12.46 Under the Approved Masterplan, 268 sqm of community-use floorspace was to be provided in Phase 1 (detailed) in plot N4. Under this s73 Application plot N4 has been significantly redesigned. It is proposed that this is moved to the side of plot N4, facing into the northwest corner of the Central Square. The space constraints on this side of the block mean it is reduced to 71 sqm in the detailed element. This is a 197 sqm reduction in the community (F2) area.
- 12.47 Earlier design iterations had the community centre in the new double height podium facing the linear park. However, feedback from the Design Review

Panel, the Neighbourhood Forum, and officers meant this pavilion was instead changed to commercial to better activate the park and provide a more active frontage. The community space was moved round to the east side of block N4 so it faces into the corner of the new public central square to the south of N3E. This improves the civic connection of the centre to the square.

- 12.48 However, moving it resulted in a reduction of floorspace given other building constraints. Under this Section 73 application, whilst there would be a reduction in floorspace, the community centre would be relocated to a more appropriate location and be of a scale that is more likely to be supported long term.
- 12.49 Opportunities to increase the floorspace were explored but are constrained by the plant and entrance lobby requirements associated with the adjoining residential rooms. Notwithstanding this reduction, the proposed community centre will continue to provide a high-quality internal space, appropriately sized and configured to allow flexible use by a wide range of community groups. The space is intended to accommodate a variety of activities, including community meetings, birthday parties, shared working spaces and other group uses, supported by a simple and flexible floor plan that can be adapted to different needs.
- 12.50 Initially, the facility would be operated by the landowner/developer for and on behalf of the community to ensure it does not remain vacant. This would give it the best possible opportunity to become an established facility for the community. The aspiration is to establish a Community Management Body that can be involved in ongoing management, with the management and lease of the space to be handed over to a third-party operator approved by the council.
- 12.51 As with the Approved Masterplan, the proposed community facility would be fitted out to a specification approved by the council under a Community Facility Specification, secured by the s106 legal agreement (to be amended by a Deed of Variation (DOV)).
- 12.52 **A Community Facility Management and Maintenance Plan, to be secured by Section 106 legal agreement**, would secure the retention, maintenance and management of the Community Facility as a low-cost, accessible, inclusive, flexible space supporting community-based activities for the benefit of local communities in accordance with the Community Facility Specification at no cost to the Council.
- 12.53 The Plan would include details of any operator (to be approved by the Council), ensuring the Community Facility is a high-quality and accessible facility available and retained for the benefit of and use by the local community. It would be open between 0730-2230 Mondays to Saturdays

and 0900-2200 on Sundays and Bank Holidays. The Plan would also secure details of maintenance and management arrangements, operational costs, and a review mechanism, ensuring they cover only operational costs (no profit). The review mechanism would ensure that the Council reviews the operation of the community facility annually for the first five years following occupation.

- 12.54 Although there is now a reduction in community space proposed, the scheme would continue to deliver a range of community-focused uses that would support the community across phases. The landscaping and design of the scheme would provide a series of accessible outdoor facilities for the community, along with a notable healthcare provision on site and support for infrastructure improvements. Overall, the changes are considered acceptable, and the proposal would accord with the development plan.

***Public amenities - toilets and drinking fountains***

- 12.55 There are no proposed changes to public amenities under this s73 application.
- 12.56 As well as the CLP and NP policies on community facilities, Policy S6 of the London Plan states that large-scale developments should provide and secure the future management of free, publicly accessible toilets and changing facilities. Public toilets and drinking fountains would continue to be provided throughout the Masterplan.

***Conclusion***

- 12.57 The provision of 43 additional residential units in the first phase is strongly welcomed, and taking into account the NPPF, it should be given significant weight in decision-making. There would continue to be diversification of uses within the Town Centre, along with a range of community and health uses to serve the local community, both existing and future. This S73 application is acceptable in land-use terms, prioritising Housing, the borough's priority land use, and is in a highly accessible area designated for growth.
- 12.58 The CLP, at paragraph 2.8, states that the Council wants to encourage high-quality developments at high densities to make the most efficient use of land, particularly in the most accessible parts of the borough, such as the growth areas and town centres of Finchley Road/Swiss Cottage and West Hampstead.
- 12.59 It goes on to state, at paragraphs 2.38 and 2.39, that in the growth area the council will take account of the NP and expect a mix of uses, including substantial new housing. The NP states that there are significant redevelopment opportunities for the O2 site, with housing as the primary use.

- 12.60 Despite a reduction in the community centre floorspace, the scheme would continue to deliver a range of community-focused uses, including outdoor facilities and a new health centre, that would support the community across phases. A Deed of Variation to the s106 agreement would ensure that the above amenities and facilities come forward at the appropriate times.

### **13. AFFORDABLE HOUSING**

#### ***Affordable housing requirements***

- 13.1 CLP policies H1, H2, H3, H4, H5, H6, H7 and CPG2 (Housing) are all relevant as they set out the Council's approach to considering applications for new housing, including priorities for tenure and unit size. NP policy 4 states that the West Hampstead Growth Area will “provide new homes – including affordable homes and homes suitable for families”. LP policies H4, H5, and H6 set out the Mayor’s targets for affordable housing, tenure priorities, and a fast-track approach. Policy H11 of the London Plan specifically covers ‘Build to Rent’ accommodation and states that boroughs should take a positive approach to the sector.
- 13.2 CLP policy H4 and the Housing CPG seek provision of affordable housing. Where the uplift in residential floorspace has the capacity for 10 or more new homes (assuming 100sqm per home on average), the council expects affordable housing to be provided on site, subject to viability. Given the scale of the scheme, the target for affordable housing in CLP is 50% subject to viability considerations. The CLP measures affordable housing by floorspace, whereas the LP uses habitable rooms.
- 13.3 London Plan Policy H5 sets out a threshold approach to affordable housing in planning applications and development viability. It provides a fast-track route for schemes that deliver 35% affordable housing (by number of habitable rooms) provided they satisfy the preferred mix of affordable housing tenures. The preferred mix is to provide a minimum of 60% of the affordable housing as Social-affordable rent (SAR) and 40% as Intermediate Rent (IR). Schemes that comply do not need to test the viability with a full review of a financial viability appraisal, speeding up the process.
- 13.4 Responding to the recent economic challenges, the Mayor has recently introduced the Time Limited Route, set out in the Mayor’s Support for Housebuilding LPG. The development plan policies remain, but the new LPG is a significant and important material consideration which should be taken into account in decision making and given significant weight.
- 13.5 This guidance effectively lowers the threshold approach to 20% affordable housing on a temporary basis, subject to time constraints and requirements to explore grant funding options.

- 13.6 Paragraph 4.2.1 of the LPG states that *“the Mayor is introducing a new time-limited planning route that will operate in parallel with the existing Threshold Approach to planning applications set out in Policy H5 of the London Plan. The new time-limited planning route is a departure from Policy H4 Part A, Policy H5 and Policy H6 of the London Plan and has been introduced as an emergency measure to help address the current significant downturn in housing delivery in London.”*

**Affordable housing tenure**

- 13.7 The applicant envisages that the market housing in Phase 1 and the subsequent Outline phases would remain as ‘Build to Rent’ (BTR), as per the approved scheme. There is therefore no change in this regard.
- 13.8 Local Plan Policy H6 and London Plan Policy H11 indicate support for development of private rented homes where this will assist the creation of mixed, inclusive and sustainable communities.
- 13.9 London Plan Policy H11 indicates that Build to Rent developments can provide affordable housing known as Discount Market Rent (DMR). This is a type of intermediate housing integrated into private rented housing and shared by the same landlord. This tends to be less affordable than the council’s preferred tenures.
- 13.10 As part of Phase 1 of the Approved Masterplan, the applicant committed to providing Social-affordable rent homes and Intermediate Rent homes, to be managed by a Registered Provider (RP), in accordance with the preferred tenures set out in Local Plan Policy H4 and the Housing CPG.
- 13.11 The Mayor’s Support for Housebuilding LPG states, for a scheme to be eligible for the Time Limited Route, a minimum of 60 per cent Social-affordable rent must be provided with the remaining 40 per cent of affordable housing provided as intermediate tenures in line with London Plan policy H6. It also allows provision of intermediate rent for BTR schemes.
- 13.12 Consistent with the Approved Masterplan and the LPG, this S73 Application continues to propose 60% Social-affordable rent and 40% Intermediate rent by habitable rooms across the scheme as a whole, rather than DMR.
- 13.13 The continued approach to providing conventional affordable homes which align with the council’s preferred tenures, rather than less affordable DMR is welcomed and complies with Policy H4 of the CLP and Policy H7 (Affordable Housing Tenure) of the LP. It also complies with the tenure split specified in the Support for Housebuilding LPG.

### ***Affordable housing provision***

- 13.14 When the Approved Masterplan was determined, prior to publication of the recent Support for Housebuilding LPG, the London Plan 2021 provided the most recent development plan policy on affordable housing in Policies H4, H5, and H6. LP Policy H5 set out the threshold approach to applications and development viability, providing a fast-track for schemes that delivered 35% affordable housing.
- 13.15 The Approved Masterplan as a whole (the detailed and outline phases together) provided 35% affordable housing in total (36% in phase 1) and was treated by the and GLA as a fast-track scheme. However, it should be noted that a financial viability appraisal was provided as part of that application. The assessment was reviewed by BPS the Council's independent viability auditor who concluded that the scheme with 35% affordable housing was not viable based on current day values and cost, but the applicant had committed to 35% based on growth modelling which showed a more positive position. It is relevant to note that recent planning appeal decisions such as Cuba Street in Tower Hamlets, the use of growth modelling should not be embedded into viability assessments.
- 13.16 Under this s73 Application, it is proposed to take advantage of the Time Limited Route and provide 20% affordable housing across the Masterplan overall, instead of the consented 35% affordable housing. The guidance is clear that this new planning route can be followed by developments with existing planning permissions. However, it states in para 4.8.2 that applicants are expected to explore the use of grant and the availability of CIL relief to maintain the level of affordable housing in existing S106 agreements and only where this has been fully explored and demonstrated not to be possible should affordable housing be renegotiated with the aim of delivering at least the 20% established in the new planning route.

### ***Exploring grant funding to increase affordable housing***

- 13.17 The Support for Housebuilding LPG says schemes should try to provide affordable housing in excess of 20% wherever possible, especially where planning consents are already in place. The GLA will consider making grant available at or above the benchmark grant rates where it can maintain the level of affordable housing in existing permissions (35% in the Approved Masterplan) and provides value for money to do so.
- 13.18 The GLA planning and grant team have been consulted. The GLA planning team have raised no objections at Stage 1. The GLA grant team has confirmed that, for the Approved Masterplan, the grant rates required to maintain the 35% affordable housing position significantly exceed the benchmark grant rates and as such do not meet the value for money criteria.

13.19 As such, the GLA are content that the s73 application meets the necessary requirements and cannot provide more than 20% affordable housing, even with grant funding. In view of this (and taking account of the fact that 35% was only viable with growth modelling) the principle of reducing the affordable housing to 20% is supported.

Detailed element (Phase1)

13.20 The detailed element of the Approved Masterplan (Phase 1), where unit numbers and layouts are known, would have provided 608 homes in total over three plots (N5, N4 & N3E), of which 192 were affordable (107 social-affordable homes and 85 intermediate homes). This equated to 36% affordable housing by floor space, 38% by habitable room, and a tenure mix of 60% Social-affordable rent and 40% Intermediate Rent.

13.21 It is proposed the Detailed Element (Phase 1) will now provide 21% Affordable Housing by habitable room, and 19% by GIA floorspace, in line with the Time Limited Route. This would equate to 100 affordable homes out of the total 651 homes in the Detailed Element. The tenure split would be maintained with 60 Social-affordable rent homes and 40 Intermediate Rent homes. The table below shows the proposed breakdown of affordable housing provision in Phase 1.

Type of Housing	Market	Total affordable	Total
Units by type	551	100	<b>651</b>
% by units	85%	15%	<b>100%</b>
Residential GIA (sqm)	50,578	11,681	<b>62,259</b>
% by floor area	81%	19%	<b>100%</b>
Habitable rooms	1,387	358	<b>1,745</b>
% by hab rooms	79%	21%	<b>100%</b>

*Table 5 - Proposed affordable housing in the detailed phase (Phase 1)*

13.22 As well as meeting the 20% threshold in the Time Limited Route, the proposed tenure split also meets the preferred 60/40 split for Social-affordable rent / Intermediate Rent, as shown in the table below.

Type	Homes	Habitable Rooms	% Habitable Room	Floor Area (GIA)	% Floor Area (GIA)
Social-affordable rent	60	231	65%	7,450	64%
Intermediate rent	40	127	35%	4,213	36%

<b>Total</b>	<b>100</b>	<b>358</b>	<b>100%</b>	<b>11,663</b>	<b>100%</b>
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*Table 6 - Proposed affordable tenure split in the detailed phase (Phase 1)*

13.23 The Approved Masterplan is also a material consideration, and the table below shows the comparison of the Approved Masterplan and the Proposed s73 application.

<b>Affordable Measure</b>	<b>Approved Masterplan</b>	<b>s73 Application</b>	<b>Difference</b>
Total Homes	608	651	+43
Affordable Homes	192	100	-92
<b>% AH by no. of homes</b>	<b>32%</b>	<b>15%</b>	<b>-17%</b>
Total habitable rooms	1,568	1,745	+177
Affordable habitable rooms	591.00	358	-233
<b>% AH by habitable room</b>	<b>38%</b>	<b>21%</b>	<b>-17%</b>
Total residential floorspace	56,784.00	62,259.00	+5,475.00
Affordable floorspace	20,442.00	11,681.00	-8,761.00
<b>% AH by floorspace</b>	<b>36%</b>	<b>19%</b>	<b>-17%</b>

*Table 7 - Comparison of Approved and Proposed affordable housing provision*

<b>Tenure</b>	<b>Approved Masterplan</b>	<b>s73 Application</b>	<b>Difference</b>
Social Affordable Rent (SAR)	107	60	-47
% SAR	56%	60%	+4%
Intermediate Rent (IR)	85	40	-45
IR %	44%	40%	-4%
<b>Total Affordable Homes</b>	<b>192</b>	<b>100</b>	<b>-92</b>

*Table 8 - Comparison of Approved and Proposed affordable housing tenures*

13.24 As shown above, the approved scheme complied with the development plan in terms of affordable housing by meeting the 35% affordable housing threshold for the fast-track route in the detailed phase. The proposed s73 application reduces the level of affordable homes to 21% by habitable room but nonetheless meets the new 20% affordable housing threshold for the Time Limited Route.

13.25 The image below shows the affordable homes would remain in block N4 in the detailed element, albeit they would be rearranged to account for the changes in design, layouts, and numbers.



Table 9 - Approved (top) and Proposed (bottom) location of tenures within N4

Outline element (Phases 2 and 3)

13.26 The Approved Masterplan outline phases would have provided 35% affordable housing (by habitable room) with a tenure breakdown in accordance with policy of 60% social-affordable rented and 40% Intermediate Rent.

13.27 The applicant would share details of units, habitable rooms and floor area for the Outline Element as the scheme evolves through Reserved Matters Applications. A **Housing Delivery Plan was secured by the s106 agreement** to be submitted with the Reserved Matters Applications (RMAs) for each phase, demonstrating how the outline elements would deliver the overall 35% affordable housing (by habitable room), allowing the council to track delivery.

13.28 As with the Detailed Element, this s73 Application proposes the Outline Elements (Phases 2 and 3) would provide 20% Affordable Housing by habitable room in line with the Time Limited Route. This would also be secured through the Housing Delivery Plan to be submitted and updated with the reserved matters applications (RMA) for each phase,

demonstrating that the outline elements will deliver the overall 20% affordable housing agreed by the applicant. The **DOV will update the provisions of the Housing Delivery Plan** accordingly.

- 13.29 The Outline elements of the s73 Application would include approximately 1,149 homes (the Approved Masterplan was around 1,188 homes) based on the maximum of 1,800 homes across the Masterplan. The number of homes has reduced because some of the residential floorspace from the outline has been relocated to the detailed phase 1, allowing for the early delivery of more homes. Of these, around 919 would be market homes, and around 230 would be affordable homes. The affordable homes would be split between 138 Social-affordable rent and 92 Intermediate Rent. The table below compares the illustrative numbers for the Outline phases for the Approved Masterplan and the s73 Application.

<b>Illustrative no. of homes</b>	<b>Approved Masterplan</b>	<b>Proposed s73</b>	<b>Difference</b>
<b>Total Homes</b>	<b>1,188</b>	<b>1,149</b>	<b>-39</b>
Total Market homes	810	919	+109
<b>Total Affordable Homes</b>	<b>378</b>	<b>230</b>	<b>-148</b>
Total Social-affordable rent homes	211	138	-73
Total Intermediate rent homes	167	92	-75

*Table 10 - Comparison of approved and proposed affordable housing (Illustrative for Outline - Phases 2 and 3)*

- 13.30 Given these phases are in outline, the above are illustrative numbers only and the final numbers of homes would be determined through the details in the RMAs. The applicant's commitment to delivering 20% is consistent with the Mayor's Emergency Measures and the Time Limited Route. The commitment to delivering 60% of the affordable housing at Social-affordable rent is also consistent with these measures and follows the guideline split in Local Plan Policy H4 and the preferred tenures in the Housing CPG. The applicant would provide the remaining 40% as Intermediate Rent under the outline phases, again aligning with the preferred tenures.

- 13.31 The Housing Delivery Plan, secured by the DOV to the s106 agreement, would be required with each of the RMAs. It would need to demonstrate the delivery of affordable housing and tenures in each RMA, and, cumulatively, across all plots that would have been completed at that time.

- 13.32 This would allow a full assessment of the dwelling mix and tenure within each RMA, taking account of the housing needs at that time rather than relying on the broad ranges and maximums provided in the Development Specification. It would also allow control over cumulative housing delivery across phases, taking into account what each development plot has already delivered in the masterplan.
- 13.33 In the event an RMA contains less than 20% of the Habitable Rooms or GIA as Affordable Housing, the Housing Delivery Plan would have to identify the locations within the Development that could deliver the remaining Affordable Housing to ensure the programme of affordable housing delivery for the application site is achieved.

***Review mechanisms***

- 13.34 Schemes following the time-limited planning route are subject to an Early-Stage review mechanism in the same manner as a scheme following the London Plan's Fast Track Route.
- 13.35 An Early-Stage review is used to ensure adequate progress is made on the development encouraging earlier housing delivery. The s106 agreement for the Approved Masterplan triggered an early-stage review where the construction of the ground floor slabs of the detailed elements (Phase 1) have not happened within 36 months from the date of permission being granted.
- 13.36 The Early-Stage Review would be updated and carried over in the DOV for this s73 application. The Support for Housebuilding LPG states these reviews should be triggered where a defined substantial implementation milestone has not been reached within 30 months starting from the granting of planning permission, or a period agreed with the LPA or the Mayor (for referable applications). When considering a different substantial implementation milestone, and a different time period for achieving this, the judgement should be appropriate to the circumstances of the site and reflect the imperative to incentivise starting construction and housing delivery.
- 13.37 Given the scale of the scheme and preparatory works, and the terms of the Approved Masterplan, it is proposed for the review to remain on similar terms to the existing s106 agreement. This means a review would also be triggered where all ground floor slabs in the detailed element are not completed within 36 months of the decision date (for the s73 application).
- 13.38 Other inputs to ensure a fair review, such as the Internal Rate of Return (the profit target) and the Benchmark Land Value (BLV) will be updated to current day values and these are being assessed by the council's independent viability advisor, BPS, as well as the GLA who will agree final changes prior to Stage II.

- 13.39 Early-Stage reviews are to be undertaken in accordance with Mayoral guidance. Where an Early-Stage review is triggered, and a surplus is identified through undertaking the review, 100 per cent of the surplus should be provided to the LPA.
- 13.40 Where a review identifies a sufficient surplus, this should be provided on-site prior to occupation of a specified proportion of market units. The applicant would be required to identify which homes will be provided as additional affordable accommodation with LPA for approval.
- 13.41 There is no requirement for Mid Stage or Late-Stage review mechanisms for schemes following the new time-limited route.

### **Conclusion**

- 13.42 The development plan aspirational target for affordable housing on schemes of this scale is 50%, but this is subject to viability. Where a scheme can deliver 35% affordable housing (by habitable room) or more, with an appropriate tenure split, it is not subject to a viability review under the London Plan fast-track route, and this is assumed to be the maximum viable amount of affordable housing in accordance with policy.
- 13.43 This s73 Application does not meet these, achieving 20% affordable housing (by habitable room) overall (and 21% (by habitable room) in the detailed element). It is therefore in conflict with the development plan policy in this regard.
- 13.44 However, decisions must be made in accordance with the development plan **unless material considerations indicate otherwise**. The Mayor's Support for Housebuilding LPG is a significant and up to date material consideration. This should be given significant weight, especially given the engagement of paragraph 11 of the NPPF which indicates the council's housing policies are out of date.
- 13.45 The application complies with the criteria and guidance set out in the LPG and has support from the GLA. It also complies with the thrust of policies set out in the NPPF. Given this, the conflict with CLP policy H4 and LP policy H5, insofar as providing less than 35% affordable housing, are outweighed by the scheme's compliance with the new guidance, the current economic conditions, and the need to accelerate housing delivery.

## **14. HOUSING MIX**

- 14.1 CLP policy H7 requires developments to include a mix of homes of different sizes. All developments should include some large homes (with 3 or more bedrooms) and some smaller homes, and should contribute to meeting the priorities set out in the Dwelling Size Priorities Table in this policy. Policy H7 also indicates that the Council will apply the priorities flexibly, having

regard to a range of criteria relating to the characteristics of the location and the development, including the particular viability characteristics of Build to Rent development.

- 14.2 The CLP supporting text in paragraphs 3.197 to 3.199 discusses the particular need for large homes in the borough. However, paragraph 3.201 recognises that the rigid application of dwelling size priorities can prejudice the financial viability of a development and will consider adjusting the mix of dwellings (particularly the mix of market dwellings) to achieve the maximum reasonable amount of affordable housing floorspace on the application site. The Dwelling Size Priorities Table ('DSPT') is reproduced below.

Tenure	1 bed or studio	2 bed	3 bed	4 bed +
Social-affordable rent	lower	high	high	medium
Intermediate	high	medium	lower	lower
Market	lower	high	high	lower

Table 11 - Camden Local Plan Policy H7 – Dwelling Size Priorities

- 14.3 The housing objective of the Neighbourhood Plan indicates that development should include a range of housing types, including housing suitable for families, older people and young people. NP policy 1 indicates that residential development should provide unit sizes suitable for families, including three and four-bedroom homes where appropriate.

**Mix of unit sizes – detailed proposals**

- 14.4 The proposed unit sizes for the detailed phase (Phase 1) are shown in the table below. The dark grey shows the high priorities, the light grey shows the medium priorities, and the white shows the lower priorities.

Tenure	Studio/1 bed(% of tenure)	2 bed (% of tenure)	3 bed (% of tenure)	Total (% of tenure)
Social-affordable rent	0 (0%)	22 (37%)	38 (63%)	<b>60 (100%)</b>
Intermediate rent	16 (40%)	16 (40%)	8 (20%)	<b>40 (100%)</b>
Market	241(44%)	265 (48%)	45 (8%)	<b>551 (100%)</b>

Table 12 - Proposed mix of housing by type and size - Detailed (Phase 1)

- 13.1. The unit mix for the Approved Masterplan is shown below for comparison. Again, the priorities are indicated by the shading.

Tenure	Studio/1 bed (% of tenure)	2 bed (% of tenure)	3 bed (% of tenure)	Total (% of tenure)
Social-affordable rent	14 (13%)	39 (36%)	54 (50%)	<b>107 (100%)</b>
Intermediate rent	37 (44%)	36 (42%)	12 (14%)	<b>85 (100%)</b>
Market	216 (52%)	184 (44%)	16 (4%)	<b>416 (100%)</b>

Table 13 - Approved mix of housing by type and size - Detailed (Phase 1)

14.5 The detailed proposals provide a range of unit sizes which broadly comply with the Dwelling Size Priorities of Policy H7, but taking account of the viability position as set out in paragraph 3.201 of the CPG.

14.6 There is an improved mix for social-affordable rent homes with 63% to be 3 bed (previously 50%). For Intermediate rent homes, there is an increase in the proportion of the lower priority 3 bed homes. However, the vast majority (80%) still remain as the high to medium priority 1 and 2 bed homes.

14.7 For the market homes, there is an improved shift towards the highest priority 2 and 3-bed homes, which together would now account for more than 50% of the proposed market housing.

14.8 Overall, the mix of dwelling sizes proposed in Phase 1 is considered to be acceptable and appropriate for the tenures. The higher proportion of two-bedroom homes is welcomed, as is the proposed 63% provision of three-bedroom flats for social affordable rent (a 15% increase on the Approved Masterplan). Despite Phase 1 being a Build to Rent development, across tenures 60% of homes would have two or more bedrooms, providing suitable homes for families, and contributing to the delivery of a mixed, inclusive and sustainable community.

**Mix of unit sizes – outline proposals**

14.9 The final mix for the Outline phases is not determined and will be based on the detail in the RMAs. The ranges are set in the Development Specification, and this is not proposed to change. This will allow an appropriate mix to be negotiated at the appropriate time and respond to changing demands.

14.10 An illustrative mix for the outline was produced to support the EIA, and this is shown below. As before, the priorities are indicated by the shading.

Tenure	Studio/1bed (priority)	2 bedroom (priority)	3 bedroom (priority)
Social affordable rent %	24% (lower)	30% (high)	46% (high)

Intermediate rent %	36% (high)	47% (medium)	17% (lower)
Market %	49% (lower)	47% (high)	4% (high)

Table 14 - Illustrative housing mix for Outline Element (Phases 2 and 3)

14.11 As indicated by the illustrative mix, the Outline proposals would continue to provide a range of unit sizes that are consistent with the Phase 1 proposals and broadly compliant with the Dwelling Size Priorities of Policy H7.

14.12 Based on the illustrative proposals, across tenures, more than 55% of homes would have two or more bedrooms (suitable for families), whilst 46% of social-affordable rented homes would have three bedrooms. Although the illustrative mix is generally acceptable, there are some shortcomings relative to current Camden policy, including overprovision of one-bedroom homes, the absence of four-bedroom homes in the social-affordable rented tenure, and overprovision of three-bedroom homes in the intermediate tenure.

14.13 Whilst officers could have sought to negotiate amendments to the illustrative mix at this stage it was not considered necessary. Given the long build-out time of the scheme, it is possible that needs and priorities may well have changed before the reserved matters come forward. Indeed, the DCLP, proposes a move from low to high priority for 1-bed market homes which is better reflected in the proposed housing mix.

Table 9 | Dwelling Size Priorities

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Low-cost rented	lower	medium	high	medium
Intermediate affordable	high	medium	lower	lower
Market	high	medium	high	lower

Table 15 - Dwelling size Priorities (Table 9) from the DCLP

14.14 Officers would negotiate with the applicants in the context of reserved matters applications for each outline phase to secure a mix that is appropriate to the particular type of housing proposed, having regard to the development specification, the planning policies, and the need applying at the time. The **Housing Delivery Plan secured by the s106 agreement**, and to be submitted as part of each reserved matters application, will set out the proposed housing mix.

**Conclusion**

14.15 Overall, the housing mix provides a range of types across tenures, generally targeting the highest priority needs. The mix in the detailed element is improved with higher priority homes in each tenure generally

seeing an increase in the proportion of homes. The outlines elements, whilst also reflecting the development priorities, allows a flexible approach within ranges which can respond to future demand. The general overall mix, when considering the Detailed and Outline elements together, will remain broadly consistent with the development plan and the Approved Masterplan, and would not have significantly different impacts. As such, the dwelling mix complies with the development plan.

## **15. QUALITY OF PROPOSED HOUSING**

15.1 This section assesses the quality of the residential accommodation, which is proposed in the detailed Phase 1, looking at the proposed amendments between the detailed phase of the Approved Masterplan and the detailed phase of this S73 application. As there are no changes proposed to the approved parameters of the outline phases (just the reduction in residential floorspace allocation) it is not necessary to consider the quality of the housing in the later phases here, that will be assessed in detail as part of future reserved matters applications.

### ***Policy context***

15.2 CLP policy H6 is about housing choice and mix, and it aims to minimise social polarisation and create mixed, inclusive, and sustainable communities, by seeking high quality accessible homes and a variety of housing suitable for Camden's existing and future households.

15.3 In line with LP policy D6 and CLP policies H6 and D1, housing should be high quality and provide adequately sized homes and rooms and maximise the provision of dual aspect dwellings. CLP policy A2 encourages opportunities to provide private amenity space which is reflected in LP policy D6. CLP policy A1 seeks to protect occupiers' amenity across a range of factors, including privacy, outlook, light, and noise. CLP policy A4 says suitable noise and vibration measures should be incorporated in new noise sensitive development.

15.4 LP policy D5 says development should provide the highest standard of accessible and inclusive design, which allows them to be to be used safely, easily and with dignity by all, also reflected in CLP policies D1, H6, and C6.

15.5 The Support for Housebuilding LPG acknowledges the need for a more flexible approach to some housing design standards, notably dual aspect homes and cycle parking. It withdraws standard C4.1 which required new home to be dual aspect unless circumstances made it impractical or undesirable. Policy D6 continues to apply but the guidance says when applying the policy flexibility should be given to the provision of dual and single aspect dwellings by decision makers. The more flexible approach

means single aspect homes can be proposed where they will have adequate lighting, privacy, and ventilation, avoiding overheating.

**Detailed Elements (Phase 1)**

Design and layout – Detailed

15.6 Part of the design-led approach to delivering adequate high-density housing is about ensuring the development does not compromise the size and layouts of units, ensuring high-quality homes across the scheme. The CLP policy H6 confirms that new residential development should conform to the Nationally Described Space Standards, also reflected in LP policy D6, which sets the same minimum space standards in Table 3.1 of the London Plan 2021. The relevant excerpt from the table is reproduced below.

Type of dwelling		Minimum gross internal floor areas* and storage (square metres)			
Number of bedrooms (b)	Number of bed spaces (persons(p))	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *	N/A	N/A	1
	2p	50	58	N/A	1.5
2b	3p	61	70	N/A	2
	4p	70	79	N/A	2
3b	4p	74	84	90	2.5
	5p	86	93	99	2.5
	6p	95	102	108	2.5

Table 16 - Minimum internal space standards (London Plan Table 3.1, Policy D6)

15.7 All the residential units in the detailed phase 1 of this S73 application meet or exceed the minimum standards. The new units would have good ceiling-to-floor heights (around 2.5 metres). They are well laid out with a simple and rational plan form. All flats have a balcony and access to private communal amenity space.

15.8 The units all have their own secure front door, with the duplex units having a front door that leads to the street. Residential cores serve flats with two staircases and two lifts. The cores provide access to secure lobbies leading to the street and the private communal amenity space on the podium levels. Communal internal amenity spaces are also provided for each block allowing shared space for residents which can be used flexibly.

Noise and vibration – Detailed

15.9 The blocks, although predominantly residential, are mixed-use with commercial uses, community uses, and shared workspaces on the ground

floor levels. The lower levels also contain plant, refuse, and cycle parking. The separation between residential and non-residential uses within each block will be subject to a condition requiring sound insulation of at least 10dB above the usual Building Regulations requirements (condition M14).

- 15.10 Internal sound insulation at least 5dB above the Building Regulations requirements will also be required for any walls ceilings or floors that separate different types of rooms or uses in adjoining dwellings (condition M13). For example, this would be required where a living room and kitchen may be stacked above a bedroom of a separate dwelling.
- 15.11 Noise from plant within and on top of buildings would also be conditioned in terms of noise levels, and there would be a requirement for anti-vibration mounts (conditions M8 and M10). There is also a condition to protect future residential occupiers from external traffic noise sources (the roads and the railways) by requiring details of noise mitigation/insulation and protection against vibration from the railway lines (conditions M11 and M12).
- 15.12 The dwellings will be constructed to a high standard that would ensure that the occupiers are not unduly impacted by noise from inside the block, or outside the block.

#### Dual aspect units – Detailed

- 15.13 Notwithstanding the flexibility offered in new GLA guidance regarding dual aspect homes, opportunities to provide dual aspect units in this S73 application have been maximised whilst balancing other benefits across the Detailed Element and protection of privacy between buildings. This has resulted in a 2% reduction from 55.7% to 53.7% in dual aspect units compared to the Approved Masterplan.
- 15.14 The typical floorplan of the planning-approved design for building N4D contained only 4 apartments, each in a corner of the building. This resulted in a high number of dual aspect apartments for this building and in the affordable tenure. When reviewing the removal of building N4D, the loss of these dual aspect apartments was carefully considered. The total number of dual aspect homes in SAR tenure has decreased marginally from 88.7% to 86.6% (-1.1%). However, the overall provision of dual aspect in the Affordable homes has increased by 6% (11.8% rise in intermediate).
- 15.15 Whilst the overall quantum of the dual aspect units has decreased, the quality of the retained units is considered by officers to be superior to the Approved Masterplan. The removal of Block N4D has provided a much improved outlook for a significant number of homes within Plot N4, the majority of which are affordable. There are also similar improvements for occupiers of Plot N5.

15.16 The comparison of consented and proposed homes below shows the improved outlook for a large number of affordable homes across N4. The improvement in outlook at typical lower floors has been achieved by increasing the gaps between buildings, resulting from the removal of building N4D. This provides podium facing residents with a longer view range and improved privacy from their homes.



Figure 13 - Approved top and proposed bottom with green indicating a very high good quality outlook, orange being a good quality outlook and red constrained outlook

15.17 Most homes (57%) would be dual aspect. All forms of tenure include dual-aspect apartments, with 86% of the social affordable rented homes being dual-aspect. The overall plan form optimises opportunities for dual aspect apartments while maintaining the courtyard block vernacular. Building corners maximise dual aspect apartments. Typically, homes with two bedrooms or more are located at corners to ensure dual aspect, benefit from views and good daylight levels. Where possible, cores and communal access corridors include windows to maximise natural light and ventilation. The plan below shows the layout and tenures.

Dual Aspect: Proposed

Ground Floor



Typical Lower Floor (L2 Plan)



Typical Upper Floor (L12 Plan)



Figure 14 - Typical floorplan – blue (N4C/D) is SAR and orange (N4A) is Intermediate Rent. Green is market housing.

- 15.18 All three-bed homes are dual aspect, the majority of two-bed homes are dual aspect, with the only exceptions being ground-floor duplex units. However, these exceed the space standards and feature bay windows that provide views in different directions.
- 15.19 The majority of the single aspect homes in this S73 application are 1-bed private homes with a view over either a public open space or open courtyard. There are no north-facing single aspect units apart from those in block N3E. However, the characteristic projecting bay on these units still

allows an east or west outlook from the sides of the bay, as well as a view out to the north.

- 15.20 A concern with single aspect units is the potential for overheating. An overheating analysis has been conducted to assess the risk of overheating in hotter weather and to ensure resilience to climate change. Projecting balconies on the south side and more open elevations provide external shading to reduce the risk of overheating. In addition, secure night-time ventilation and air tempering provide additional ventilation. Following updates to the layouts, the GLA have confirmed that it meets the requirements for overheating analysis.

#### Daylight and sunlight – Detailed

- 15.21 The internal daylight/sunlight report applies the relevant BRE guidelines to the proposed units in the detailed phase 1, where the unit and plot designs and layouts are known.
- 15.22 Paragraph 125 of the NPPF supports making efficient use of land and states that authorities should take a flexible approach to applying policies or guidance relating to daylight/sunlight where they would otherwise inhibit efficient use of a site, provided the resulting scheme would deliver acceptable living standards.
- 15.23 The approved scheme was designed in accordance with the previous BRE guidelines (2011) and based on the Average Daylight Factor (ADF) methodology, which was relevant at the time of the submission. Climate-Based Daylight Modelling (CBDM) methodology has since replaced the ADF methodology. The new methodology is a more complex simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context.
- 15.24 The new CBDM methodology is based on the British Standard 'Daylight in Buildings' (BS EN17037). The CBDM methodology is based on target illuminances from daylight. The calculations are based on localised weather data.
- 15.25 The British Standard contains advice and guidance on interior daylighting for all buildings across Europe and also includes a UK National Annex that provides suggested targets for dwellings in the UK. The UK Annex recommends illuminance levels of 100 Lux in bedrooms, 150 Lux in living rooms, and 200 Lux in kitchens. These are median illuminances to be achieved over 50% of the assessment grid for at least half of the daylight hours. However, it also says that a 150 Lux target for a living room could apply to a combined living/kitchen/dining room.
- 15.26 An assessment of light to the homes in the detailed phase 1 has been undertaken taking account of the whole development in place, so assuming

the full extent of parameter plans for the Outline Elements, which therefore represent the worst-case scenario. Daylight and sunlight have been assessed for blocks N3E, N4, and N5. A total of 1646 rooms have been analysed: 154 in Block N3E, 749 in Block N4, and 743 in Block N5.

- 15.27 Detailed assessments cannot not be carried out on the Outline Elements because the design details, such as the size/shape of the rooms and the amount of glazing, are unknown at this time, but would be done as part of later reserved matters submissions.
- 15.28 The CBDM calculations for the Detailed Element in this S73 application indicate that 73% of the proposed habitable rooms will meet the suggested daylight standards. When a target of 150 Lux for combined kitchen elements is considered (there are no separate kitchens), the results show that 76% will meet the BRE guidelines criteria. These results are an improvement over the Approved Masterplan, in which 61% of all proposed habitable rooms met the BRE criteria, and 64% met the 150 Lux target. So comparing the approved and proposed schemes using the same and current methodology the S73 application performs better.
- 15.29 It should also be noted that results of the old ADF assessments (now superseded) show a much higher compliance rate, with around 87% of all habitable rooms assessed receiving good levels of daylight for an urban area.
- 15.30 Sunlight Exposure measures sunlight. BRE guidance suggests a habitable room (preferably the main living space) should receive at least 1.5 hours of sunlight on 21 March. This is assessed at the inside centre of the window. Sunlight received by different windows can be added up for a room provided they occur at different times and sunlight hours are not double counted. The sunlight results are similar to the daylight results, with 71% of the primary rooms that include a living room element (Living/Kitchen/Dining, Living/Dining, and Studio Flats) receiving a good level of sunlight in accordance with the BRE guidelines.
- 15.31 The previous results were 65% per the updated 2022 ES Chapter, which included a sunlight exposure test (meeting the 1.5 hours of sunlight criterion). This is considered a good level of compliance and is notably improved from the Approved Masterplan.
- 15.32 Overall, the development appears to provide a satisfactory level of adherence to daylight guidelines for a dense housing development. The rooms that do not satisfy the recommended targets are generally those located on lower floor levels or those in the corners of the building within the courtyards where there are higher levels of obstruction or those that have windows beneath balconies which have a more limited view of sky.



- 15.37 The proposed 2-hour 'Sun on Ground' of the public amenity spaces and the residential gardens surrounding the scheme were assessed for 21 March. When comparing the results with the Approved Masterplan, three areas within the Detailed Element (D1, D2, and D4) will receive higher levels of direct sunlight as a result of the proposed amendments to the scheme, improving the overall result by 2% to 33% compared with the Approved Masterplan. All main spaces in the Detailed Element (D1 to D4) will meet the BRE recommendations.
- 15.38 The map above shows in grey those areas that would receive less than two hours of sunlight on 21 March. Only T4 and T7 would fall short of the recommended 50% target, by only 3% and 9%, respectively. In terms of these areas' roles in the wider public space strategy, they are to function more as connecting streets or commercial civic spaces, and will therefore be more transient in character. All amenity spaces will meet the BRE-recommended criteria on 21st June, when amenity spaces are usually enjoyed. The level of compliance on 21 June is very high, with all amenity spaces receiving direct sunlight across almost 100% of their area.
- 15.39 The public realm has been designed with the overshadowing study in mind and the character of different areas has responded accordingly with those areas of less sunlight comprising more hard landscaping and fewer play facilities and seating compared to that found in more well-lit amenity areas. The provision of shading for play space would be agreed via condition and through final landscaping details.
- 15.40 The levels of sunlight experienced in the overshadowed areas would be hard to improve without a substantial reduction in the height of the adjacent blocks which would reduce the number of homes and affordable homes which could be delivered, and given the nature of those spaces, would not add proportionate amenity value to the scheme when considered on balance.

#### Outlook and privacy – Detailed

- 15.41 Many of the dwellings have excellent outlook, with open views across public spaces, private podiums, or the railway land. Within the courtyard blocks, separation distances of more than 18m mean that outlook and privacy are still good, particularly in the open south-facing parts of the block.
- 15.42 Removing building N4D reduces the number of dual-aspect apartments, but many of these apartments had limited outlook. Removing block N4D also improves the outlook of the remaining apartments by opening up views across the masterplan.
- 15.43 The layout below shows the approved (top) and proposed (bottom) outlook from a typical lower level. Red indicates a poorer-quality outlook, orange a

medium-quality outlook, and green a good-quality outlook. There are now more green outlooks.

Approved - Residential outlook from typical lower level



Proposed - Residential outlook from typical lower level

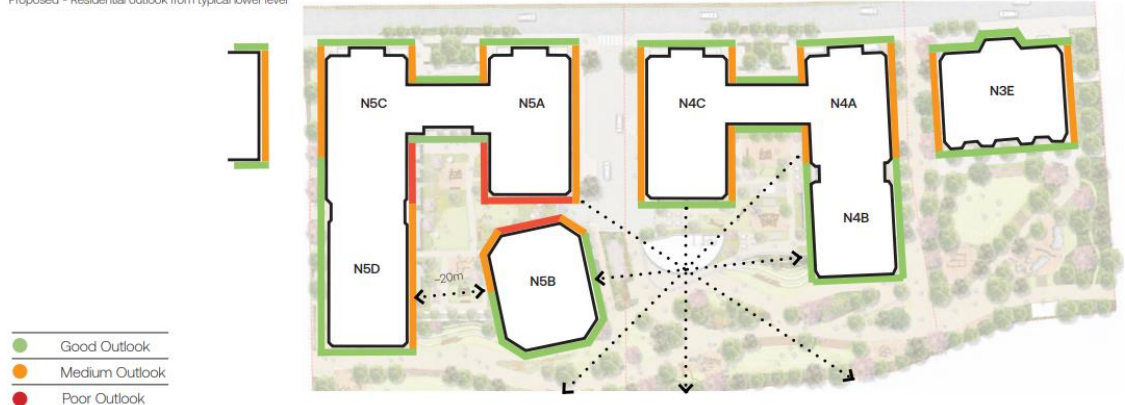


Figure 16 - Comparison of outlook between Approved Masterplan and s73 Application

- 15.44 There are some smaller separation distances, for example, between N3E and N4 (14m building-to-building), and between N5 and outline plot N6 (9.6m to the parameter line).
- 15.45 The impact is mitigated by offsetting windows and balconies so none are directly facing one another, and also by having an open space to the south - the Central Square and Community Green in these instances. The tighter relationship between N5B and the N4 pavilion block is mitigated by the pavilion's commercial use and low height. The plan below shows the key separation distances for Phase 1.

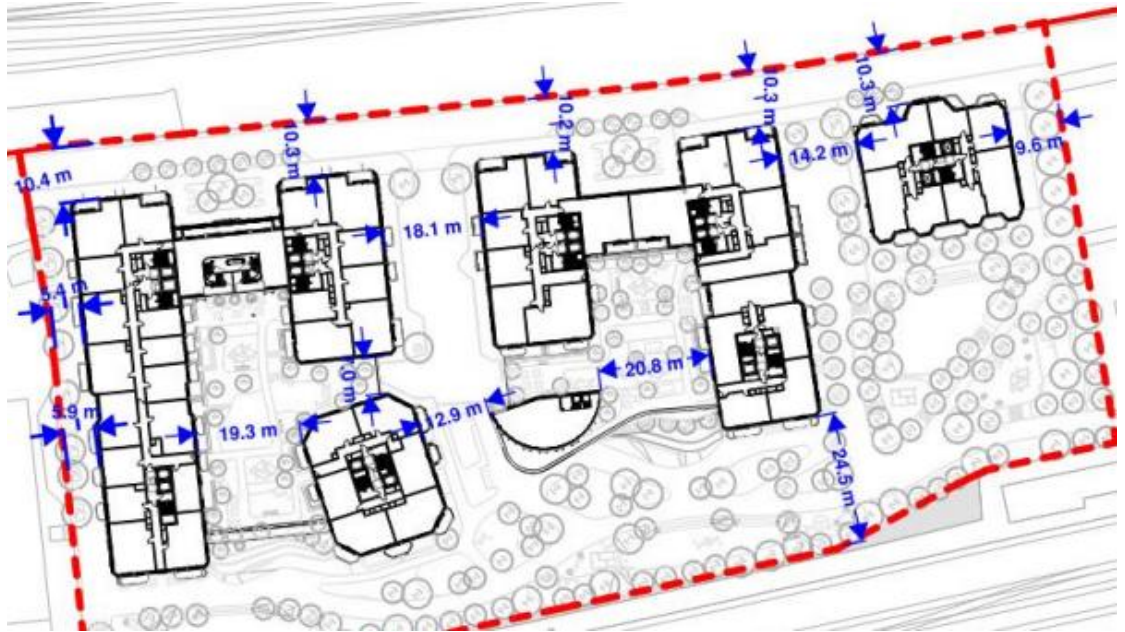


Figure 17- Separation distances on Phase 1 (detailed)

- 15.46 For the units along the wings with smaller separation distances, the outlook is further improved by projecting balconies, which provide a wider view from the private amenity space. The use of partial insets also creates shelter and a sense of privacy.
- 15.47 There are close relationships between some external balconies within blocks, for example, in block N3E. However, these are being managed through the use of insets, canted bays, balustrade detailing and where appropriate, screening between adjoining balconies, as was the case with the Approved Masterplan. The final details, including the materiality of all balconies and screening across phase 1, will be secured by condition D1.
- 15.48 The tightest relationships in terms of separation distance are between N5A and N5B. The plan below shows the relationship and separation distances on block N5.

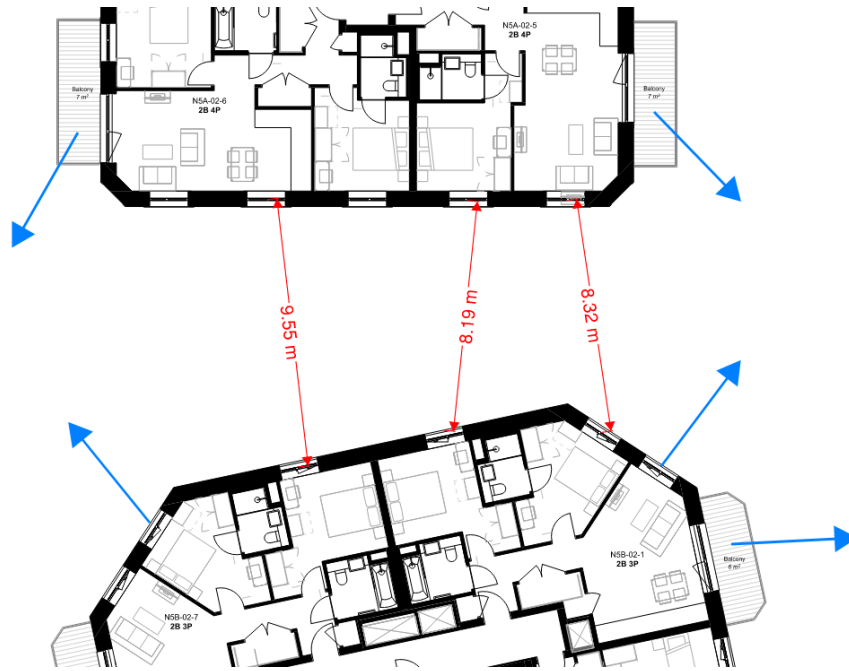


Figure 18 - Separation between N5A(top) and N4B (bottom)

- 15.49 Although these distances are under 10m, similar separation distances between different parts of a residential block can be seen in other growth areas, for example, in Kings Cross. These can be successfully managed if the relationships are carefully designed from the start. In the image above, the red dimensions show the separation distances being around 8m to 10m at their narrowest.
- 15.50 Canted corners have been introduced under the design changes and windows have been offset to prevent direct facing windows. This is an improvement over the Approved Masterplan. In addition, the units are dual-aspect corner units designed to have the primary outlook (denoted by the dark blue arrows) facing either from a corner balcony or canted corner at an angle, or straight out into open spaces. The courtyard has a much more generous separation distance of around 19-20m.
- 15.51 These design measures mean that a reasonable sense of outlook and privacy can be maintained, even in a denser environment.

#### External amenity space – Detailed

- 15.52 Within the Detailed Element (Phase 1), the private podium gardens equate to 1,599 sqm (including play space). There is further private open space at roof level of 543 sqm. The total private open space and play space within the Detailed Element (Phase 1) amounts to 2,142 sqm.
- 15.53 All the blocks have private communal roof terraces (apart from N3E), with communal private terraces on the podiums at lower level. Each block's communal terraces are accessible to all occupiers of the block, regardless

of tenure. This s73 Application also features significant public open space, with the Central Square, the middle section of the linear park, and the spaces between blocks delivered in Phase 1.

- 15.54 Informal and formal play space is proposed within these areas, as well as in the private communal amenity space on the podiums. Conditions require detailed landscape plans for each phase and plot. Further detail is provided in the 'Landscape and open space' section.
- 15.55 In addition to the communal private space, each flat has a balcony. In the corner units, the balconies have views in two or more directions. This also provides interesting architectural features to the facades. There is a mix of recessed and projecting balconies, arranged to maximise privacy and also a sense of openness by offering a wider outlook.
- 15.56 CLP policy A2 states that developments should seek opportunities for providing private amenity space, and LP policy D6 says that 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 15.57 The balconies range from 5 sqm to 8 sqm, depending on the unit size, and have a good depth and width of 1.5m or more, with all units meeting the LP policy requirements. In addition, the podium gardens and roof terraces provide additional private amenity space, albeit communal.
- 15.58 Overall, the provision of amenity space, both private and publicly accessible, complies with policy and would result in a high-quality development and provision for future occupiers.

#### Accessible units – Detailed

- 15.59 The flats have been designed to a high standard of accessibility and inclusivity, and CLP policy H6 requires 90% of new-build homes to comply with M4(2) (accessible and adaptable dwellings) and 10% of new-build homes to comply with M4(3) (wheelchair units).
- 15.60 The proposed units have been designed to accommodate 10% as M4(3) of the Building Regulations, with the remaining 90% meeting M4(2). The M4(3) standard refers collectively to "Wheelchair User Dwellings". This includes Wheelchair Adaptable Dwellings under M4(3)(2)(a) (ones which can be easily adapted for a wheelchair user), and Wheelchair Accessible Dwellings under M4(3)(2)(b) (ones which are fully adapted for a wheelchair user when constructed). Wheelchair-Accessible Dwellings are required in the SAR tenure, where the council will make nominations.
- 15.61 There are 66 wheelchair dwellings across Phase 1, which exceeds the 10% target and is an increase of 5 over the Approved Masterplan.

15.62 There are 8 wheelchair Adaptable M4(3)(2)(a) homes in the Intermediate Rent and 42 in market tenures.

15.63 All 16 wheelchair homes in the Social-affordable Rent tenure will be fully adapted Wheelchair Accessible Dwellings (M4(3)b) consisting of 8 x 2-beds and 8 x 3-beds. The table below shows a comparison of the Approved Masterplan and this s73 Application.

WCA mix for (M4(3)a & M3(3)b units: Approved						WCA mix for (M4(3)a & M3(3)b units: Revised S73 2026							
Tenure	Market Rent		Intm Rent		Low Cost Rent	Total	Tenure	Market Rent		Intm Rent		Low Cost Rent	Total
Studio	6	14%	0	0%	0	6	Studio	0	0%	0	0%	0	0
1 bed	14	33%	0	0%	6	20	1 bed	0	0%	8	100%	0	0
2 bed	23	53%	0	0%	0	23	2 bed	42	100%	0	0%	8	59
3 bed	0	0%	0	0%	12	12	3 bed	0	0%	0	0%	8	8
Total	43		0		18	61	Total	42		8		16	66
							Difference	-1		+8		-2	+5

Table 17 - Comparison of Approved and Proposed wheelchair units

15.64 There are high proportions of wheelchair homes in the affordable and fewer in the market homes, as need tends to be greater in affordable tenures. The number of accessible homes delivered by the scheme would have a notable positive impact on disabled residents (disability being a protected characteristic – see the note at the front of the committee pack on the Public Sector Equality Duty).

15.65 Previously under the Approved Masterplan, some of the Wheelchair Accessible Dwellings were located on upper floors (above floor 8). The provision of two stairs and two lifts (which can be used for firefighting and evacuation) ensured that safe and dignified evacuation from the building is possible. Although Wheelchair User Dwellings are manageable on upper floors, especially with two-staircase and evacuation lift cores and a Fire and Evacuation Strategy, the preferred option is to have them lower down the building.

15.66 The amendments under this s73 Application move these to lower floors which is preferred, although the double lift and stair cores remain but with improved design. The Fire Strategy (secured by condition D26) would have to take into account any current or new standards (such as new Building Regulations – see ‘Fire safety’ section). It will include requirements for managing assisted evacuation within the building, including operating the evacuation lifts.

15.67 There are 21 Blue Badge holder accessible parking spaces to be provided with 17 under the podiums of blocks N4 and N5, and 4 in the street between the blocks, providing parking for those across all three blocks in Phase 1. This is in line with policy requirements and represents an increase of three spaces compared to the Approved Masterplan.

### ***Conclusion***

- 15.68 The proposed flats are considered acceptable in terms of aspect, outlook, noise, light, and amenity space and would provide an acceptable level of amenity. They would provide accessible flats for all, including a significant provision of wheelchair units, allowing the buildings to house an inclusive community that can use them safely, easily and with dignity. Many of the design changes make notable improvements to outlook, light, and accessibility over the Approved Masterplan, and the quality of accommodation would comply with the development plan.

## **16. HERITAGE**

### ***Policy and legislation***

- 16.1 The design and heritage policies set out in the CLP (Policy D1 and D2), NP (Policy 3) and LP (Policy HC1) are relevant to the consideration of design. They seek high quality design that avoids harm to heritage assets. LP Policy D9 is also relevant as that deals specifically with tall buildings, where they should be located and considering their impacts. Conservation Area appraisals in respect of neighbouring conservation areas are also a material consideration.
- 16.2 The site falls within the background of a Protected Vista (5A.2), from Greenwich Park, near the General Wolfe Statue, looking towards the Grade I Listed St Paul's Cathedral. It is within the extension of the Wider Setting Consultation Area (WSCA) forming part of the distant backdrop.
- 16.3 This means taller buildings can have an impact on heritage assets and townscape from further afield, as well as within the Borough. LP policies HC3 and HC4 refer to the importance of views and state that development should preserve and, where possible, enhance a viewer's ability to recognise and appreciate Strategically Important Landmarks in these views.
- 16.4 The development plan, guidance, and the NPPF make clear that conservation and heritage are important factors that should be given considerable weight in decision making. All note the importance of character and appearance, and so officers have given great weight to these considerations.
- 16.5 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard must be given to the preservation of a listed building, its setting or its features of special architectural or historic interest. Section 72 of the same Act sets out that special regard must be given to preserving or enhancing the character and appearance of a conservation area.

16.6 Paragraph 212 of the NPPF states:

*212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

16.7 Any harm arising should be mitigated as far as possible, for example, through the design and approach of the scheme. Considerable weight and importance must be given to any harm to designated heritage assets, and any harm identified should be outweighed in the balance by considerable public benefits.

16.8 Paragraph 215 of the NPPF states:

*215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

16.9 There are also non-designated heritage assets in the surrounding area and these most notably include locally listed buildings, as well as buildings that make a positive contribution to conservation areas.

16.10 Any harm to non-designated heritage asset is a matter of balanced judgement as set out in paragraph 216 of the NPPF:

*216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

16.11 The development plan focuses on the potential impact of new development on the historic built environment, but also the impact on archaeological remains which may often be unidentified but discovered in the future.

***Designated and non-designated heritage assets***

16.12 The site is not in a conservation area, and there are no listed buildings, or locally listed buildings within it. There are several designated heritage assets in the surrounding area consisting of conservation areas and listed buildings. The site also falls within the background of a Protected Vista (5A.2) as noted above.

### Conservation areas

- 16.13 The map below shows the key conservation areas around the site. The red dotted line shows a 500m zone from the site boundary.

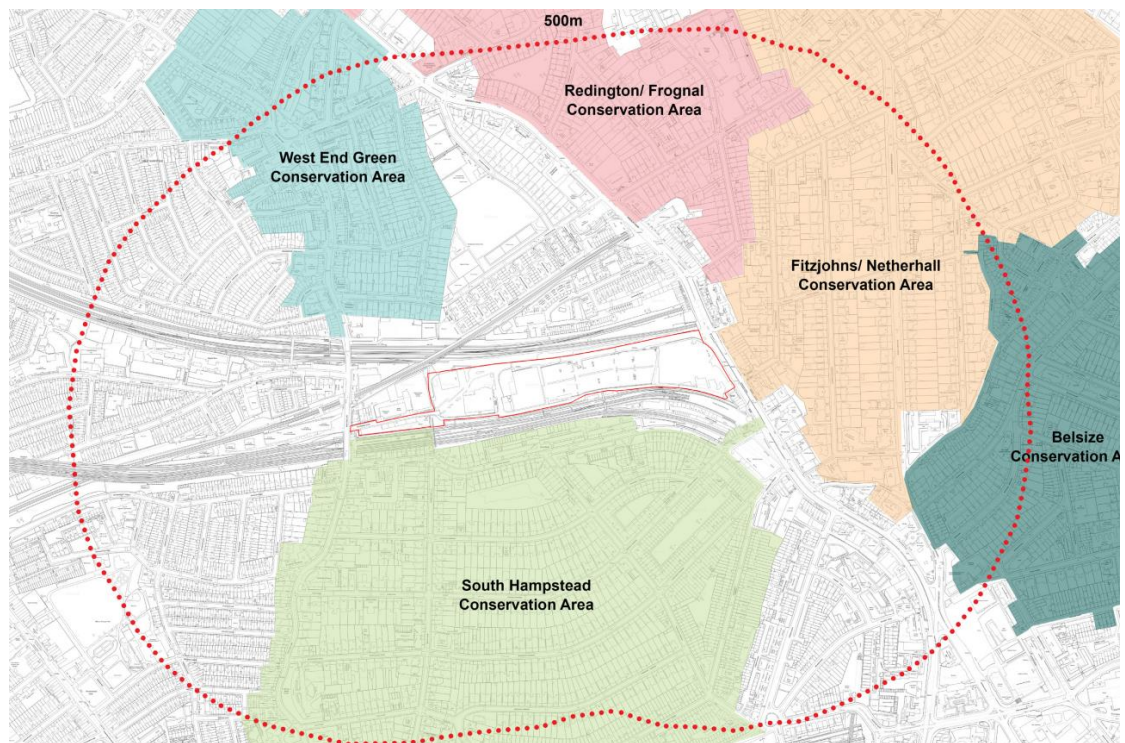


Figure 19 Conservation Areas around the site

- 16.14 Hampstead Conservation Area is far away and visually detached from the site so there is no impact, and this is not shown on the map. South Hampstead Conservation Area to the south of the site, and Fitzjohns Netherhall Conservation Area to the east, are the two closest to the site. West End Green and Redington Froggnal Conservation areas are further to the north, and Belsize Conservation Area to the southeast.
- 16.15 The potential impact of the development on these conservation areas is on their setting, largely impacting on views from within the conservation areas in a way which alters their relationship to the surrounding context.
- 16.16 The settings of the conservation areas make a limited contribution to the significance of the conservation areas by providing a suburban backdrop. However, their setting emphasises their suburban character which, at the moment, appears self-contained with little external encroachment from larger buildings in their setting.

### Listed buildings

- 16.17 There are a number of listed buildings within 500m of the site which were identified by officers and identified within the heritage assessment. The image below shows a cropped map of the surrounding area with listed buildings identified.



Figure 20 - Listed buildings around the site

- 16.18 The relationship to the site and the topography of the land means the development will largely have no impact on the setting of the surrounding listed buildings, as was the case with the Approved Masterplan.

Locally listed buildings

- 16.19 There are also some locally listed buildings nearby which are not designated heritage assets. Due to the relationship to the site and topography of the land, the development will largely have no impact on their setting or surroundings.

**Summary of impacts**

- 16.20 Until reserved matters applications come forward for the plots, the true extent of the impact of the outline plots, alongside the detailed phase, and cumulatively across the scheme, cannot be easily assessed. For example, mitigation through reduced heights and massing within the parameter plans, or architectural detailing, cannot be built into the assessment. Therefore the largest potential impact has generally been assumed by considering the impact if the scheme was built out to the maximum parameters with some roof articulation and setbacks for plant assumed (as required by the design codes).
- 16.21 For the Approved Masterplan, officers identified less than substantial harm to four conservation areas. This ranged from the very low end to the low end of the scale (the scale officers use is very low, low, medium, high, very high).

- 16.22 The conservation areas are generally suburban in character with large detached and semi-detached buildings lining green and leafy streets. Views in and out of the Conservation Areas largely support this character, with neighbouring streets having a similar scale and character to those within each conservation area. The Approved Masterplan introduced a more urban character to views with a contrasting vernacular of high-density buildings changing the setting of several conservation areas. This resulted in less than substantial harm because it provided a denser and more urban backdrop, at odds with the wider suburban character of the conservation areas. However, the harm to significance was limited to certain areas and views which put the harm at the lower ends of the scale.
- 16.23 Officers also identified a small amount of harm to a group of locally listed buildings, but no harm to significance of any listed buildings.
- 16.24 This s73 Application does not amend the parameter plans for the outline elements and so the impacts to setting of heritage assets that arose from those outline plots does not change as a result of the amendments.
- 16.25 However, where the impacts predominantly arose from the detailed elements in Phase 1, the proposed increase in height, design changes and materiality which form part of this S73 application could result in changes to the impact on the setting of heritage assets.
- 16.26 The following table summarises the heritage impacts and compares the Approved Masterplan to the proposed s73 Application.

<b>Asset</b>	<b>Designation</b>	<b>Level of harm (Approved Masterplan)</b>	<b>Level of harm (s73 Application)</b>
<b>South Hampstead</b>	<b>Conservation Area</b>	<b>Less than substantial – Low level</b>	<b>Less than substantial – Medium level</b>
Fitzjohns Netherhall	Conservation Area	Less than substantial – Low level	Less than substantial – Low level
West End Green	Conservation Area	Less than substantial – Very low level	Less than substantial – Very low level
Redington Frogna	Conservation Area	Less than substantial – Very low level	Less than substantial – Very low level
Belsize	Conservation Area	No harm	No harm
Presbyterian Church of St Andrew	Grade II Listed	No harm	No harm
28 Arkwright Road	Grade II Listed	No harm	No harm

British College of Naturopathy and Osteopathy	Grade II Listed	No harm	No harm
227 to 239 Finchley Road	Locally listed	Harm - Low level	Harm - Low level
289 to 315 and 164 to 200 Finchley Road	Locally listed	No harm	No harm
St John's Court 195-199 Finchley Road	Locally listed	No harm	No harm
LVMF 5A.2 Greenwich Park: General Wolfe Statue – towards St Paul's	Wider Setting Consultation Area (backdrop)	No harm	No harm

*Table 18 - Summary of heritage impacts*

- 16.27 The assessment of the Approved Masterplan is summarised in more detail in the [Approved Masterplan committee report](#). Whilst there are some differences in impacts to individual views compared to the Approved Masterplan – some improvements and some regressions – these do not generally alter the overall impact on significance of an asset.
- 16.28 The only material change identified is in relation to South Hampstead Conservation Area, highlighted in the table above. The level of harm to the significance of this conservation area, whilst still less than substantial, has slightly increased due to greater prominence in some views, tipping the level of harm from low into medium.
- 16.29 The amendments do not change the level of harm to significance of any other conservation areas, or to the significance of listed buildings.
- 16.30 The only impact on locally listed buildings from the Approved Masterplan was from Outline Phase 3 plots, and this has not changed under this s73 Application. As such the amendments do not change to the impact on locally listed buildings.

### ***Impact on Conservation Areas***

#### **South Hampstead Conservation Area – less than substantial harm**

- 16.31 The level of harm has increased marginally, from a low level to a medium level of less than substantial harm.
- 16.32 The conservation area lies to the south of the site. Its significance stems from its suburban streets lined with large, semi-detached and terraced late-Victorian properties, in red or gault (white / cream) brick, with a particularly distinctive and attractive roofscape including turrets, gables, and tall

chimneys. It has streets rich with vegetation. Its significance is primarily as a high-quality Victorian London suburb.

- 16.33 The impact of the development will be most intensely felt from Broadhurst Gardens which runs east and westwards, and West End Lane, Priory Road and Fairhazel Gardens which all run on a north and south axis.
- 16.34 There are locations in the conservation area, where the development is barely visible, with little notable impact on the character of the conservation area. The amendments do not alter this relationship and preserve the character and appearance of the conservation area.
- 16.35 There are views where the development is more noticeable like from the junction of Junction of Fairhazel Gardens and Goldhurst Terrace, shown in View 14 below. This view is altered further by the amendments as the buildings rise higher and become more prominent towards the end of the street. The buildings are more visible above some of the rooftops but the use of red brick helps to lessen additional impact. The domed turrets at the intersection of traversing streets are not affected by the increased building heights.



*Figure 21 - View 14 from junction of Fairhazel Gardens and Goldhurst Terrace (Approved Masterplan)*



*Figure 22 - View 14 from junction of Fairhazel Gardens and Goldhurst Terrace (s73 Application)*

- 16.36 Far more impacted views from the conservation area are along Broadhurst Gardens. Broadhurst Gardens is to the north of the conservation area and to the south of the site, on the other side of the railway line. The south of the street is characterised by large detached and semi-detached red brick buildings that are largely residential.
- 16.37 The north side of the street is characterised by a boundary of trees separating the railway from Broadhurst Gardens. There are also buildings along the north side of Broadhurst Gardens, apart from at the eastern end, which would obscure many views northwards. View 11 is shown below with the full extent parameters.
- 16.38 It is evident that the development would be highly visible in this view, particularly phase 3 outline blocks, even if the detailed designs for the plots were not built out to the full extent of the parameters. The density and character of the development would contrast with the low-rise buildings next to the railway line and the larger buildings on the south side of the street. The main impact however is from the outline elements (blue wireframe) and those are not changing under this s73 Application.
- 16.39 The Detailed phase 1, which can be seen to the far left of the image clearly has less of an impact given the sculpting of the form and architectural detailing. The amendments see the heights go up, and the massing redistributed. The buildings take up more of the skyline, having a greater

negative impact, but the changes to the architecture give a vertical emphasis which sits more elegantly in the context. The varying brick types also help to break up the massing, creating the appearance of several smaller volumes. The proposed red brick also better relates to the surrounding conservation area.

16.40 Whilst the increased height is negative, the changes to the facades have a positive visual impact resulting in a neutral change from the Approved Masterplan, nonetheless contributing to the harm to the conservation area.

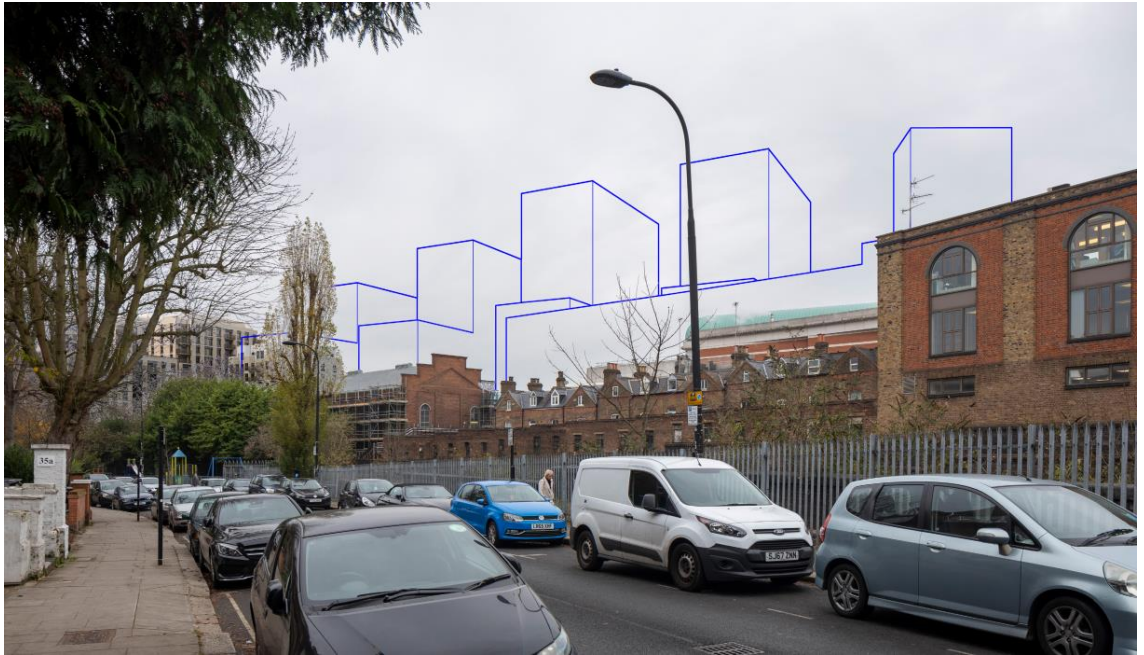


Figure 23 - View 11 from Broadhurst Gardens (Approved Masterplan)

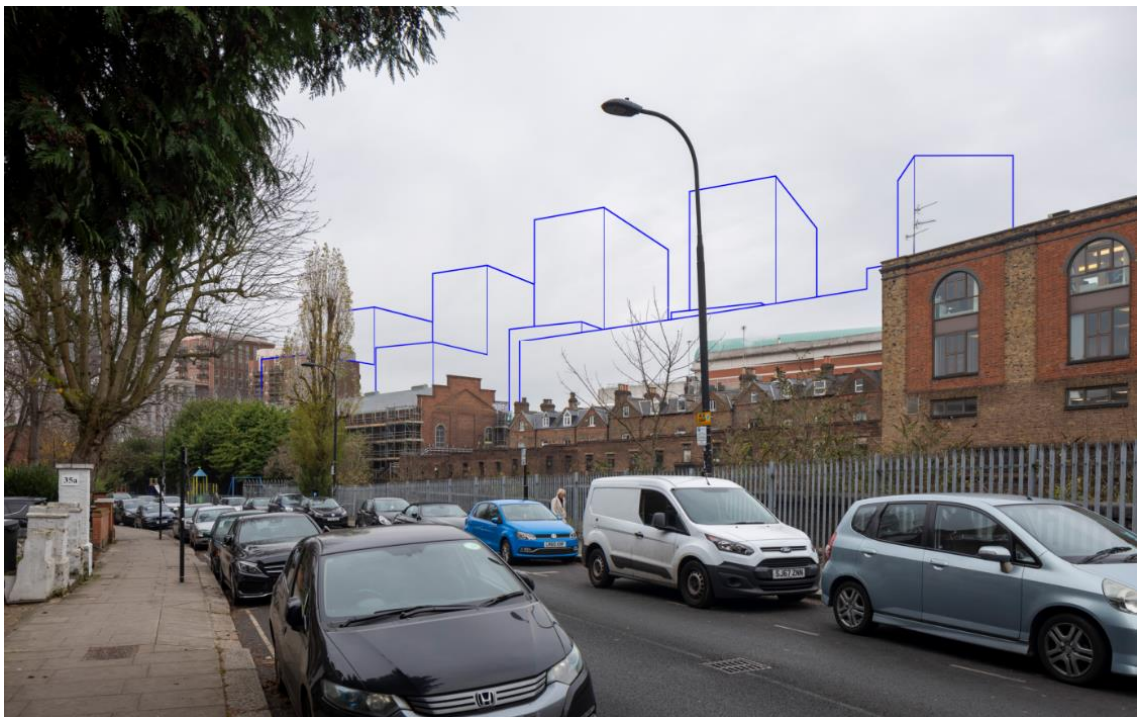


Figure 24 - View 11 from Broadhurst Gardens (s73 Application)

- 16.41 There is a similar relationship in View 12 which is shown below and is further west along Broadhurst Gardens opposite the Children's play area. The increased height again has some impact on the houses in the foreground; however, these do not make a positive contribution to the significance of the conservation area.
- 16.42 The alterations to the façade are generally positive, with the changes to the materiality breaking up the massing and tonally responding to the character of the conservation area.
- 16.43 The blue Outline lines represent the main component of this view. The buildings that form this s73 Application represent only a relatively minor part of the overall view from Broadhurst Gardens.



*Figure 25 - View 12 from Broadhurst Gardens (Approved Masterplan)*



*Figure 26 - View 12 from Broadhurst Gardens (s73 Application)*

- 16.44 The development will be partially visible at the end of streets Fairhazel Gardens (View 15), a street characterised by large Victorian red brick residential buildings with a variety of roof forms.
- 16.45 Although impacts like this are not necessarily harmful on their own, that fact that you can see a development in the distance does not automatically mean it is harmful, cumulatively they can contribute to a more significant change in the character of the conservation area's backdrop and setting. Here, the Detailed phase 1 elements are prominent.
- 16.46 The Approved Masterplan buildings are visible towards the end of the street and sit behind domestic buildings that do not make a positive contribution to the conservation area. Nonetheless, the proposed buildings are more prominent and appear slightly bulky due to the change in massing.
- 16.47 The red brick is successful and helps to minimise harm with a material palette that better relates to the context. However, the cantilevered balconies have less harmony than the Approved integrated balconies. This is a trade-off to achieve the improved outlook and shading. Overall, the s73 Application amendments results in a greater harmful impact on this view.



Figure 27 - View 15 from Fairhazel Gardens (Approved Masterplan)



Figure 28 - View 15 from Fairhazel Gardens (s73 Application)

#### ***South Hampstead conclusion***

16.48 The development will be highly visible from several views within the Conservation Area. The development introduces a building typology that is very different from the Conservation Area in terms of its scale, height and massing. This alters the character of the conservation area's setting which is suburban in nature albeit with large detached and semi-detached

buildings and a spaciousness that allows for significant amounts of greenery. As a result, the development would cause less than substantial harm to the significance of South Hampstead Conservation Area by providing a denser urban backdrop and context to its setting. The amendments, whilst improving materiality and helping minimise harm in some aspects, nonetheless increase the contrasting scale further. This increases the level of harm from the low level under the Approved Masterplan, to the medium level under this s73 Application.

Fitzjohn Netherhall Conservation Area – less than substantial harm

- 16.49 The level of harm remains the same as the Approved Masterplan, a low level of less than substantial harm.
- 16.50 The conservation area is significant as a result of its good quality architecture and as a Victorian London suburban with varied character. The northern part of the conservation area is at a higher land level. As a result, views from areas like the northern end of Fitzjohns Avenue and the top end of Arkwright Road or Netherhall Gardens are not negatively impacted and in many the proposed development cannot even be seen.
- 16.51 More direct views looking west along Nutley Terrace will have a more notable impact, but only when closer to Finchley Road. Moving towards Finchley Road, the development becomes more noticeable and results in a shift towards a denser urban setting for this part of the conservation area. View 7, shown the image in below, is taken at the western end of Nutley terrace. The development is visible to the rear of buildings on Netherall Gardens significantly altering those views. As a result, the development would result in less than substantial harm to this part of the conservation area.



Figure 29 - View 7 from Nutley Terrace (Approved Masterplan)



Figure 30 - View 7 from Nutley Terrace (s73 Application)

- 16.52 It is the outline plots that are predominant in this view and so the proposed changes to the detailed elements will have a negligible impact on this view when compared to the Approved Masterplan.

*Fitzjohn Netherhall conclusion*

- 16.53 The Conservation Area derives its significance from its suburban character and high quality late Victorian buildings. From some nearer views, the development introduces a new building typology with a scale and character that is at odds with established buildings within the Conservation Area. The less than substantial harm to the significance of the conservation area remains unchanged as a result of the amendments, staying at the low end of the scale.

West End Green Conservation Area – less than substantial harm

- 16.54 The level of harm remains the same as the Approved Masterplan, a very low level of less than substantial harm.
- 16.55 The West End Green Conservation Area is centred on West End Lane and West End Green and includes the adjoining streets. The Conservation Area is largely domestic in nature with large detached and semi-detached villas and a variety of mansion blocks. Its significance is derived from its Victorian and Edwardian architecture and as a metropolitan suburb.
- 16.56 Generally, the impact is to introduce a higher density setting to the conservation area visible from certain vantage points, but the impact is relatively minor. For example, View 1 from the northern end of Crediton Hill looks southwards towards the site (see below). The development would appear in the distance, introducing larger scale buildings, and a new

vernacular and character, albeit in longer views along the street. The Detailed phase 1 would appear to the left of the backdrop, with the blue wireframe showing the outline of phase 2, both having minimal impact and causing no harm. The two visible buildings grow taller, and their materiality changes. The Phase 1 buildings appear slightly more prominent on the skyline due to their height and darker brick but still cause no harm, with more contextual materials.



Figure 31 - View 1 from Crediton Hill (Approved Masterplan)



Figure 32 - View 1 from Crediton Hill (s73 Application)

16.57 There is slight increased visibility from the amendments in views like View A14 from Lymington Road / Crediton Hill. This s73 means Phase 1 will be slightly more prominent over the rooftops of buildings, affecting their silhouette from certain vantage points (see below). However, this would not result in a greater level of harm overall.



Figure 33 -View A14 Lymington Road / Crediton Hill (Approved Masterplan)



Figure 34 – View A14 Lymington Road / Crediton Hill (s73 Application)

- 16.58 The most significant impact is actually from just outside the conservation area. View 18 shows the view from West End Lane bridge but it is considered relevant because it will impact the setting of the conservation area's southern boundary. The images below show the view with the detailed element shown as well as the full extent of the outline parameters in blue wireframe.



Figure 35 - West End Lane bridge (Approved Masterplan)



Figure 36 - West End Lane bridge (s73 Application)

- 16.59 The existing view is open in character with some large to medium sized buildings in the foreground. The open sky visible across the current open

site provides some relief to the setting of the south end of the conservation area, this part of which has a busy enclosed character.

- 16.60 The view will be dramatically altered as a result of the scheme with the buildings occupying the open space and reducing the amount of visible sky. However, the proposed changes will have a relatively minimal impact when compared to the Approved Masterplan.
- 16.61 The use of red and yellow bricks in this s73 application breaks up the massing to some degree and shifts the emphasis from horizontal to vertical, likely to improve the view compared to the Approved Masterplan.
- 16.62 The use of varied heights across the masterplan (as required by the design codes for the outline plots) and the detailed architectural treatment with additional articulation can break these masses up further and lessen the impact when the reserved matters applications are submitted. Nonetheless, the impacts on this view would harm the significance of the conservation area.

*West End Green conclusion*

- 16.63 The development will be visible from some important views within the Conservation Area and introduces buildings of a different scale and typology. The materiality and architecture of the buildings will reduce the impact of this change to some degree. However, the development will cause less than substantial harm to the significance of the southern boundary of the conservation area. The less than substantial harm to the significance of the conservation area remains unchanged as a result of the S73 amendments, staying at the very low end of the scale.

Redington Froggnal Conservation Area – less than substantial harm

- 16.64 The level of harm remains the same as the Approved Masterplan, a very low level of less than substantial harm.
- 16.65 Redington Froggnal Conservation Area is on the slopes to the west and southwest of the historic centre of Hampstead Village, as they fall towards the Finchley Road. Its significance derives from its character as a later Victorian and Edwardian metropolitan suburb.
- 16.66 The conservation area is to the north of the site, as you move further north to the area around Froggnal Lane, the views of the site become very limited and form a distant backdrop. Even though views from Froggnal Lane and Langland Gardens are from a position that is higher than the site, they tend to be largely obscured and softened by the large residential buildings and mature trees in the foreground.
- 16.67 For example, View 3 from Froggnal Lane, opposite Langland Gardens is shown below. The development becomes slightly more visible and

prominent in this view when compared to the Approved Masterplan. The red brick stands out more in the skyline than the lighter-toned brick, but it is more in keeping with the conservation area's material palette.

- 16.68 As a result of the amendments in this s73 Application, the urban form becomes a more visible part of the conservation area's setting but remains a recessive feature.



*Figure 37 - View 3 from Froggnal Lane, opposite Langland Gardes (Approved Masterplan)*



*Figure 38 - View 3 from Frogna Lane, opposite Langland Gardes (s73 Application)*

- 16.69 There are bigger impacts closer to the site, but these arise from the outline elements and are not further impacted by the amendments (for example from Arkwright Road). Nonetheless these impacts were not significant other than providing a more urban backdrop in the distance.

*Redington Frogna conclusion*

- 16.70 Due to the visibility of the development in backdrops, which is uncharacteristic in terms of scale, height, and massing, there would be less than substantial harm to the significance of the conservation area. The less than substantial harm remains unchanged as a result of the S73 amendments, staying at the very low end of the scale.

Belsize Conservation Area – no harm

- 16.71 There is no change to the impact on this conservation area and no harm (its significance is preserved).

- 16.72 The topography of the Conservation Area means it tends to be on lower ground than the site and is some distance away. As a result, the development even if were built out to its full extent would be minimally visible from within the Conservation Area and cause no harm to its character and appearance as a 19th Century London suburb. This remains unchanged as a result of the amendments.

***Impacts on Listed Buildings***

Presbyterian Church of St Andrew (no. 9 on above map) – Grade II listed – no harm

- 16.73 The church's setting contributes to its significance, and there is potential for the development to be slightly visible within the Church's setting. However, but the most direct views of the church are looking away from the development towards the northeast. With only partially glimpsed in long views and in the summer months the mature trees shielding the development, there is no change to the impact on this listed building and no harm identified.

28 Arkwright Road (no. 11) – Grade II listed – no harm

- 16.74 The building's immediate setting contributes to its significance. The development will be visible in the background of the view looking away from the listed building (demonstrated in view 5) but will be far enough away for it to have no impact on the setting. Again, the most direct views of the building are looking away from the development towards the northwest. There is no change to the impact on this listed building and no harm identified.

British College of Naturopathy and Osteopathy (no.21) – Grade II – no harm

- 16.75 The development will be visible within peripheral views of the listed building. However, this minor change in setting will not impact the significance of the listed building or cause any harm. The biggest impact is from the outline elements in phase 3 and the S73 amendments do not have a material impact on this and so there is still no harm identified.

***Locally listed buildings (non-designated heritage assets)***

- 16.76 Due to the location of the nearby locally listed buildings in relation to the site and the topography of the land, the development will largely have no impact on their setting or surroundings. However, there are some instances where there will be increased visibility in relation to locally listed buildings, the most impactful instances are discussed below:

227 to 239 Finchley Road

- 16.77 The proposed development would be next to these buildings and form part of their immediate setting. The development is visible behind the roof, forming a backdrop that impacts the aesthetic of the silhouette of the roof form and chimneys against the sky. This impact arises from the outline Phase 3 and is unaffected by the S73 amendments. The impact continues to result in a small amount of harm to the local listed buildings, at the low end, but this is a matter of planning balance for the decision maker.

289 to 315 and 164 to 200 Finchley Road

- 16.78 Visibility of the development will introduce a new vernacular, but the already busy and urban setting will not be altered significantly enough to identify harm. Furthermore, the architecture prescribed in the Design Codes will ensure the development compliments the existing buildings. There is no harm to the locally listed buildings, and the amendments do not alter this impact.

St John's Court 195-199 Finchley Road

- 16.79 The proposed development would be visible in conjunction with the locally listed building in views along Finchley Road. However, the locally listed building is a large building and is not undermined by the scale of the proposed development. The wide and urban street accommodates the scale of the development. There is no harm to the locally listed building, and the amendments do not alter this impact.

***London View Management Framework (LVMF)***

- 16.80 There are some important views across London, from parks and other public spaces that take in important buildings, to urban landscapes that help define London. The London Plan protects these and provides the basis for more detailed guidance on each view. This is called the London View Management Framework (LVMF) and is an adopted SPD. LP policies HC3

and HC4 refer to the importance of views and state that development should preserve and, where possible, enhance a viewer's ability to recognise and appreciate Strategically Important Landmarks in these views.

- 16.81 The site falls within the background of a Protected Vista (5A.2), from Greenwich Park, near the General Wolfe Statue, looking towards the Grade I Listed St Paul's Cathedral. It is within the extension of the Wider Setting Consultation Area (WSCA) forming part of the distant backdrop. The site is also to the side of the background consultation area for view 6A.1 from Blackheath Point, but the development would not be within the WSCA and would be behind buildings in the middleground. The map below shows the background WSCAs in relation to the site.

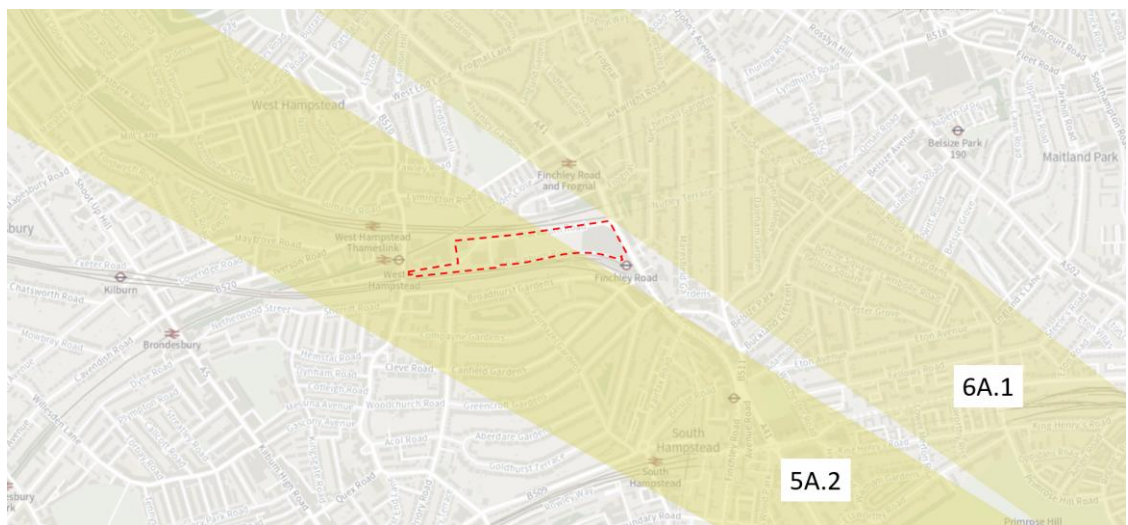


Figure 39 – Background WSCA of views 5A.2 and 6A.1

- 16.82 The impact on view 5A.2 is negligible. St Paul's sits in the middle of the Protected Vista, and Tower Bridge is visible in front of it along with The Monument.
- 16.83 The tops of the taller blocks would just about be visible but at a significant distance, and in the background of the view. The view shown in Figure 40 shows the proposed development would be barely perceptible at this distance. Although the blue and black wireframe can be made out in the distant background, the materiality of a completed building means it would likely be unnoticed by a viewer, and it would merge with the changing urban skyline and backdrop of London.



Figure 40 - LVMF 5A.2 Greenwich Park: General Wolfe statue – towards St Paul's

16.84 The amendments in this s73 Application have been designed to have no additional impact on the LVMF views. The development becomes slightly more visible in this view, but the change will not be perceptible. As such, the development would protect the views in the LVMF, the landmarks within those views, and preserve the setting of the listed buildings, the most notable being the Grade I listed St Paul's, Tower Bridge, and The Monument.

### **Archaeology**

16.85 The site is not located in an Archaeological Priority Area, and the Greater London Archaeology Advisory Service (GLAAS) raised no objection to the scope of the ES when this was being prepared, or to the Approved Masterplan. The site is considered low risk by GLAAS but nonetheless, the ES deals with archaeology and the applicant carried out a desk-based assessment of archaeological impact.

16.86 The S73 amendments will not alter the impact on Archaeology, and given there remains a low potential for remains of heritage significance, no further archaeological investigation is considered necessary.

### **Conclusion**

16.87 The site is surrounded by a number of conservation areas that are suburban in character with large detached and semi-detached buildings lining green and leafy streets. Views in and out of the Conservation Areas largely support this character, with neighbouring streets having a similar scale and character to those within each conservation area. As such setting

contributes to their significance. The development introduces a more urban character to views with a contrasting vernacular of high-density buildings.

- 16.88 This change in setting impacts the character and appearance of four conservation areas, as was the case with the Approved Masterplan.
- 16.89 The level of harm to the significance of South Hampstead Conservation Area, whilst still less than substantial, has slightly increased compared to the Approved Masterplan. This is due to greater prominence in some views, tipping the level of harm from low into medium.
- 16.90 As with the Approved Masterplan, this s73 Application would also result in less than substantial harm to the Conservation Areas of Fitzjohn Netherhall (low level), West End Green (very low level), and Redington Frogna Conservation Areas (very low level). The harm identified to their significance through their setting arises due to a denser and more urban backdrop. Harm has been reduced and minimised by keeping massing towards the north of the site, and by using appropriate design and materiality.
- 16.91 Although harm is at the very low to medium level, considerable importance and weight should be given to the harm identified when deciding how to weigh up the planning balance of the proposal.
- 16.92 There would be no harm to the significance of Hampstead or Belsize Conservation areas and their settings would be preserved. None of the Listed Buildings in the area, or their settings, would have their significance harmed by the proposal and so their special interest would also be preserved.
- 16.93 In addition, there are a number of locally listed buildings (non-designated assets) within the local area, the majority of which are unaffected by the development. However, there would be some low level of harm to the setting of 227 to 239 Finchley Road arising from the massing of Phase 3 Outline. However, this is a matter of planning balance for the decision maker.
- 16.94 The protected views from the LVMF would be protected with negligible to no impact. The settings of the landmarks within them, which include several Grade I listed buildings, would be protected and preserved.
- 16.95 In conclusion, the scheme causes less than substantial harm, but this should be given considerable weight and importance. The level and nature of harm should be carefully considered and viewed in the context of the designated growth area which anticipates growth and development. The final designs of the outline plots, and conditions relating to final design

detailing and materials, should also be taken into consideration as both can help to minimise and mitigate any impact further.

## 17. DESIGN

### *Policy context*

- 17.1 CLP policies D1, D2 and CPG (Design) and NP policy 2 (Design and character) are relevant when assessing new design. The CLP and NP identify West Hampstead Interchange as one of Camden's Growth Areas, where most significant growth is expected to be concentrated. LP Policies D3, D4, D5, D8, and D9 are also relevant.
- 17.2 LP policy D9 deals with tall buildings, and DCLP draft policy D2 sets out factors which should be given attention when assessing proposals for tall buildings against the LP, including its relationship with its surroundings (streetscape, skyline, and historic context), its sustainability performance (energy efficiency and sustainable design), and its social contribution (maximising affordable housing and ensuring safety).
- 17.3 The [Camden Building Heights Study](#) confirms the area is suitable for tall buildings (with a potentially appropriate height range of 9-54m). It states the potential will be subject to the height and design of buildings appropriately responding to their surrounding sensitivities, and taller buildings should be on the northern edge and centre of the site.

### *Site appraisal and opportunity*

- 17.4 The O2 and adjacent sites have an insular feel. They are in the middle of, but divorced from, well-established neighbourhoods. The application site suffers from poor access, rail severance, poor public realm, and ad hoc development. Additional constraints include significant level changes, bus turnaround/servicing and railway access zones adjacent to the tracks.
- 17.5 The layout of large, predominantly low-rise buildings in parking and servicing-dominated areas results in the current uses being poorly integrated with the neighbouring Finchley Road and West End Lane. This inefficient use of land creates the opportunity for fundamental change that better responds to the character and nature of the surrounding areas. The Approved Masterplan successfully aimed to:
- Provide environmentally responsible development that is flexible and adaptable, ensuring its long-term sustainability.
  - Improve the relationship of the site with the surrounding area through safer routes and positive frontages along Blackburn Road and a route through the site connecting West End Lane and Finchley Road.
  - Provide new and improved publicly accessible green spaces, including planting of new trees and ecologically beneficial landscaping.

- Improve local infrastructure and maximise the opportunities and benefits for the local and surrounding communities.

17.6 Over half of the masterplan is dedicated to publicly accessible space. The publicly accessible space comprises parks, squares, and play spaces. These spaces include the three main public spaces: the Town Square, the Central Square and the Community Green, along with the Linear Park.

17.7 Buildings are arranged to maximise the natural opportunities afforded by the linear nature of the application site. South-facing courtyard buildings face the landscaped route, with lower blocks along the southern edge and taller elements along Blackburn Road on the northern edge of the application site. The orientation maximises sun penetration into the courtyards and the apartments around them.

### ***Assessment of proposals***

17.8 The s73 Application proposes to alter the design of the Detailed Element in Phase 1 of the Approved Masterplan. Since the Approved Masterplan was granted permission, there have been changes to building regulations and fire safety standards. Updates are therefore proposed to the Detailed Element partly to respond to these and also to deliver more homes in the first phase by increasing height and deal with the proposed tenure changes. The outline elements remain unchanged.

17.9 The key design changes comprise:

- Removal of block N4D replaced with a commercial (Class E) pavilion building.
- Increase in height of blocks N3E, N4A, N4C, N5A, N5D, N5C.
- The ground floor of Block N4B, which was previously the community space, becomes commercial use.
- Landscape improvements.
- Development of architectural language.

### ***Changes to the overall masterplan***

#### Layout

17.10 The Approved Masterplan comprises ten development plots arranged between a vehicular route along the northern edge of the site and a landscaped pedestrian route along the southern edge. These are connected by several routes, establishing a simple street arrangement that allows visibility and permeability across the site.

17.11 This s73 application focuses on changes to Phase 1 and seeks to maintain the principles established in the Approved Masterplan. This includes the north-south orientation of buildings, gaps between blocks, and providing variety to the pedestrian experience. The orientation takes advantage of the

site's long southerly aspect, with a south-facing pedestrian route, and taller buildings along the northern edge to maximise sunlight in the buildings and open spaces.

- 17.12 The Detailed Element has evolved to address updated regulatory requirements and changes to affordable housing provision (new layout and unit mix), whilst retaining the principles of a residential-led first phase. The image below shows a comparison of the layout for the Approved Masterplan (top) and this s73 Application (bottom).

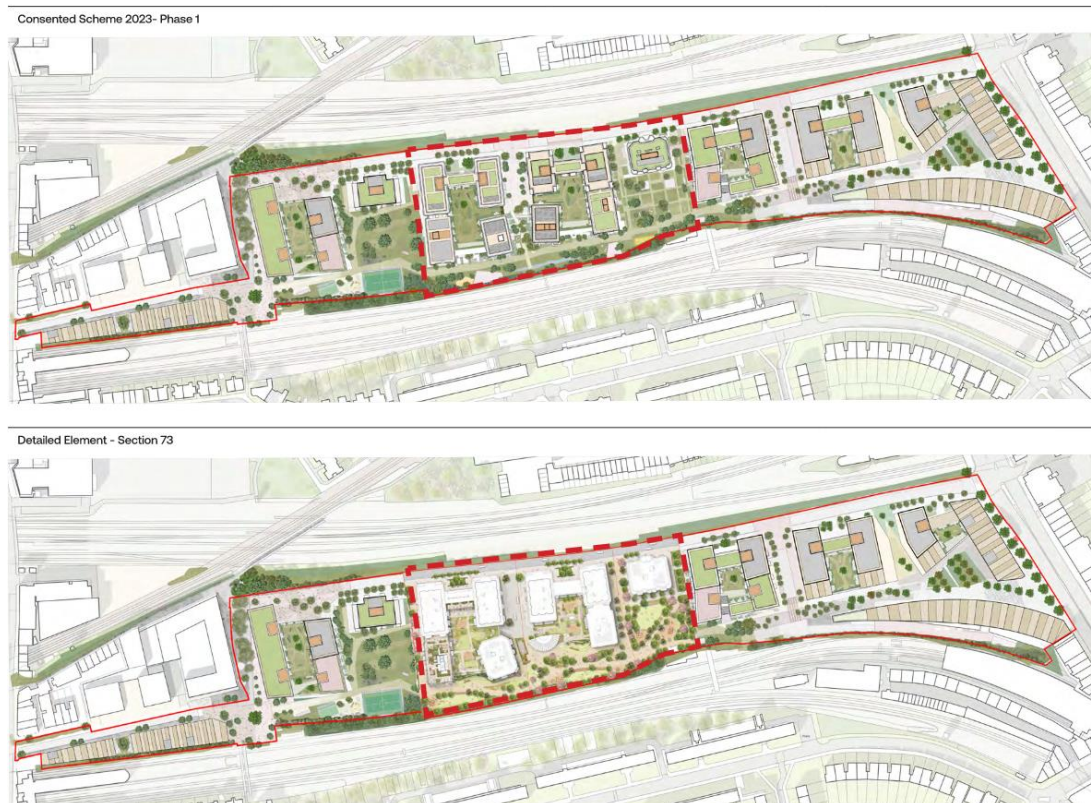


Figure 41 - Comparison of layout for Approved Masterplan (top) and s73 Application (bottom)

- 17.13 As approved, block N4D contained large, social affordable rent, 3 Bedroom apartments on each floor. As the core increased in size, the remaining internal area was insufficient to accommodate the same number of 3 Bed apartments. The space beyond the increased cores also became constrained, which would have resulted in poor room and apartment layouts that impacted residential quality.
- 17.14 The removal of N4D and its impacts on outlook, tenures and open space are discussed in the sections on Quality of Proposed Housing, Tenure and Unit Mix of Proposed Housing, and Public Open Space.
- 17.15 Block N4D will be replaced with a commercial (Class E) pavilion building. The removal of the building N4D creates more space, with opportunities for

an enhanced landscape. With the building removed, the public realm of the Linear Park has increased in size and become more open, creating space between the remaining buildings. The image below shows the differences in block layouts.

17.16 The below image also shows how Block N5B has been redesigned and rotated with the removal of Block N4D. The removal of block N4D along the southern route creates a more generous sense of openness to the linear park. The park is proposed to become wider overall to provide a more meaningful and usable public space. The increase in the provision of open space and the widening of the linear park represent improvements on the Approved Masterplan.



Figure 42 - Changes in layout for the Detailed Element (Phase 1)

17.17 As can also be seen in the image above, the footprint of Block N4C will be slightly increased (6m) to the south towards the new pavilion building; however, the massing of Block N4B will be pushed back (6.2m) from the southern edge to increase the public realm along the green spine that follows the site's southern boundary.

17.18 Reducing the length of N4B and removing N4D improve visibility along the linear park from a key viewpoint within the Town Square character area. Extending this view serves to draw pedestrians and cyclists along the principal East-West connection through the masterplan. This helps to

improve the spatial connection between the public spaces to the south of blocks N3 and N4.

17.19 However, the loss of residential floor space due to the increased cores, combined with the removal of building N4D, resulted in fewer apartments. Therefore, additional floors were considered across the buildings to also deliver more homes.

#### Height and massing

17.20 The massing is considered in light of both the experience of the proposal in the wider area and that of taller buildings within the site itself.

17.21 Building heights across the application site in the Approved Masterplan range between around 30m and 60m (approx. 8-17 storeys). As part of this proposal, the building heights in Phase 1 have increased slightly, exceeding the established heights. The maximum parameters for the Outline elements remain the same.

17.22 The buildings to the southern edge surrounding the new parks and public spaces have an improved relationship to the spaces and surrounding areas to the south. The image below shows the changes on the southern edge and with the pink line showing the heights of the Approved Masterplan. Those on plot N5 are only marginally higher than the Approved Masterplan at around 1.4m more. Plot N4 has the biggest impact through the removal of N4D as shown below. Plot N3E has the biggest impact but this is set back to the north and sees an increase of around 5m. The changes relate more comfortably to the open spaces, and results in the form stepping up from south to north across the application site and rising to the east and west ends.

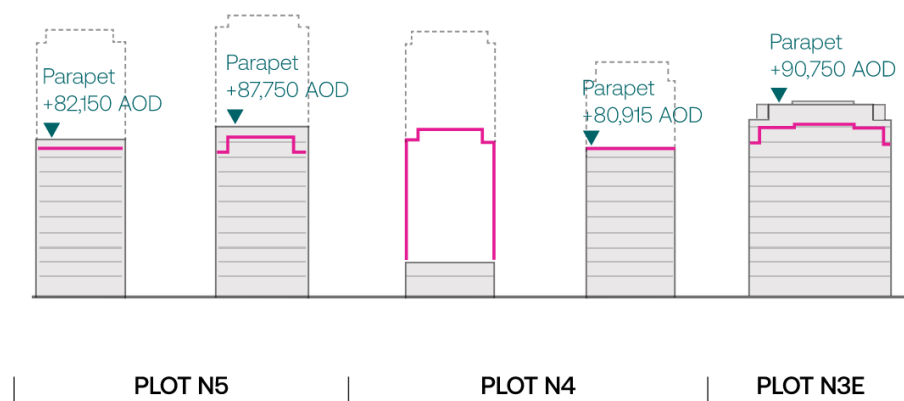


Figure 43 - Changes to heights on the southern edge

17.23 Along the northern edge, the height increases are more pronounced.

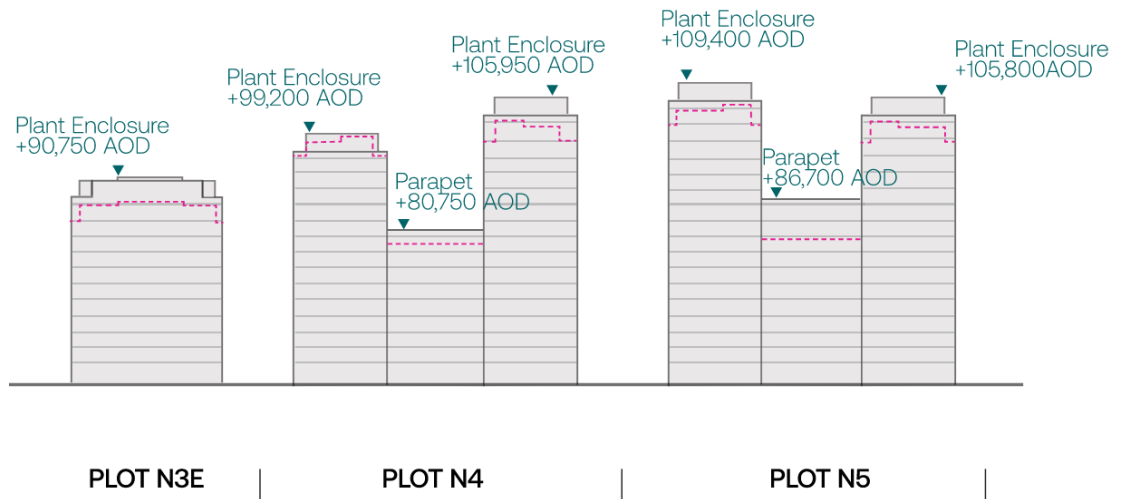


Figure 44 - Changes to heights on the northern edge

17.24 Objections raise concerns over the increased heights both in terms of amenity impact, but also visual impact, and the effect this can have on medium to long distance views. The height does have a noticeable impact, but this is minimised and managed through design approaches to the structure and facades.

17.25 The massing strategy helps to manage the impact of increased heights. The s73 proposals continue to feature lower-height buildings at the eastern and western edges in the Outline Elements to tie into the existing context. Taller buildings are interspersed along the northern edge of the application site. There continue to be small differences in storey heights between the tall buildings to maintain the varied skyline. The proposals retain smaller pavilion blocks create gaps for sunlight and views throughout.



Figure 45 - Modelling showing the neighbouring terraced housing (yellow), and mid rise (blue), and taller buildings (red) on the site

17.26 Whilst height has been added to most blocks within the Detailed Element, height increases have also been mitigated by reducing individual floor-to-

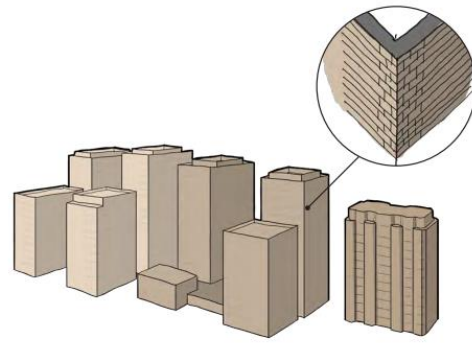
floor heights across each block from 3,250mm to 3,150mm through optimising the floor build-up, with no change to residential quality in floor-to-ceiling heights. This has resulted in more modest increases in the height of the blocks, despite there being additional storeys and more homes.

- 17.27 To balance the height increases, a low commercial pavilion replaces block N4D and reduces in height from 10 storeys to 2 storeys. The height changes across the blocks are shown above.
- 17.28 The Design Review Panel were consulted during the design process and they considered that increasing the heights of the buildings along the northern edge of Phase 1 is acceptable. The panel considered the proposed additional height's negative impact to be marginal.
- 17.29 Overall, it is considered that removing block N4D to create more public open space and a better outlook for many of the homes including the affordable housing, as well as delivering more homes overall, outweighs the marginal impacts of increased height on the northern blocks.

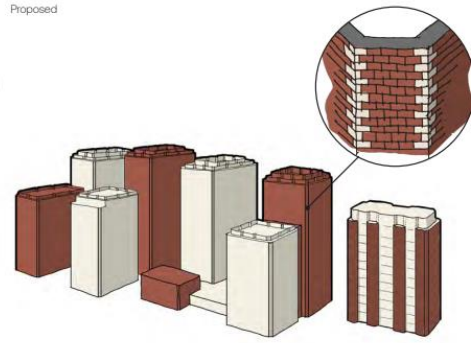
#### Architectural expression

- 17.30 The Approved Masterplan comprises three character areas and four main building typologies. These comprise terraces, urban buildings, courtyard buildings, and pavilion buildings located across the application site to provide appropriate access, aspect, and orientation. There are no changes to these broad building typologies in this s73 Application. Proposals instead include additional design development for architectural expression of the blocks within the detailed element.
- 17.31 Within St John's Wood, Hampstead, and West Hampstead, there is a variety of mansion blocks ranging from eclectic Edwardian to Art Deco, offering cues for architectural composition and details that can be adapted to fit the design principles within the approved design code.
- 17.32 At the city scale, this s73 application introduces greater contrast among buildings, with lighter and darker tones. This helps the collection of buildings to read more like a piece of the city, with buildings of different colours. The darker red tone relates to the historical red brick seen throughout Camden, and, together with the lighter 'oatmeal' tone, it is more closely aligned with the bold mansion house blocks within the neighbourhood. A restrained material palette is used, but varied across plots to avoid monotony.

Approved



Proposed



*Figure 46 - Approved material palette (left) and proposed (right) with greater contrast*

- 17.33 The tops of the buildings have been accentuated with greater detail and massing has been softened by introducing chamfers to the corners of the buildings. This is inspired by the massing, bay windows, and balconies of mansion houses. Balconies on the most visible façades also have chamfered edges.

Consented facade design



Facade evolution



Figure 47 - Approved top and proposed below, showing architectural changes

17.34

A hierarchy of windows has been created to concentrate fine detailing. The buildings are divided into vertical townhouse-like segments (base, middle & top). Key architectural features include a family of door, window, balcony types and brick detailing that respond to the design code while drawing more heavily on the influences of surrounding mansion blocks. These introduce finer detailing on the ground floor and, when experienced from the public realm, help give the buildings a more human scale and greater interest. The Design Review Panel encouraged greater richness in the facades through fine detailing and shaping.



Figure 48 - Proposed elevations with improved detailing and dominant ground floors

- 17.35 The main entrances will be elaborately designed, featuring generous portals and accompanying windows. The framed portal doors express the various ground-floor uses. Duplexes will be defined with more vertical two-storey frames to express each home. The commercial units will have various single-storey portals and generous windows, whilst the secondary entrances will be signalled with recessed portals that form a level of protection. Given that the design relies on the quality of materials and detailing, these are conditioned to ensure buildings of the highest quality.



Figure 49 - View of N4 (centre) and N3E (right)

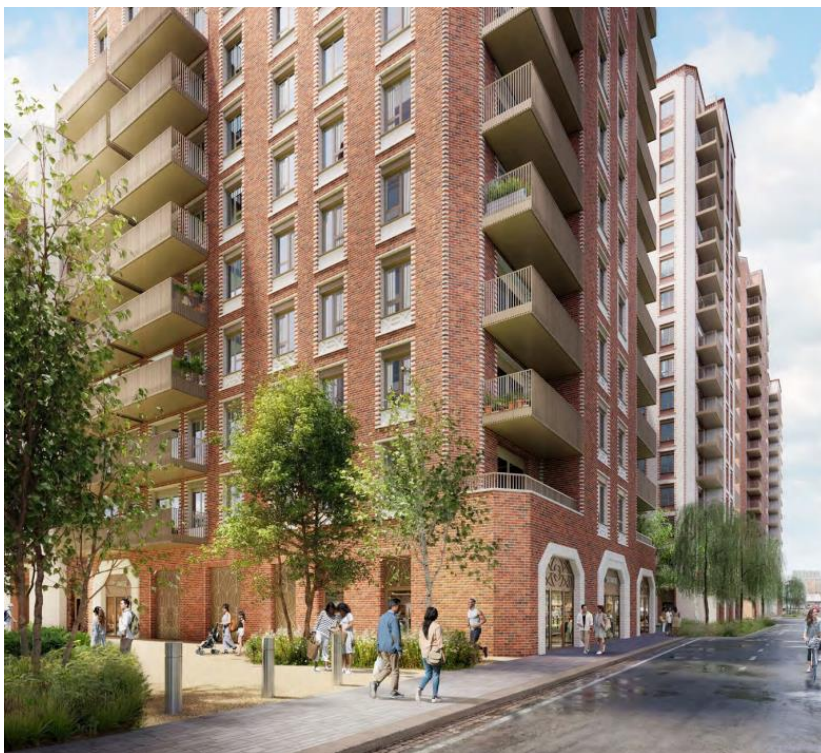


Figure 50 - View of Plot N4 from Blackburn Road

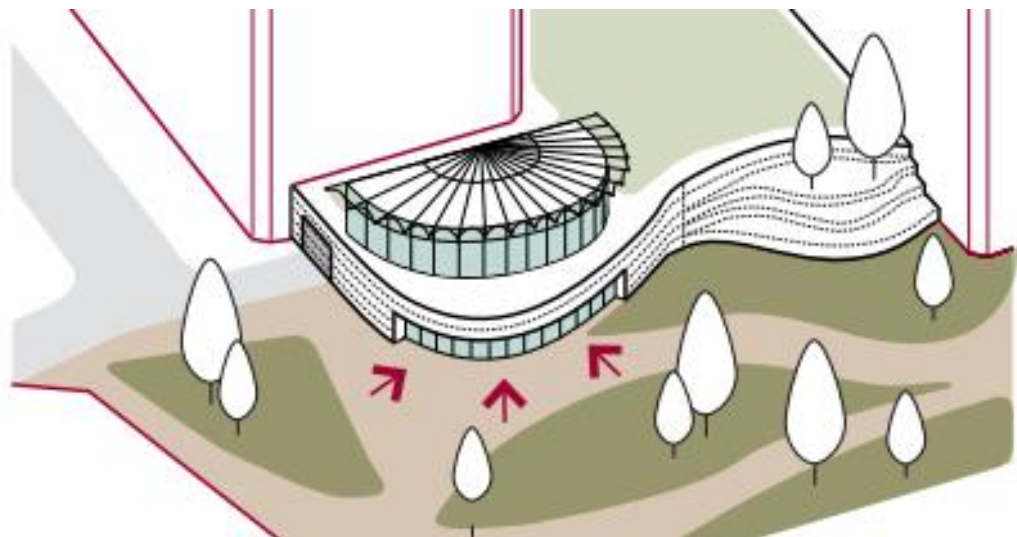
### *Pavilion building*

- 17.36 The commercial pavilion building is proposed in place of the removed block N4D. The relocation to a two-storey stand-alone building is considered a positive move, giving the centre its own identity separate from the

surrounding residential buildings and better integrating with the landscape proposals.

17.37 The ground floor is designed to read as an extension of the podium garden, with a curved brick form that relates to the surrounding landscape. The first floor reads as a lightweight glazed pavilion with views across the linear park. An articulated, curved roof form helps distinguish this building from the surrounding residential buildings and lends it character. It provides a strong focal point and helps to activate this stretch of the linear park.

17.38 The pavilion adopts a distinct architectural expression from the surrounding residential buildings, reflecting its smaller scale and public function, while remaining legible and welcoming within the wider setting.



*Figure 51 - Proposed commercial pavilion building*

17.39 It prioritises visual connectivity to support an active frontage and passive surveillance across the surrounding landscape. Glazing and integrated design features should enable activity to extend naturally into adjacent open spaces, strengthening the connection between indoor and outdoor areas.

17.40 The pavilion acts as a key focal point within the linear park's public realm and the wider landscape strategy. A coordinated approach to screening and planting is required to safeguard private residential amenity areas and to mitigate potential visual and noise impacts from commercial use.

### ***Design Review Panel***

17.41 The scheme was presented to the Camden Design Review Panel meeting on 8 November 2024. The panel were confident that the applicant could deliver a development of high architectural quality. The panel congratulated

the design team on the architectural approach and was impressed by the landscape strategy.

17.42 The following key comments were discussed and subsequently addressed:

- The panel were of the view that it was important to maintain the established heights to the southern blocks around the open spaces to give a better sense of openness, and that any height increases should be restricted to the northern blocks. As a result, the height of N5B (block E in the DRP note) was reduced by 2 storeys. Heights are now the same or only marginally higher than approved for the southern blocks.
- The panel were keen to see further chamfering of building N5B to create more interest and shape, which has been developed and is proposed in this S73 Application. In a similar vein the panel suggested that more variety was added to the rooflines to address the impact of the height of the buildings in long views. More detail in the brickwork and shaping of the brick plant enclosures has been introduced to soften the tops of the buildings.
- The panel also thought greater variety should be introduced into the material palette used to create more interest and variety. More texture and detail in the brickwork has been added to the tops and flanks and chamfers of the buildings. Together with balcony details, expressed entrances and windows, this is considered to have been addressed.
- The DRP questioned the relocation of the community centre into the stand-alone pavilion building, given community buildings often lack effective active frontages. The recommended it be moved to the ground floor of a residential block. This has been done and the pavilion now hosts a more active commercial use, with the community use moved to the east side of N4, addressing the public Central Square.
- More areas of lawn have been introduced to address concerns about the lack of flexible play space.

### **Conclusion**

17.43 The overall masterplan approach does not change – arranging south facing courtyard buildings along a new green route, with taller buildings located along the northern edge to maximise sunlight and daylight into the buildings and open spaces. It makes efficient use of land that is currently underused.

17.44 The detailed phase and the outline phases, subject to the detailed design in the RMA stages, would establish a new character and sense of place, connecting and referencing the character areas to the east and west, in line with NPPF paragraph 135.

17.45 Paragraph 135 also highlights the importance of securing well-designed, attractive and healthy places. Three new public spaces would provide improved open space on the application site, and new clear east-west

routes linking West End Lane and Finchley Road would help to improve local connections, in line with the aims of the area SPD, and the development plan's aims for the Growth Area.

- 17.46 In line with paragraph 125 of the NPPF, the approach to the application site avoids the development of homes at low densities, making optimal use of the application site's potential to meet as much of the identified housing need as possible. It achieves a successful and carefully managed significant uplift in the average density of residential development within the Growth Area, which will be further managed in detail through the RMA stages. The scheme remains a well-designed scheme in compliance with the relevant development plan policies.

## **18. IMPACT ON NEIGHBOURING AMENITY**

### ***Policy review***

- 18.1 CLP policies A1 and A4 and the Amenity CPG are all relevant with regard to the impact on the amenity of residential properties in the area, requiring careful consideration of the impacts of development on light, outlook, privacy and noise. Impacts from construction works are also relevant but dealt with in the 'Transport' section. The thrust of the policies is that the quality of life of residents should be protected and development which causes an unacceptable level of harm to amenity should be refused.
- 18.2 LP policy D9 which deals with tall buildings says that daylight and sunlight conditions in the neighbourhood must be carefully considered.

### ***Daylight and sunlight***

- 18.3 An addendum to the Daylight, Sunlight and Overshadowing Report has been submitted as part of the Environmental Statement (ES), which details any impacts upon neighbouring properties.
- 18.4 Waterman, who undertook a review of the ES on behalf of the council, has considered the methodology and non-technical conclusions in the report. The result has been deemed acceptable. The technical information in the report, as well as the methodology, has been reviewed by an independent third-party assessor – Delva Patman Redler Chartered Surveyors (DPR).
- 18.5 The leading industry guidelines on daylight and sunlight are published by the Building Research Establishment in BR209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (third edition, 2022) (BRE). The development plan supports the use of the BRE guidance for assessment purposes; however, it should not be applied rigidly and should be used to quantify and understand the impact when making a balanced judgement.

18.6 Paragraph 125 of the NPPF supports the efficient use of land and states that authorities should take a flexible approach to applying policies or guidance on daylight/sunlight where doing so would otherwise inhibit efficient use of a site, provided the resulting scheme would provide acceptable living standards.

#### Methodology

18.7 Daylight and sunlight impacts have been assessed using the detailed element for blocks N3E, N4 and N5 and assuming full extent parameter plans for the outline phases with some roof articulation which therefore represents the worst-case scenario. The assessments have also been undertaken with the cumulative developments in place – in other words, by including the permitted scheme at Midland Crescent (see ‘Relevant planning history’). A comparison to the Approved Masterplan has also been undertaken.

18.8 The methodology and criteria used for the assessment is based on the approach set out by BRE guidance. The report makes use of several standards in its assessment of surrounding buildings which are described in the BRE guidance:

- Vertical Sky Component (VSC) – This relates to daylight on the surface of a window. A measure of the amount of sky visible at the centre of a window.
- *The BRE considers that daylight may be adversely affected if, after development, the VSC is both less than 27% and less than 0.8 times (i.e. a reduction of more than 20%) its former value.*
- No Sky Line (NSL), also known as Daylight Distribution (DD) – This relates to daylight penetration into a room. The area at desk level (“a working plane”) inside a room that will have a direct view of the sky.
- *The NSL figure can be reduced by up to 20% before the daylight loss is noticeable (i.e. retain 0.8 times its existing value).*
- Annual Probable Sunlight Hour (APSH) – A measure of the amount of sunlight that windows of main living spaces within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period. The main focus is on living rooms.
- The BRE considers 25% to be acceptable APSH, including at least 5% during the winter months. Impacts are noticeable if less than these targets, and sunlight hours are reduced by more than 4 percentage points, to less than 0.8 times their former value. It recommends testing living rooms and conservatories.
- Sun on Ground - The overshadowing of open spaces is assessed by considering any changes to surrounding outdoor amenity spaces. A Sun Hours on Ground assessment has been undertaken which uses the BRE methodology.

- The BRE recommends at least half (50%) of the area should receive at least two hours (120 mins) of sunlight on the 21st March, and the area which can receive some sun on the 21st March is less than 0.8 times its former value.

Categorising impacts and alternative targets

18.9 The assessment has set significance criteria which is the approach recommended by BRE guidance in the case of EIAs. The approach is endorsed by CBRE and DPR, as are the criteria used are in the table below.

<b>BRE compliant</b>	<b>20.1% to 30% reduction</b>	<b>30.1% to 40% reduction</b>	<b>More than 40.1% reduction</b>
Negligible	Minor Negative	Moderate Negative	Major Negative

*Table 19 - Impact criteria*

18.10 The BRE guidance targets are based on a model which is meant to apply broadly across the whole country, so it does not tend to account for much denser urban settings like London or Growth Areas. As a result, it recommends setting alternative targets which take account of relevant local context.

18.11 Table F1 of the BRE guidance indicates suggested alternative VSC targets based on street width to building height ratios. For example, the ratio for the west end of Broadhurst Gardens is just under 1.0, which would equate to a retained VSC target of 14-15%.

18.12 The approach is supported by the London Plan. The LP Housing SPG states:

*The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.*

18.13 The daylight/sunlight report in the ES used a Contextual Site Analysis to consider similar, recently built and consented schemes in London (referred to as 'contextual sites'). The analysis concluded a retained VSC value of 14% to 15% VSC at ground floor level can be considered an acceptable level of retained daylight for the surrounding properties, which is in line with the BRE guidelines approach as described above.

18.14 The alternative targets are 15% for VSC, 50% for NSL, 15% for annual APSH and 3% for winter sun. Whilst there is precedent for the alternative VSC target, there is not for NSL and APSH and these have instead been adopted based on the advice of professionals in this field. DPR confirmed that this approach is reasonable in principle and the alternative target values are not unreasonable for an urban area. The targets are also generally consistent with those that have been applied to other schemes in Camden including the Approved Masterplan.

18.15 Existing windows with balconies above them typically receive less daylight. Because the balcony blocks light from the upper sky, even a modest obstruction opposite may have a large relative negative impact on the VSC and on the area receiving direct skylight. Where balconies can cause obstruction, the BRE guidelines suggest modelling the impacts with and without the balconies. This allows you to test whether the presence of the balcony or overhanging walkway, rather than the size of the new obstruction (the proposal), is the main factor in the relative loss of light.

#### Daylight

18.16 The updated ES considered the impact on the same 1,640 windows serving 1040 residential rooms within properties surrounding the site as were considered under the original ES submitted with the Approved Masterplan.

18.17 The following properties/groups of properties would be compliant with BRE guidelines and only experience a negligible effect on daylight based on the maximum parameters, and are therefore not discussed further:

- Hardy Building
- 124 West End Lane
- 14, 12, 10, 6 & 4 Rosemont Road
- 6-8 Frognaal Parade, 1-6 Warwick House
- 1-5 Frognaal Parade, 1-4 Midland Court
- 138, 136, 134 & 132 Finchley Road
- 19 & 21 Canfield Place
- 140, 142, 144, 146, 148, 152, 154, 184, 186 & 190 Broadhurst Gardens
- 102, 104, 106, 108, 110, 112 & 114 West End Lane

18.18 The following properties would experience only a minor negative effect, so again, they are not discussed in detail.

- 8 Rosemont Road
- 2 Rosemont Road
- 140 Finchley Road
- 146 Broadhurst Gardens
- 164 Broadhurst Gardens
- 166 Broadhurst Gardens

- 168 Broadhurst Gardens

18.19 The above properties that would comply with the BRE guidelines or only experience a minor negative effect are the same as those in the Approved Masterplan application.

18.20 The remaining 68 properties/groups of properties would experience moderate or major negative daylight effects and have been discussed in more detail within the ES (and addendums), with the analysis reviewed by DPR.

18.21 The following properties would experience a moderate negative effect:

- 60-71 Lithos Road
- 142 & 144 Finchley Road
- 17 Canfield Place
- 176 & 178 Broadhurst Gardens

18.22 The following properties would experience a major negative effect:

- 3, 5, 7 & 9 Blackburn Road
- Asher House
- Nido House
- 54-59, 72 & 73 Lithos Road
- 54 A-D Rosemont Road
- 16, 26, 30-48 (evens) Rosemont Road
- 20, 22 & 24 A-C Rosemont Road
- Holiday Inn
- 146-150 (evens) Finchley Road
- 23-27 (odds) Canfield Place
- 1-32, 33-76 & 77-108 Broadfield
- 170-174, 180 & 182 (evens) Broadhurst Gardens
- Midland Crescent (unbuilt consented scheme for cumulative impact)

18.23 In the following paragraphs the impact on affected windows and rooms will be set out. There will also be a focus on the difference in results between the 2022 ES Chapter and those for this S73 application, focusing the extent of change and increased impact as a result of the amendments for which planning permission is now sought, whilst also taking account of the impact already accepted through the Approved Masterplan.

*17 Canfield Place*

18.24 Three rooms will experience moderate negative effects on NSL reductions, but VSC will remain BRE-compliant. The retained VSC results would be in the mid-teens (15%) or higher.

18.25 In addition, all the rooms will retain an NSL of at least 48% which is only a minor shortfall against the 50% target. As such, the impact is considered acceptable.

*5 Blackburn Road*

18.26 While the percentage reductions show a major negative effect may occur to the three rooms with either moderate or major impacts, each of these rooms will retain a VSC of at least 15.6% (previously approved 16%) to its main window which exceeds the alternative target value, as well as, retaining an NSL of at least 50% to the room area, which is considered good for an urban area.

*7 Blackburn Road*

18.27 For the three rooms with the moderate or major impacts in this property, each of the rooms will retain a VSC of at least 13.98 (previous 16%) to its main window, which is just below the alternative target value, although it retains an NSL of at least 50% to the room area. It also finds it's sunlight marginally improving.

*16 Rosemont Road*

18.28 Of the 12 rooms, one room shows a negligible VSC reduction, while only the NSL shows a major adverse reduction. However, the retained level of NSL exceeds the 50% alternative target.

*30 Rosemont Road*

18.29 Of the 41 windows assessed 10 have major adverse effects (30 to over 40% reduction).

18.30 Each will retain a VSC of at least 18% to their main windows (which are located on the southern elevation and not obstructed by a projecting balcony) which exceeds the alternative target value.

18.31 In addition, all rooms will meet the BRE guidelines for NSL relative reductions.

18.32 Compared with the Approved Masterplan, there are small additional percentage VSC reductions for some of their windows (3 out of 6). However, the average percentage reduction across these 3 windows is only approximately 0.31%. In addition, the retained VSC levels will be further reduced only marginally, by circa 0.09%.

*1-108 Broadfield*

18.33 There are 314 windows serving 314 rooms. Of these, 113 rooms experience VSC and/or NSL alterations that exceed the BRE guidelines and result in a moderate or major adverse impact. These rooms are set back beneath a projecting access walkway. Tested without the walkway in place, every room, except 12, will meet the BRE guidelines. The remaining

12 rooms all exceed the VSC and NSL alternative targets for retained light levels, indicating the impact is acceptable.

- 18.34 In terms of a comparison with the Approved Masterplan, these properties will experience a marginal additional percentage VSC reduction to all windows assessed. However, the average percentage reduction to all windows is only 2.49%. In addition, the retained VSC levels will be only marginally reduced by circa average 0.54%.

*67-73 Lithos Road (Odd and Even Numbers)*

- 18.35 This block includes properties with moderate and major negative effects. Of the 36 rooms in these properties, 20 do not meet the BRE guideline targets. However, 14 of those meet the alternative target 15% VSC target with retained values of at least 18.91%. The remaining 6 rooms are below balconies, which can cause obstruction. Modelling without the balconies shows the windows to the rooms will exceed the alternative VSC target and retain NSL to at least 55% of the room.

- 18.36 These properties will experience a small additional percentage of VSC reductions to all windows compared to the Approved Masterplan. However, the average percentage reduction across all windows is approximately 3% (the majority of windows will be reduced by no more than 1.5%). In addition, the retained VSC levels will be only marginally reduced further by circa average 1%.

- 18.37 In terms of NSL, only some of the rooms assessed within these properties will experience additional reduction, but by only a marginal average 1.90%. This is not considered to be material. In addition, the majority of the rooms assessed will still meet the BRE Guidelines criteria or the alternative target of retaining at least 50% NSL.

- 18.38 When the effect of the S73 application is compared with those of the Approved Masterplan, the scale of effects in both scenarios remains similar (minor to major negative).

*54-66 Lithos Road (Odd and Even Numbers)*

- 18.39 This block includes properties with moderate and major negative effects. In these properties, of the 34 rooms that experience a moderate or major negative effect, 24 will retain a VSC of at least 18% to their main window which exceeds the alternative target value of 15%. The remaining 10 rooms are either set back beneath a projecting balcony or a roof overhang.

- 18.40 When modelled without balconies, all will retain a VSC of at least 19%, which is considered a good level for an urban area. In addition, all rooms will either retain an NSL of at least 50% to the room area or meet the BRE criteria.

- 18.41 Regarding the Approved Masterplan, these properties will experience a small additional percentage of VSC reductions to all windows. However, the average percentage reduction across all windows is only approximately 3.38% (most windows will be reduced by up to 2%). In addition, the retained VSC levels will be only marginally reduced further by circa average 1%.
- 18.42 When the effect of the S73 application is compared with those of the Approved Masterplan, the scale of effects in both scenarios remains similar (minor to major negative).
- 32-48 Rosemont Road (Even Numbers Only)*
- 18.43 There are 36 rooms which suffer a moderate or major adverse impact. Kitchen/Dining rooms are at ground floor, living rooms at first floor, and bedrooms at the second and third floors.
- 18.44 The 9 Kitchen/Dining rooms all have windows set back beneath a projecting balcony. Tested without balconies, the windows will retain a VSC ranging from 15.88% (32 Rosemont Road) to 22.99% (48 Rosemont Road), exceeding the alternative target value.
- 18.45 For the nine living rooms on the first floor, the main window closest to the proposal serving each room will retain a VSC of at least 19%, exceeding the alternative target.
- 18.46 The remaining windows serve the bedrooms on the first and second floors of this terrace. All exceed the alternative target value.
- 18.47 In addition, all rooms will either retain an NSL to at least 49% of the room area, only marginally below the alternative target of 50%, or meet the BRE guidelines reduction criteria.
- 18.48 Compared to the Approved Masterplan, these properties will experience a small additional percentage VSC reductions to some of their windows (90 out of 99). However, the average percentage reduction across these 90 windows is only approximately 1.91%. In addition, the retained VSC levels will be only marginally reduced further by circa average 0.46%.
- 18.49 In terms of NSL, only 15 of the 36 assessed rooms will experience additional NSL reductions, to a marginal extent of circa 1.76% above average. This is not considered to be material. In addition, the majority of the rooms assessed will still meet the BRE Guidelines criteria or the alternative target of retaining at least 50% NSL.
- 18.50 When the effect of the S73 application is compared with that of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

*20 A-C Rosemont Road*

- 18.51 Of the 12 rooms, one room exceeds the BRE guidelines to a moderate adverse extent. However, the window will retain a VSC of at least 24%. Three rooms exceed the BRE guidelines to a major adverse extent. Again, the rooms that experience the larger effects are set back beneath projecting balconies. Tested without balconies, the windows will retain a VSC of at least 21% and all rooms will either retain an NSL to at least 50% to the room area or meet the BRE guidelines.
- 18.52 Compared to the Approved Masterplan, these properties will experience marginal additional percentage VSC reductions to some of their windows (28 out of 30). However, the average percentage reduction for these 28 windows is only approximately 0.24%. In addition, the retained VSC levels will be further reduced only marginally, by circa 0.07%.
- 18.53 In terms of NSL, these properties will not experience any additional reductions.
- 18.54 When the effects of the S73 application are compared with those of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

*22 A-C Rosemont Road*

- 18.55 Of the 12 rooms, three rooms exceed the BRE guidelines to a major adverse extent. Again, the rooms that experience the larger effects are set back beneath projecting balconies. Tested without balconies, the windows will retain a VSC of at least 23% and all rooms will either retain an NSL to at least 50% to the room area or meet the BRE guidelines.

*24 A-C Rosemont Road*

- 18.56 Of the 12 rooms, only three experience VSC and NSL alterations which exceed the BRE guidelines to a moderate or major adverse extent. The rooms that experience the larger effects are set back beneath projecting balconies. Tested without the balconies, the windows will retain a VSC exceeding the alternative target of 15%. All rooms meet the BRE targets for NSL.
- 18.57 Compared to the Approved Masterplan, these properties will experience marginal additional percentage VSC reductions to some of their windows (22 out of 30). However, the average percentage reduction for these 22 windows is only approximately 0.22%. In addition, the retained VSC levels will be further reduced only marginally, by circa 0.07%.
- 18.58 In terms of NSL, these properties will not experience any additional reductions.

18.59 When the effect of the S73 application is compared with that of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

*54 A-D Rosemont Road*

18.60 Of the 12 rooms assessed, all will experience VSC and NSL alterations which exceed the BRE guidelines to a moderate or major negative extent. Of these, 10 will retain a VSC of at least 21% to their main window, exceeding the alternative target value, and the remaining 2 are set beneath a projecting balcony.

18.61 Tested without the balconies, the windows will retain a VSC of at least 20%, which again exceeds the alternative target and is considered a good level of daylight for an urban area. In addition, all rooms will meet the BRE NSL targets. The impact is therefore considered acceptable.

18.62 Compared to the Approved Masterplan, these properties will experience a small additional percentage of VSC reductions to all windows. However, the average percentage reduction for all windows is approximately 2.51%. In addition, the retained VSC levels will be further reduced only marginally, by circa 1%.

18.63 In terms of NSL, only 5 of the 12 assessed rooms will experience additional NSL reductions, to a marginal extent of circa 1.4% above average. This is not considered to be material. In addition, all but 2 of the assessed rooms will still meet the BRE Guidelines criteria, and the remaining rooms will meet the alternative target of retaining at least 50% NSL.

18.64 When the effect of the S73 application is compared with that of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

*26 Rosemont Road*

18.65 The 2 rooms that experience a moderate or major negative effect are in a corner behind 30 Rosemont Road, which creates an existing obstruction. Living Kitchen Diner (LKD) 14.67% to 11.26% and reception 16.77% to 12.98%. The percentage VSC reduction is minor, at 24%.

18.66 The window that serves R1/80 serving the LKD (highlighted in red in the image below) is positioned with a tall wall to its right and a large staircase directly in front.

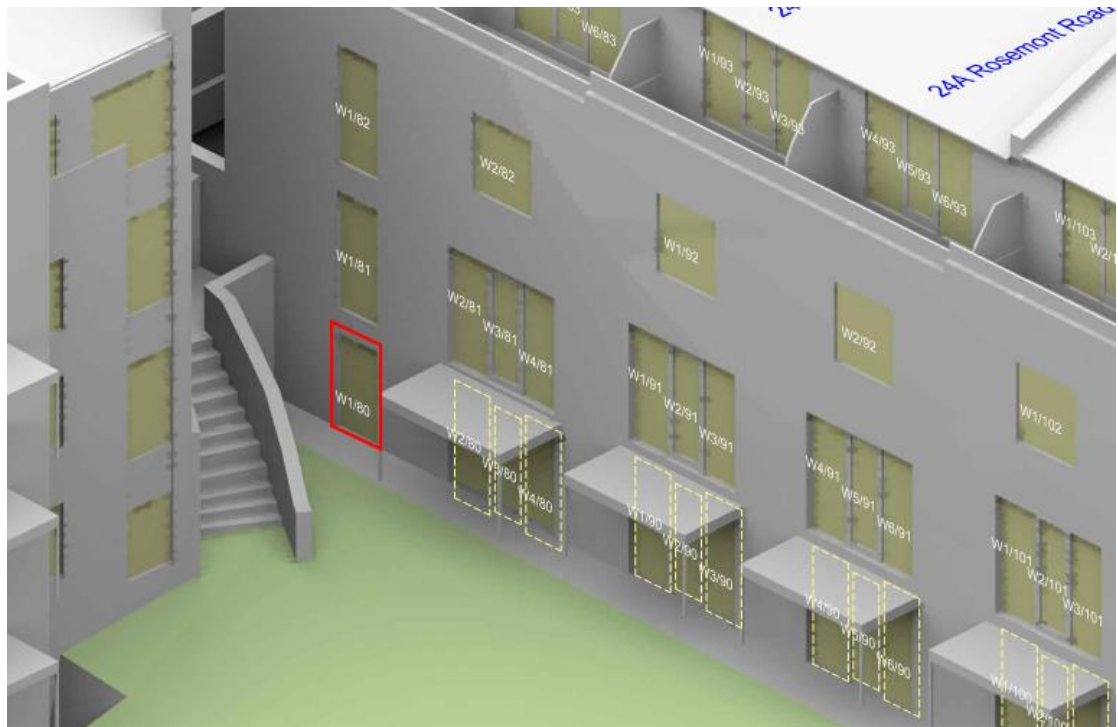


Figure 52 - Window map for 26 Rosemont Road

- 18.67 The outlook for room W1/80 is already very limited, with the existing NSL at 41%, lower than usual. It is therefore impossible to meet the retained alternative target value.
- 18.68 Additionally, as the existing NSL is already lower than usual, even a moderate obstruction opposite could cause a larger relative reduction; the results in this room are therefore considered disproportionate.
- 18.69 Room W1/81, directly above, has similar positioning but will nonetheless retain 45% NSL, only slightly below the alternative target of 50%. It also has a minor adverse impact, with a 22% relative reduction in VSC.
- 18.70 Compared with the Approved Masterplan, these properties will experience small additional percentage VSC reductions to some of their windows (3 out of 6). However, the average percentage reduction across these 3 windows is only approximately 0.31%. In addition, the retained VSC levels will be further reduced only marginally, by circa 0.09%.
- 18.71 In terms of NSL, this property will not experience any additional reductions. When the effect of the proposal is compared with that of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

### *3 Blackburn Road*

- 18.72 Six rooms face the application site, of which four suffer moderate or major impacts. There is one room which falls from 12.70% to 6.03% VSC. In addition, all except one retain NSLs of 50% or more; the studio flat, below

the NSL target, retains an NSL of 38%. Overall, the impact is significant but considered acceptable in the context of the growth area.

- 18.73 Compared with the Approved Masterplan, the property will not experience any additional VSC and NSL reductions as a result of the S73 application. The scale of effects in both scenarios remains the same (major negative).

*9 Blackburn Road*

- 18.74 Of the 3 rooms with moderate or major impacts, all will retain a VSC of at least 15% to their main window, in line with the alternative target value. In addition, one room will retain an NSL of at least 60% (the second-floor room), whilst the other two will fall only marginally short of the alternative target criteria of 50%, with 44% and 49% retained. Overall, this is considered acceptable.

- 18.75 Compared with the Approved Masterplan, this property will experience a marginal additional VSC reduction of only 1 window (0.03%), which will retain the VSC lower by 0.1%, and no additional NSL reductions as a result of the amendments in the S73 application. The scale of effects in both scenarios remains the same (major negative).

*142-150 Finchley Road*

- 18.76 Of the 40 rooms, 23 experience either a negligible or minor adverse VSC reduction, with only the NSL experiencing a moderate or major adverse reduction.

- 18.77 All rooms except for one (which is located within 150 Finchley Road on the upper floor and is likely to serve a bedroom (R1/1044), will either retain an NSL of at least 52% (exceeding the alternative target) or meet the BRE relative reduction target. However, that window retains an excellent VSC level of 30.11%, which is considered excellent in an urban environment.

- 18.78 These properties will not experience any additional VSC and NSL reductions when compared to the Approved Masterplan; the scale of effects in both scenarios remains similar (minor to moderate negative).

*Holiday Inn (Hotel)*

- 18.79 The building does not provide permanent residential accommodation, and there are often hotels with entirely internal accommodation (no windows). This hotel has rooms at the rear with limited light and outlook.

- 18.80 Nonetheless, all of the rooms that experience a moderate or major negative effect will retain a VSC of at least 22%. There are 15 hotel rooms that would have retained NSLs below the alternative target (ranging from 28% to 48%), but given the VSC levels and nature of the transient occupation, this is considered acceptable.

18.81 Compared with the Approved Masterplan, VSC alterations are likely to be minor and not considered significant. In terms of NSL reductions, they are likely to be classified as major negative, similar to the Approved Masterplan. However, there will be no additional reductions in NSL values.

*23-27 Canfield Place*

18.82 Four of the 10 rooms experience either a negligible or minor adverse VSC reduction, with only the NSL experiencing a moderate/major adverse reduction. Three of these rooms are very small, and so in the existing situation, they have fairly low NSL starting points (37% to 52%). However, they retain a VSC of nearly 20%, exceeding the alternative target, and are therefore acceptable on balance.

18.83 The remaining room, which falls short of the NSL, is R1/591; however, it retains an NSL of 45% of the room area, which is just 5% short of the alternative target. It also retains a VSC of 15% which meets the alternative target.

18.84 Compared with the Approved Masterplan, these properties (apart from 25 Canfield Place) will not experience any additional VSC and NSL reductions as a result of the S73 application; the scale of effects in both scenarios remains similar (major negative).

18.85 The property at 25 Canfield Place will not experience any additional NSL reductions, and the additional VSC reduction on its windows is not greater than 0.21%. This is, therefore, not material.

*170-182 Broadhurst Gardens*

18.86 There are 45 windows serving 39 rooms. The walkways have a severe impact on these buildings, so testing without them shows that eight of the rooms experience a moderate or major negative effect.

18.87 Two windows serving one of the rooms experience a significant relative loss of VSC; the room has no NSL loss at all, so it is BRE-compliant in this regard. The remaining seven rooms experience a significant relative reduction in NSL, ranging from 30.8% to 59.9% loss. However, four of the rooms retain more than 50% NSL, exceeding the alternative target, and all seven rooms retain excellent VSC levels exceeding 25%.

18.88 Overall, the more notable impacts arise from the walkways, and the units retain light which allows a good level of light.

18.89 Compared to the Approved Masterplan, these properties will experience marginal additional percentage VSC reductions to some of their windows (34 out of 45). However, the average percentage reduction for these 34 windows is only approximately 0.19%. In addition, the retained VSC levels will be only marginally reduced by circa average 0.04%

18.90 In terms of NSL, only 3 rooms will experience additional NSL reductions, not exceeding 0.5%. This is not considered material.

18.91 When the effects of the S73 application are compared with those of the Approved Masterplan, the scale of effects in both scenarios remains similar (major negative).

*Nido Student Accommodation (Nido House)*

18.92 Student accommodation is not permanent residential accommodation and can generally be considered more akin to transient accommodation, such as hotels, when dealing with a light impact.

18.93 Of the 90 rooms that experience a moderate or major negative effect, 53 will retain a VSC of at least 14%-15% to their main window which meets the alternative target value of 15% when rounded. Of these 53 rooms, 25 rooms exceed the alternative target of 50% NSL or comply with the BRE relative reduction of 20%.

18.94 This therefore leaves 37 rooms which do not meet the VSC target criteria (15% VSC) and 28 rooms which do not meet the NSL target. These would in several cases be in single figures, with the most affected window altered from 33.30% VSC "before" to 7.11% VSC "after", representing a 79% interim change.

18.95 The rooms tend to be bedrooms used for sleep and study by the student occupiers. Some of the rooms are designed with a desk area for study in front of the window, and when this is the case, those areas often sit within the NSL contours. This means that even when the daylight distribution in the room falls below the retained NSL target of 50%, the study area is still within it where the desk is next to the window. There are also cases, particularly with the narrower rooms, where the desk area is designed towards the back of the room, so it would now be away from the light. In those cases, desk lamps or other supplementary lighting may be needed to illuminate the work area.

18.96 The transient nature of student accommodation means the impact is likely to be temporary for most occupiers. As well as this, the nature of the use, with bedrooms used for sleep and study, which clearly have different requirements in terms of light, and the fact that occupants have access to a range of other communal spaces supplementing their living accommodation, are all considered to limit the overall impact.

18.97 Therefore, while the reduction compared to the baseline situation may vary between a moderate to major scale of effect depending on which window or room is being considered, the overall effect, when considering some of the retained daylight values and the nature of the use, is considered acceptable.

- 18.98 Compared with the Approved Masterplan, the property will experience marginal additional percentage VSC reductions on only 4 of its windows (0.08%-0.2%).
- 18.99 In terms of NSL, it will also experience a marginal additional reduction of 1 room (0.11%) under the S73 application. The scale of effects in both scenario remains the same (major negative).

*Asher House*

- 18.100 Asher House is located opposite Plot S8, which is the Builders Merchant site. The proposals do not change the height of the outline elements that would further impact Asher House. Compared with the Approved Masterplan, this property will experience marginal additional percentage VSC reductions to only 2 of its windows (0.03%) and no additional NSL reductions. The scale of effects in both scenario remains the same (major negative).
- 18.101 Asher House recorded the most significant impacts, and these are considered major adverse. The building is used as flats, converted from commercial use under permitted development rights.
- 18.102 The existing Asher House would see major negative effects on all windows facing Plot S8 and rooms in VSC and NSL terms. This property currently experiences high levels of daylight due to the very low-level nature of development on the application site opposite (the builders' merchant), with VSC values generally above 30% and NSL values between 88% and 99%.
- 18.103 Therefore, whilst it is expected that large reductions in daylight would result from the development, this could be considered acceptable if the retained values were in line with the alternative target values. However, the retained VSC values across all windows range from 4.51% to 8.84%, while the NSL values range from 15.03% to 37.52%, which are much lower.
- 18.104 The applicant has used the massing proposed for this property as filed under application Ref: 2020/2940/P Granted 21/01/2026 (see 'Relevant planning history' section) to attempt to justify the effects. Waterman, who undertook a review of the ES on behalf of the council, considered it inappropriate to assess this application however that was before it had been granted planning permission.
- 18.105 Although it is not appropriate to consider the light impact on the proposed scheme for the application site (The Clockwork Factory), it is nonetheless a material consideration given its potential for redevelopment, in line with the Growth Area designation. The image below shows the proposed Clockwork Factory scheme for the Asher House site.

- 18.106 It is also noted that a detailed analysis of the impacts on the Clockwork Factory development has been prepared for the application to the Builders Merchant at 14 Blackburn Road (Plot S8), under Ref. 2025/1685/P, which is pending determination. Around 4m higher than the Approved Masterplan outline element parameter plans.

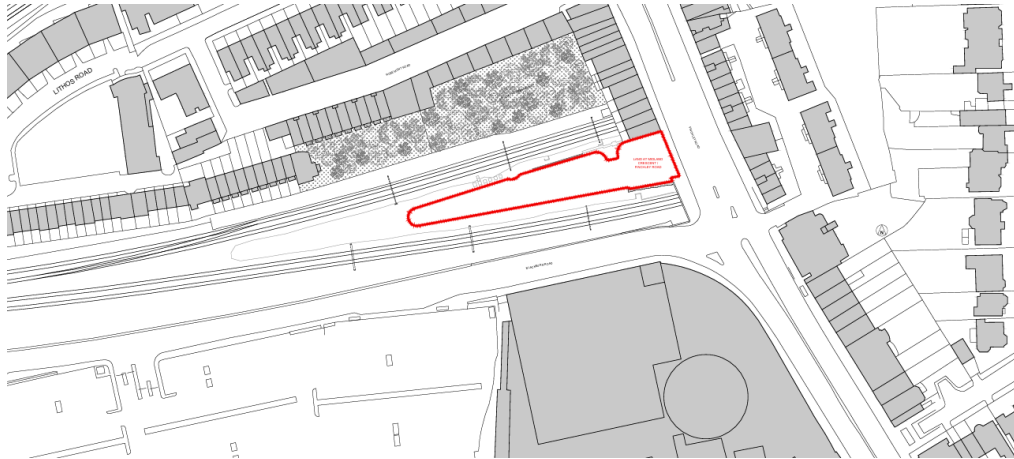


Figure 53 - Granted scheme at Asher House (Clockwork Factory)

- 18.107 The impacts are largely the same as the were for the Approved Masterplan on this property, but the impacts would likely change given the consented scheme on the Clockwork Factory site where residential is raised off ground where the worse impacts will be.

*Midland Crescent (unbuilt consented scheme 2014/5527/P)*

- 18.108 This property is the scheme applied to the cumulative impact model, but it has not been built. The planning permission was for a mixed-use scheme for commercial space, 60 student bedrooms, and 9 residential dwellings. Student accommodation use is not considered permanent residential accommodation, but the whole residential and student elements have been tested.



*Figure 54 - Midland Crescent Location Plan*

- 18.109 There are 233 windows serving 75 rooms within this property. Given the site's location, there are no additional impacts from the increase in height relative to Phase 1.
- 18.110 As it is an unbuilt scheme, the impact assessment uses the now-outdated ADF assessment, which was submitted as part of the application for the proposed accommodation in that scheme.
- 18.111 ADF is no longer a methodology used to assess internal light levels, but, given the application was made when the methodology was still in use, it serves as a useful indication and comparison for assessing the impact on the consented scheme. The windows were assessed in terms of both ADF and NSL.
- 18.112 The results show that all rooms, except four, will meet the ADF associated with their room use in accordance with the old BRE guidelines. The remaining rooms experience a reduction which are equivalent to a major negative effect.
- 18.113 The four rooms which do not meet the ADF targets are those positioned behind recessed balconies. As rooms of a similar size and a similar area of glazing on the main elevation of the Midland Crescent development meet the BRE guidelines, it appears that the balconies are the key driver of the reductions in these cases. Furthermore, all but 5 rooms will retain an NSL of over 50% of their room area, in line with the alternative target. The remaining rooms will experience minor negative effects and will also meet the alternative target criteria. As such, the impact will be relatively minor and acceptable.

#### Sunlight

- 18.114 The updated ES considered the impact on the same 982 windows serving 449 residential rooms within properties surrounding the site as were

considered under the original ES submitted with the Approved Masterplan. These have all been assessed in terms of total and winter APSH.

- 18.115 The main impact is on 7 & 9 Blackburn Road, Asher House, Nido House, 54-57 & 73 Lithos Road, 54 A-D Rosemont Road, and 24C, 26, 32, 34, 38-46 (evens) Rosemont Road, as well as the unbuilt consented scheme at Midland Crescent.
- 18.116 Where there is a moderate or major adverse impact on the properties in excess of the BRE guidelines, the rooms either meet the alternative targets, or they meet the BRE or alternative target for annual hours and only derogate from the winter hours criteria. This incorporates a 'without balconies' test that has been carried out where walkways or balconies affect the result.
- 18.117 Compared with the Approved Masterplan, the assessment finds that the properties at 3, 5, 7, and 9 Blackburn Road, together with Asher House, will experience either negligible alterations or minor beneficial changes in sunlight availability compared with the Approved Masterplan. At 3 and 5 Blackburn Road, APSH alterations are negligible and consistent with the conclusions of the original ES. At 7 and 9 Blackburn Road, the S73 application results in minor beneficial changes, with improvements to sunlight in one room in each case such that effects are reduced to negligible, whilst the overall scale of effect remains unchanged. Similarly, at Asher House, minor beneficial changes are identified, with improvements to sunlight in two rooms resulting in negligible effects overall. Accordingly, the S73 application does not give rise to any materially different or additional sunlight effects at these receptors relative to the extant consent.
- 18.118 Overall, and taking into account balconies, the sunlight impact is considered broadly acceptable as confirmed by DPR.

#### Solar Glare

- 18.119 The solar glare test is not generally comparative, so there is no baseline assessment in this instance. The Solar Glare assessment has considered the likely effects on the nearby road and railway users in two scenarios. The first is a worst-case scenario, assessing the effects of the scheme if it were fully mirrored (reflective glass), and the second is where the detailed application was modelled in detail with the correct materials, but the outline scheme remained fully mirrored surfaces.
- 18.120 The BRE guidance says that solar dazzle is only a long-term problem for some heavily glazed (or mirror-clad) buildings. In this case, the impact is likely to be a notable overestimation, with mitigation possible through the RMAs.

- 18.121 The significance of the solar glare effects range from negligible to minor (negligible in viewpoints 05, 06, 10, 11 and 12; negligible/minor negative in viewpoints 01, 02 and 13; and minor negative in viewpoints 03, 04, 07, 08 and 09). Again, this is a worst-case scenario in any event, assuming mirrored surfaces for the full outline parameter blocks.
- 18.122 Compared with the Approved Masterplan and considering the same 13 viewpoints as for the 2022 ES Chapter, the anticipated effects remain largely the same. Therefore, the overall scale of the effect is considered negligible, a minor negative, and not significant.
- 18.123 The overall scale of the effect is negligible/minor and not significant. The assessment would be carried out for each RMA, taking into account any permitted RMAs at the time. Condition RM19 would require the submission of a detailed Daylight/Sunlight report with each RMA.

Overshadowing

- 18.124 The proposed sun on ground assessments to the nearby amenity spaces (so beyond the application site) show that either no reduction beyond the BRE guidelines will be experienced, or a very small reduction which is well within the BRE guidelines and therefore considered to be unnoticeable, will be experienced. It is therefore considered that the overall effect is considered to be negligible.
- 18.125 As a result of the proposed S73 amendments, amenity spaces to properties on Lithos Road (64-71 Lithos Road) will experience some additional overshadowing when compared with the Approved Masterplan. However, the actual reductions are marginal (2%-4%).
- 18.126 Therefore, this is not considered material as it is unlikely to be noticeable by occupants/users. The vast majority of the spaces assessed will experience the same effects, and only 8 spaces will experience slightly more adverse effects, but to a marginal extent.



*Figure 55 - The sun on ground assessment of amenity spaces*

Transient Overshadowing

- 18.127 The transient overshadowing images show that the development will cast longer shadows throughout the year. However, the shadows cast are not considered to have a negative effect, as shown by the sun-on-the-ground assessment. The effect is therefore considered to be negligible.

Conclusion – Daylight and sunlight

- 18.128 Whilst there are some notable impacts to properties, particularly Asher House and the Student block on Blackburn Road (Nido), these were identified in the assessment of the Approved Masterplan and so are a significant material consideration. The largest impacts from the proposals derive from the Outline elements which remain unchanged in this S73 application. Given the nature of the changes associated with this S73 Application, there are generally minimal differences in anticipated effects.
- 18.129 The proposal offers benefits in certain respects, such as increasing the number of properties expected to experience fewer adverse effects. Some reductions in significance have improved from minor negative to negligible, making them imperceptible to occupants.
- 18.130 Importantly, for the remaining assessed properties, none are anticipated to experience a worsening of effects, such as a change from minor negative to moderate negative significance, although 7 Blackburn Road's daylight does drop below the alternative target, albeit by a small amount.
- 18.131 There are also no differences in effects arising if the relevant part of Plot S8 were severed and developed separately pursuant to the Builder's Merchant Scheme.
- 18.132 There are, however still notable major impacts, and although they are not substantially worse than the Approved Masterplan when considered overall, some of the impacts still represent a conflict with policy with respect to some properties.
- 18.133 The notable impact already established as acceptable on balance under the Approved Masterplan is to Asher House, and this exceeds what would normally be considered appropriate. However, this was balanced against other factors, such as the application site being in a Growth Area designation, the delivery of significant levels of housing, the cutbacks that would sterilise Plot S8's development potential by rigidly adhering to the BRE guidance, and the provisions in paragraph 125 of the NPPF.
- 18.134 Further planning considerations included that planning permission was previously granted for the redevelopment of the Builders' Merchant Yard, adding additional height, and that a planning application has been granted

for the redevelopment of Asher for a scheme that would remove residential from the ground floor and increase density in line with the Growth Area designation.

***Outlook, overlooking and privacy***

- 18.135 The approved buildings in Phase 1 of the Approved Masterplan application were not close to any other residential properties – the closest being over 50m away to the north on Rosemont Road and Lithos Road. Those to the south are around 70m away or more. These properties enjoy an unusually open outlook given the London context. This is because the application site is separated by railway lines and because the land in the centre of the site is an open car park. Even where buildings are present, they are low-density and not characteristic of the Growth Area. The land also drops lower in the middle of the application site, emphasising the open outlook for surrounding properties. This relationship remains with this s73 Application.
- 18.136 The new blocks will result in a significant change in scale. However, the breakup of massing, the articulation of the buildings, and the use of varied materials mitigate the impact and provide a varied, layered outlook. This, along with the separation distances and higher land levels to the north of the application site, means that the impact will be notable but not harmful. The current proposals do not materially alter this approved relationship.
- 18.137 The separation distances remain large across the detailed element. The detailed phase includes communal roof terraces which face south, but these are more than 70m from the nearest properties, so there would be no detrimental impact on privacy or an undue sense of overlooking.

***Noise and disturbance***

- 18.138 The blocks in the detailed scheme (Phase 1) would remain predominantly residential, with commercial, community, and shared workspaces on the ground-floor levels.
- 18.139 Phase 1 is in the centre of the application site, away from other properties, with residential neighbours separated by significant distances; the closest are more than 50m away to the north on Rosemont and Lithos Road. The residential units to the north and south, including those in Canfield Place and the unbuilt scheme at Midland Crescent, have railway lines between them and the proposal, so they are more likely to experience disturbance from that existing relationship than from a more distant residential-led development.
- 18.140 In terms of Phase 1, even though there is significant separation between it and neighbouring properties, the same conditions would be attached to limit noise from the plant within and on top of buildings, and there would be a requirement for anti-vibration mounts. These have been recommended by

the Council's Environmental Health Officer (EHO) and the conditions would ensure there would be no detrimental impact in terms of noise and vibration on the adjoining premises.

***Neighbouring amenity conclusion***

- 18.141 As discussed above, the amendments to the Detailed Phase 1 have minimal impact on the results and conclusions, in respect of impact on neighbouring amenity, of the Approved Masterplan.
- 18.142 There will continue to be significant impacts on lighting for some surrounding properties but the degree of impact remains similar. In the majority of cases, the retained levels of light are appropriate for a dense Growth Area that is well-connected and between two Town Centres.
- 18.143 The major impacts on Asher House, north of plot S8 and west of the plot remain the same as the Approved Masterplan. The light study shows that the S8 plot would effectively be sterilised from development potential by rigidly adhering to the BRE guidance, contrary to the provisions in paragraph 125 of the NPPF. Nonetheless, the impact largely derives from the Outline Elements directly opposite the building (plot S8) and these elements remain unchanged from the Approved Masterplan.
- 18.144 Planning permission was previously granted for the redevelopment of the Builders' Merchant Yard, which added height, and a separate planning application (by a different applicant) has been submitted for further height (approved 4m) on Plot S8 than approved as part of the Approved Masterplan.
- 18.145 A planning application has been granted for the redevelopment of Asher House for a scheme that would remove residential from the ground floor and increase density in line with the Growth Area designation.
- 18.146 Furthermore, these impacts all represent a worst-case scenario. They relate to the full-extent parameter plans, which cannot be built due to various restrictions in the Design Code, such as setbacks and so on. A detailed assessment will form part of the RMA stage, and this can ensure that any impacts are further mitigated through the detailed design. Nonetheless, there remains a conflict with policy in relation to the light impacts on some properties, specifically Asher House and Nido, albeit not significantly worse than the impact of the Approved Masterplan. This harm should be weighed in the planning balance.
- 18.147 There will be significant changes to outlook too, but for many the impacts are minor due to generous separation distances to the application site, which also means there will be no harmful impact in terms of privacy or overlooking. For those closer to the application site, in the Phase 3 and especially Phase 2 areas, the impact will be more noticeable. However, the

relationships are not dissimilar to those found elsewhere in Central London and it is the existing situation which is the anomaly, and separation distances and orientation means that these can again be managed through the RMA stage when assessing a detailed design. Again, these impacts are no different to the Approved Masterplan as they derive from the Outline elements, and this is a significant material consideration.

- 18.148 Noise impact can be adequately limited and managed through conditions.
- 18.149 Overall, the amenity impact on neighbouring properties is considered acceptable in the context of the Growth Area, the pressure on housing provision, and the NPPF drive to encourage a significant uplift in density of residential development. The impacts arising from the changes proposed in this s73 Application are generally minor compared to the Approved Masterplan.

## **19. MICROCLIMATE**

- 19.1 Policy A1 of the Camden Local Plan 2017 acknowledges the impact that large developments can have on the local climate. CPG Amenity requires new developments to consider the local wind environment, local temperature, overshadowing and glare both on and off site.
- 19.2 Additional guidance from TfL's Healthy Streets for London recommends that streets should design in opportunities for sun, shade, and shelter from high winds to create places that can be enjoyed all year round.
- 19.3 Policy A2 of the Local Plan recognises that the quality of open spaces is closely linked to the degree to which it is overshadowed.
- 19.4 Policy A1 of the Camden Local Plan 2017 acknowledges how large developments can alter the local climate as buildings can affect the flow of air causing wind tunnels. CPG Amenity provides further detail on design guidance for large/tall buildings, and the assessment of their impact on local wind environments.
- 19.5 In accordance with CPG Amenity requirements for major developments, the S73 application is accompanied by an updated Wind Microclimate Assessment which comprises desktop analysis of a selected model in accordance with the Lawson Safety Criteria (LSC) and the Lawson Comfort Criteria (LCC). The majority of the findings of this updated assessment are in accordance with (the same as) the findings of the 2022 assessment, carried out for the Approved Masterplan application.
- 19.6 The Lawson Criteria is the commonly used scale for assessing the suitability of wind conditions in terms of safety and comfort based upon threshold values of wind speed and frequency of occurrence. The updated

assessment finds a 'generally comfortable' pedestrian environment in accordance with the Lawson criteria for Phase 1. This has helped inform design mitigation for the impacts.

- 19.7 As with the Approved Masterplan, to ensure the impacts are compliant as the outline phases come forward, it is recommended that each Reserved Matters application for the outline development plots are accompanied by a statement confirming that the effects remain as assessed and compliant with the Environmental Statement. If the results are worse than the ES conclusions, a supplementary environmental statement or addendum would be provided to assess any new or different impacts.
- 19.8 As with the Approved Masterplan large areas of the application site at ground level would be comfortable for standing, but not for sitting, in winter. However, this assessment does not incorporate landscaping features that can effectively reduce wind levels around proposed seating and play space, making them more comfortable. It is noted that all the main play areas are suitable for 'occasional sitting', which is considered acceptable and will only be improved with landscaping.
- 19.9 In summer there would be a considerable improvement in comfort levels across the application site, broadly in line with the Approved Masterplan.
- 19.10 In terms of the amendments proposed by the S73 application, a moderate adverse impact was identified at some entrances on the eastern side of Plot N3E. Landscaping mitigation has been introduced, with tree planting along the eastern elevation, to counter this.

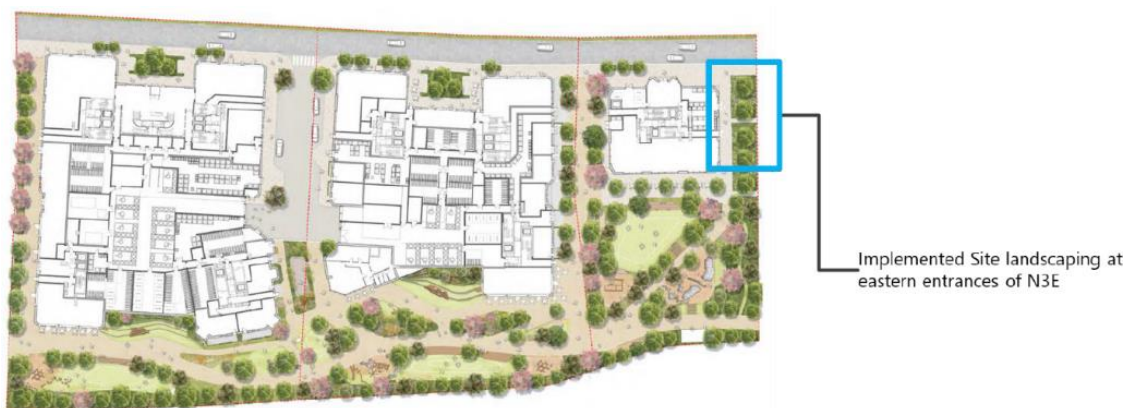


Figure 56 - Mitigation at the eastern end of N3E

- 19.11 A major adverse impact has also been identified on some balconies in Plots N4 and N5. Solid balusters have been introduced to counter this to make the balconies usable. These are in key locations of Plot N5 and N4

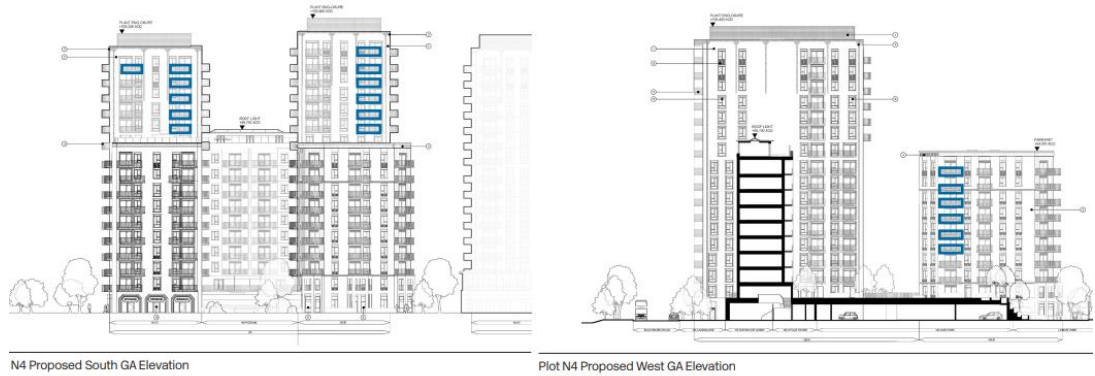


Figure 57 - Location of solid balconies in blue

19.12 No safety or comfort concerns were identified on the podiums or roof terraces. Overall, the impacts are consistent with the Approved Masterplan, and where larger impacts have been identified, these have been mitigated through design amendments. As such, the proposal complies with the development plan in relation to microclimate policies.

## 20. LANDSCAPE AND PUBLIC OPEN SPACE

### *Policy context*

20.1 The regional, local, and neighbourhood plans all seek to secure open space of high quality in new developments. London Plan policy G4 states that development should create areas of publicly accessible open space, and LP policy D8 requires that appropriate management and maintenance arrangements are in place for the public realm, minimising rules governing the spaces in accordance with the [Public London Charter](#).

20.2 CLP policies A2 (Open space) and A3 (Biodiversity), and the Biodiversity CPG, seek to protect, enhance, and improve access to Camden's parks, open spaces, and other green infrastructure. They also seek to protect existing trees, secure additional trees and vegetation, and promote biodiversity. Neighbourhood Plan Policy 17 (Green/Open Space) states that development should protect and improve existing open space and that development which increases the need for recreation and/or amenity space shall provide new open space. It also seeks to secure active green spaces, such as green roofs and outdoor leisure facilities, such as playgrounds.

- 20.3 Developments for over 100 dwellings trigger the GLA play requirements under the London Plan. Policy S4 requires at least 10 sqm of play space per child. Policy G4 states that new developments should provide public open space in areas of deficiency. The LP policies strive to create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play, and social interaction. Camden policy requires 9 sqm of Public Open Space per person, plus an additional 6.5 sqm of play provision. It is recognised that some of the Public Open Spaces will include play. Some of this could also be in communal or private gardens where there is provision for 0-5's, but this 0-5 provision should not comprise more than 55% of the total play provision.
- 20.4 Where insufficient public open space is provided on a development site, the 2021 Open Space CPG requires:
- £200 per sqm of open space that is not provided within the development (capital).
  - £7 per sqm of open space that is not provided within the development per year, for 10 years (maintenance).

### ***Introduction***

- 20.5 Currently, the application site is covered by buildings and the O2 Centre car park, and so it has no landscape value. There are no designations for the application site regarding landscaping and open space. However, there is a small area of inaccessible Local Green Space, designated under the Neighbourhood Plan, located next to the railway to the south of the application site. It is next to the pedestrian and cycle link between the western and eastern sections of Blackburn Road. There are also designated green corridors alongside the railway lines, which provide an important habitat for plants and animals and include a Site of Nature Conservation Importance (SNCI).
- 20.6 The Approved Masterplan was landscape-led, featuring parks, squares, planting and trees.
- ### ***Proposed changes to the public open space***
- 20.7 Objectors have raised concerns that the public open space provision is deficient. The amendments to the public open space relate only to Phase 1. The amount of Public Open Space has been increased compared to the Approved Masterplan.
- 20.8 The N4 layout changes mean that the linear park in this zone is increased by approximately 6.2m in width and the public realm area is increased by approximately 322 sqm.
- 20.9 The total amount of public open space across the whole scheme has changed from 16,522 sqm to 16,844. While Central Square reduces

marginally (-34 sqm), this is more than offset by the increase to the Linear Park (+356 sqm).

- 'Linear Park' (across all three phases) – 6,814 (+ 356 from 6,458sqm)
- 'Central Square' (Phase 1) – 1,763 sqm (-34 from 1,736)
- 'Community Green' (Phase 2) – 3,572 sqm (same as approved)
- 'Town Square' (Phase 3) – 3,100 sqm (same as approved)



Figure 58 - Diagram showing enlarged 322 sqm of public open space

- 20.10 An indicative 33,372 sqm of public open space is required for residential, and 49 sqm for commercial, the total being 33,421 sqm.
- 20.11 The total approved public open space, including only parks and squares, was 16,522 sqm. There was therefore an indicative shortfall of 16,899 sqm under the approved masterplan (33,421-16,522=16,899).
- 20.12 The updated total public open space for the whole scheme, including only parks and squares, is 16,844 sqm (+322 sqm from the approved). The shortfall is now 16,628, sqm. (33,421-16,844=16,577).
- 20.13 The policy allows a financial contribution to be secured to cover any shortfall if necessary. Using the formula in the CPG Public Open Space (2021), the contribution as calculated was as follows:
- Capital contribution is 16,577 sqm × £200 = £3,315,400

- Maintenance contribution is  $16,577 \text{ sqm} \times \text{£}7 = \text{£}116,039$
- $\text{£}116,039 \times 10 \text{ years} = \text{£}1,160,390$

20.14 Total POS contribution:

- Capital: £3,315,400
- Maintenance (10 yrs): £1,160,390
- Combined total: £4,475,790

20.15 Whilst there is an increase in floorspace proposed in this s73 Application for Phase 1, the total quantum of floorspace across the whole masterplan development would not be increased under this s73 Application – i.e. the quantum of floorspace would need to be reduced in the outline phases.

20.16 Should the applicant propose a greater quantum of floorspace in the outline phases than was approved under the Masterplan application, this would need to be applied for and fully assessed, including with respect to public open space provision.

20.17 This s73 Application proposes an increase of 322 sqm in the overall quantum of public open space in Phase 1. This increases from 16,522 sqm to 16,844. This is achieved primarily by removing block N4D and by reducing the length of block N4B northwards and the podium length of block N4 northwards.

20.18 Given the increase in public open space, the required public open space contribution to meet policy falls by £86,940 (equivalent to the extra 322 sqm).

20.19 Paragraph 17.15 of the Officer Report for the Approved Masterplan states that *“the guidance on securing public open space contributions states that they may be used to fund public realm and green infrastructure projects where this is the most effective way of meeting needs arising from the proposed scheme. As set out in the transport section of this report it is considered that contributions should be sought for a range of pedestrian, cycling and environmental improvements adjacent to the site, they would directly benefit future occupants and existing residents in the area. The viability of the scheme means it would not be possible to secure all these and the public open space contribution, it is therefore considered that taking account of what is set out in the guidance that the most effective way of meeting needs arising from the development is for a proportion (£3,506,450.13) of what would have been secured under public open space to be diverted towards the public realm and green infrastructure projects”*.

20.20 A smaller contribution of £1,056,369.87 was secured explicitly for the purpose of improving existing public open space within the catchment areas set out in the CPG.

20.21 As such, the POS contribution of £1,056,369.87 secured under the s106 agreement will be **reduced by £86,940 in the DOV, giving a total of £969,429.87 towards Public Open Space**. This will again be secured explicitly to improve existing public open space within the catchment areas set out in Appendix B of the CPG.

***Private open space***

20.22 There is a large amount of private open space that is not taken into consideration in the calculations. This provides a significant amount of open space for residents and takes pressure off the public open spaces within the masterplan. Within the Detailed Element (Phase 1), the private podium gardens equate to 1,599 sqm (including play space). There is further private open space at roof level of 543 sqm. The total private open space and play space within the Detailed Element (Phase 1) amounts to 2,142 sqm.

***Play space***

20.23 Play-space requirements are calculated based on the child yield, and the masterplan provides 10 sqm of play space per child and is compliant with the London Plan. Children's play facilities were approved across all three phases in the Approved Masterplan application. They met the needs of different age groups and include informal play provision, formal play areas, and sports-focused areas.

20.24 The S73 Application results in an increase in residential dwellings within the Detailed Element of 43 units. Whilst the overall residential floorspace across the Detailed and Outline Elements remains unchanged from the Approved Masterplan, these additional residential units and mix in the Detailed Element generate a different play space requirement.

20.25 The policy requires a play space area of 1,770 sq. m for the Detailed Element of this s73 Application. This has been provided within the Detailed Element in accordance with policy.

20.26 The plan below shows a variety of play spaces for different ages in the detailed phase, within both public and private open spaces. Some of this would be formal play areas, and some would be informal or incidental play spaces. Other specific types of formal play space, such as a Multi-Use Games Area (MUGA), would be provided in Phase 2 as per the Approved Masterplan.

20.27 The majority of the public play space would be located along the Linear Park and in the Community Green. Private play spaces would be provided in the podium gardens of each plot. The amount of playspace provided is acceptable, and full details will be included in the landscape plans secured by condition for the detailed phase.



Figure 59 - Playspace proposed for different ages in Phase 1

20.28 The above image shows the location of playspaces in the Detailed Element.

- Yellow is for 0 to 4 year olds and is (780 sqm)
- Light pink is for 5 to 11 year olds (590 sqm)
- Dark brown is for over 12 year olds (400 sqm)

20.29 Details of playspace provision for the outline phases would need to be submitted with reserved matters applications and these are not changing as part of this s73 Application.

### **Conclusion**

20.30 Given the scheme would be a phased development, there would need to be provision for interim arrangements. An **Open Space Strategy, was secured by the s106 legal agreement**, and this would carry over in the DOV. The strategy would identify opportunities for the meanwhile use of sites and areas in early phases of development to create temporary public realm. It would also ensure continued public access throughout development, in line with the Public London Charter, as well as securing the provisions of maintenance and access for the final development. Overall, the proposal would comply with the development plan in relation to landscape, open space, and play space.

## **21. TREES AND BIODIVERSITY**

### **Policy context**

21.1 Part of the application site beside the railway is designated as Local Green Space by the Neighbourhood Plan but it is not publicly accessible. It is next to the west entrance to the pedestrian and cycle link between the western and eastern sections of Blackburn Road, and is shown hatched blue in the

image below. New development is ruled out here except in ‘very special circumstances’.

- 21.2 Off the application site, the railway lines to the north and south are designated as ‘Green Corridors’, which are protected under NP Policy 17. The provision of trees and soft landscaping across the application site will benefit these green corridors, especially where they border the proposed areas of landscaping, thereby increasing the size of green areas and allowing the greater movement of wildlife on them.



Figure 60 - Local Green Space and Green Corridors under the Neighbourhood Plan

### Trees

- 21.3 An Arboricultural Assessment and Tree Protection Plan were submitted as part of this S73 Application. The Council’s Tree Officer has assessed this S73 application. There are no changes to the approach in the Approved Masterplan under this s73 Application.
- 21.4 The tree survey identified 110 individual trees and 1 group of trees on the application site and categorised them as follows:

Tree grade	BS5837:2012 definition	No. of trees
A	High quality, est. remaining life span of >40 yrs	5
B	Moderate quality, est. remaining life span of >20 yrs	47
C	Low quality, est. remaining life span of >10 yrs or below 150mm diameter	56 and 1 group
U	Poor quality, est. remaining life span of <10 yrs	2

	<b>TOTAL</b>	<b>110 + 1 group</b>
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Table 20 - Existing trees across whole Masterplan site

21.5 Of these 110 trees and 1 group, the Approved Masterplan granted permission for the removal of 72 individual trees; the group, which is off-site on Network Rail land, would be unaffected by the proposal. The trees proposed for removal are categorised as follows:

<b>Tree grade</b>	<b>BS5837:2012 definition</b>	<b>No. of trees removed</b>
A	High quality, est. remaining life span of >40 yrs	0
B	Moderate quality, est. remaining life span of >20 yrs	16
C	Low quality, est. remaining life span of >10 yrs or below 150mm diameter	54
U	Poor quality, est. remaining life span of <10 yrs	2
	<b>TOTAL</b>	<b>72</b>

Table 21 - Trees to be removed

21.6 Of the 72 trees proposed for removal 56 (78%) are category C or U and would not be considered a significant constraint to development in line with BS5837. Category C trees are considered low-quality or generally have a life expectancy of less than 10 years. Category U trees are normally unsuitable for retention because they are either dead, in decline, or suffering from structural defects.

21.7 The remaining 16 trees proposed for removal are all category B. However, only 16 of the 47 Cat B trees on site would be removed. The retention of all Cat B trees would significantly affect the optimisation of site use and housing provision. Whilst some of the existing trees will be lost as a result of the proposals, a total of 265 replacement trees are included within the Detailed Elements and 216 replacement trees included within the Outline Elements (unchanged as part of the S73 application). All 5 Cat A trees are to be retained.

21.8 The species of the proposed trees has not been specified at this stage, but it is considered that the proposed replacement planting would be sufficient to ameliorate the proposed loss of trees on site, including the category B trees. A landscaping condition requiring full details of tree planting and aftercare is attached. Furthermore, a condition is recommended ensuring trees are replaced within five years of planting if they die. Conditions also secure the number of trees across the whole master plan site and the detailed phase specifically.

21.9 The tree protection plan submitted with the application is in line with BS5837:2012 and indicates adequate protection to ensure that the retained trees would not be damaged on or off the application site during the implementation of the proposed scheme should it be approved. Tree protection is secured by condition.

### ***Biodiversity***

21.10 There are no designations covering the application site. The West Hampstead Railside, immediately to the north of the application site, is designated as a Site of Nature Conservation Importance. The Green Corridors identified in the Neighbourhood Plan run along the rail lines.

21.11 The current ecological value of the application site is very limited, with the majority of the undeveloped areas covered by hardstanding used for car parking.

21.12 There are real opportunities, given the size and lack of constraints, for a significantly green and biodiverse development. There would be extensive planting and soft landscaping, which would enhance the area's biodiversity and provide opportunities for links to the surrounding biodiversity areas. The use of water, through swales and areas of less-managed "wild" landscaping, also enhances opportunities for biodiversity.

21.13 The landscape design for the Detailed Phase 1 is focused on creating a vibrant and functional environment with character areas as shown below.

- Light Green is the Linear Park: A central green space with lawns, play areas, and seating.
- Dark Green is the Central Square: A flexible space at the eastern end of the meandering park with play space
- Purple is Blackburn Road: The main vehicle route to the north, featuring green infrastructure like rain gardens for sustainability.
- Pink is Park Streets: Pedestrian-friendly streets connecting the park and main access, designed to encourage community interaction.
- Orange is Neighbourhood Lane: The main service route for the Detailed Phase 1 it will facilitate activities such as deliveries, servicing, and access within this area.
- Yellowy green are the Podiums and Terraces: Green Terraces along different levels on N5 and N4, providing private play areas, shaded seating, workspaces, and social areas for the residents of those blocks.



Figure 61 - Detailed Element (Phase 1) landscape design and character areas

21.14 Conditions to ensure lighting doesn't adversely affect wildlife would be carried over onto this s73 Application. It would require detailed information on the proposed external lighting, including luminance levels, colour temperature, and light spill. This would ensure impact on wildlife is minimised.

21.15 A condition is also attached (as it was with the Approved Masterplan) to ensure that a sufficient number of bird and bat boxes for the appropriate species are incorporated into the fabric of the buildings and the landscaping.

***Biodiversity Net Gain (BNG)***

21.16 After the submission of the Approved Masterplan, statutory Biodiversity Net Gain (BNG) requirements were introduced requiring a 10% gain. However, this s73 Application will not require the approval of a statutory Biodiversity Gain Plan before development is begun because the application for the original permission was made before 12 February 2024.

21.17 Nonetheless, a BNG Assessment has also been prepared as part of the S73 application. The BNG calculations demonstrate that accounting for the amendments to the Detailed Phase 1, the O2 Masterplan (both Detailed and Outline Elements) will generate a 281.26% BNG within the Site (compared to >165% BNG for the Approved Masterplan). This is achieved by converting a predominantly hardstanding site into a landscaped residential development.

***Urban Greening Factor (UGF)***

21.18 The Urban Greening Factor is a tool to evaluate the quality and quantity of urban greening. It enables major developments to demonstrate how they

have incorporated urban greening as a fundamental element of site and building design, meeting London Plan Policy G5 Urban Greening. The target for predominantly residential developments in the London Plan is 0.4.

21.19 As approved under the Approved Masterplan, the whole site would achieve a UGF of 0.32. Whilst this was accepted Officers expressed disappointment that it was below target and their expectation that the UGF should be improved upon as part of the RMAs.

21.20 A UGF Addendum was submitted with the s73 application showing that the detailed element would have an improved UGF of 0.35. This improvement on the Approved Masterplan is welcomed. The failure to increase it further is explained by the need for permeable paving and sealed surfaces to allow for permeability (walking and cycling) and servicing requirements. Planting has been maximised in other areas. Condition RM35 will continue to require the UGF for the outline phases to be reviewed as part of the RMAs and for the UGF to be maximised.

### ***Conclusion***

21.21 Overall opportunities to optimise the site have been balanced with retention of as many higher quality trees as possible and the desire to deliver public open spaces which the community can enjoy. The landscaping approach would include a significant uplift in trees along with much enhanced planting, and hard landscaping. The site would enhance biodiversity significantly and would comply with the development plan policies in this regard. The proposed amendments as part of the S73 application which increase the quantum of public open space are welcomed.

## **22. TRANSPORT**

### ***Policy context***

22.1 The Mayor's Transport Strategy 2018 (MTS) looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80 per cent of all Londoners' trips will be made on foot, by cycle or by public transport. The MTS seeks to impose high expectations on developers to deliver transport solutions that promote sustainable mode shift, reduce road congestion, improve air quality, and support the development of attractive, healthy, and active places. It will also seek to restrict car parking provision within new developments, with those locations more accessible to public transport expected to be car-free or car-light.

22.2 Proposal 55 of the MTS goes on to set out that the Mayor, through TfL and working with other stakeholders, will make the transport network more accessible and inclusive by providing step-free access at selected rail and Underground stations and on all new infrastructure, to halve the additional journey time required by those using the step-free network only, so that

journey times on the step-free network become comparable to those on the wider public transport network.

- 22.3 The aspirations of the Mayor's Transport Strategy are embedded in the policies of the London Plan, particularly the policy approaches such as 'Healthy Streets', 'Good Growth' and the Mayoral mode share targets.
- 22.4 Policy T1 of the London Plan states '*all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.*'
- 22.5 LP Policy GG1 states that in building strong and inclusive communities, the movement of all Londoners, including older people, disabled people and people with young children, should be supported by those involved in planning and development. This should be done by creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation. Table 10.1 – Indicative list of transport schemes, under London Plan Policy T3, includes step-free Underground stations.
- 22.6 The CLP policies T1 and T2 set out a clear strategy for managing the transport impacts of development, which has a strong focus on designing schemes and taking measures which promote active travel, and ensure that, where this is not possible, the emphasis is on using public transport rather than private motor vehicles. It states that, where appropriate, development will be required to provide for interchange between different modes of transport, including facilities to make interchange easy and convenient for all users, and maintain passenger comfort.
- 22.7 The Fortune Green and West Hampstead Neighbourhood Plan aligns with the London Plan and Local Plan. The plan recognises the excellent public transport links in the area and the vast number of people already using it. Policy 5 seeks to ensure that future development contributes to and improves public transport infrastructure.
- 22.8 Policy 6 sets out a requirement for development proposals to improve the capacity and accessibility of facilities at West Hampstead Underground, West Hampstead Overground, Finchley Road Underground and Finchley Road and Frognal Overground Stations. It notes that West Hampstead Underground Station is regularly overcrowded, has no lift access, and would benefit from a second entrance. In respect of Finchley Road Underground, it states that growth in the area will increase passenger use of the station and that its expansion, including a second entrance from the O2 Centre car park site and the installation of lifts, should be considered by TfL. It states that in respect of both stations, improvements could be partly

funded by CIL payments. Policy 7 promotes reduced car use, and Policies 8 and 9 seek to improve facilities for cycling and walking. Contributions to the provision of safe and well-designed cycle roads are supported, as are those to improve and provide safer pedestrian crossings and more space for pedestrians.

- 22.9 Camden Planning Guidance on Transport (2021) and the West End Lane to Finchley Road SPD (2021) are also relevant. The SPD states that opportunities to create step-free access and provide capacity enhancement at West Hampstead Underground station need to be explored and, where feasible and justifiable, be pursued to address the impacts of growth and potential demands generated by new development.

***Introduction***

- 22.10 The application site is located between Finchley Road (A41) and West End Lane (B510). Finchley Road is part of the Transport for London Road Network (TLRN). Blackburn Road is accessed from Finchley Road and is within the application site running along its northern edge. The road terminates in the north-west corner of the application site, but a service road continues south and then loops back towards Finchley Road to provide access to the O2 Centre. There is a second, unconnected section of Blackburn Road, accessed from West End Lane, that runs alongside the Builders Merchant (Plot S8).
- 22.11 To the south of the application site are railway lines which serve the tube (Jubilee and Metropolitan) and mainline trains run by Chiltern National Railways. To the north of the application site are railway lines used by London Overground. There are 5 stations within walking distance of the application site, the nearest Underground stations are Finchley Road and West Hampstead, which provide access to the Jubilee and Metropolitan lines. Finchley Road & Frognal and West Hampstead Overground stations are located to the north-east and south-west, respectively. West Hampstead Thameslink Station is 70m north on West End Lane. Both West Hampstead Overground and Thameslink are step-free.



Figure 62 - Location of Tube and Train Stations

- 22.12 There are 6 bus routes (13, 113, N113, C11, 187, 268) along Finchley Road; two of these, 187 and 268, start and terminate at the application site. There are 2 further bus routes (139 and 328) that serve West End Lane. There are further routes accessible from stops on nearby streets. Several high-frequency coach services also stop on Finchley Road.
- 22.13 The Public Transport Access level (PTAL) of the application site ranges from 6a to 6b (on a scale from 0 to 6b, where 6b is the highest).

### **Car parking**

- 22.14 The S73 application is consistent with the Approved Masterplan in that all development is to be car-free except for disabled parking. In accordance with London Plan (2021) Policy T6 standards, accessible parking spaces are provided for 3% of dwellings.
- 22.15 The 21 disabled car parking spaces (an uplift of 3 spaces to adjust for the increased number of dwellings) will be provided in the Detailed Phase 1. There are 7 spaces under block N4, 10 under N5, and 4 in the street between the blocks. Access to the internal car parking within Plots N4 and N5 will be controlled by gated control access, consistent with the consented proposals. Only Blue Badge holders will be able to obtain a permit for a parking space. In line with the Approved Masterplan and London Plan (2021) Policy T6, no visitor car parking will be available.
- 22.16 The four spaces in the Neighbourhood Lane between Plots N4 and N5 will be provided with Electric Vehicle Charging Points (EVCPs). This equates to 20% of the spaces being provided with an EVCP from the outset, which accords with London Plan (2021) Policy T6 standards and is consistent with the provision for the Approved Masterplan. Appropriate private restrictions and enforcement will be in place to deter illegal parking in the four external spaces.

22.17 Consistent with the Approved Masterplan, no car parking will be provided internally within Plot N3E. Parking for Plot N3E will be located within Plot N5. These two Plots both contain Market Rent dwellings; therefore, access for residents of Plot N3E will be available, if required, into Plot N5. To assist users with mobility impairments travelling between Plot N3E and Plot N5, regularly spaced benches will be provided in the public realm to reduce the travel distance between resting points.

22.18 The proposed car parking locations are shown in the diagram below.

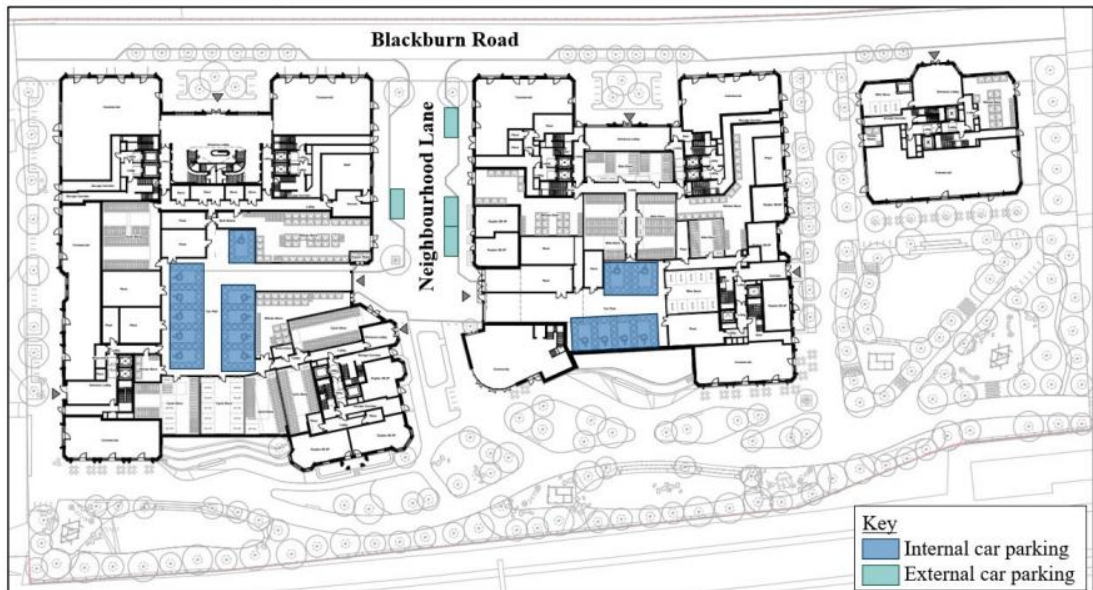


Figure 63 - Proposed blue badge accessible parking

**Cycle Parking**

22.19 The Approved Masterplan included details of cycle parking for the Detailed Phase 1 in line with London Plan standards and further details were secured for the outline phases as part of the RMAs (RM32). As part of the S73 application residential long-stay cycle parking will be provided in accordance with the revised minimum standards set out in the more recently published Support for Housebuilding LPG. The guidance on cycle parking applies until 31 March 2028, by which time the new London Plan is expected to have been adopted. The relevant standards for Camden (a ‘Band 1’ location) are shown in Table 14.

Dwelling size	Minimum cycle parking spaces per
One bed	1.0
Two bed	1.5
Three or more bedrooms	1.9

Table 22 -Support for housebuilding LPG Cycle parking standards

- 22.20 It is noted that Support for Housebuilding LPG (2025) also allows some flexibility regarding the types of cycle parking that can be provided to count towards the minimum standards.
- 22.21 For example, the provision of public cycle or scooter hire, shared cycles or scooters made available in perpetuity for residents, and additional on-street parking and storage space for folding cycles are considered suitable for counting towards the minimum standards. This is intended to improve development viability (e.g., by removing basements) and to encourage ground-floor activation. At this stage, cycle parking will continue to be provided in internal stores (as per the consented arrangement).
- 22.22 The provision of 903 long stay spaces and 111 short stay spaces complies with the new standards. The cycle parking locations and access arrangements remain similar to the Approved Masterplan. The proposed access arrangements are shown below.



Figure 64 - Long-stay cycle parking locations and access

- 22.23 The design of cycle parking stores follows the principles of the Approved Masterplan. Consistent with the Approved Masterplan, 5% of long-stay cycle parking spaces are provided as Sheffield-type stands to accommodate adapted and non-standard cycles. The remaining spaces are two-tier racks.
- 22.24 Consistent with the Approved Masterplan, long-stay cycle parking for the commercial uses will be incorporated into the internal fit-out within each Plot. This is appropriate given the low number of long-stay cycle parking spaces required for the proposed uses.

22.25 Consistent with the Approved Masterplan, short-stay cycle parking for all land uses will continue to be provided as Sheffield stands within the public realm. Short-stay cycle parking will be distributed around the Phase 1 development, located as close to building entrances as possible. Delivery of cycle parking in phase 1 will be secured by condition. Details of the cycle parking for the outline phases will continue to be assessed as part of the later RMAs.



Figure 65 - Short stay cycle parking locations

### **Cycle Routes**

22.26 The Approved Masterplan included a single wide (minimum 4.0m) east-west walking and secondary cycling route through the public realm to the south of the Development Plots. The S73 application proposes two east-west routes; the wider of the two routes is a minimum of 3.5m throughout.

22.27 Consistent with the Approved Masterplan, this is intended to form a secondary east-west cycle route through the application site (with Blackburn Road continuing to form the primary cycle route). The two cycle routes are designed to be 'meandering' to encourage slow, considerate cycling whilst sharing the space with pedestrians.

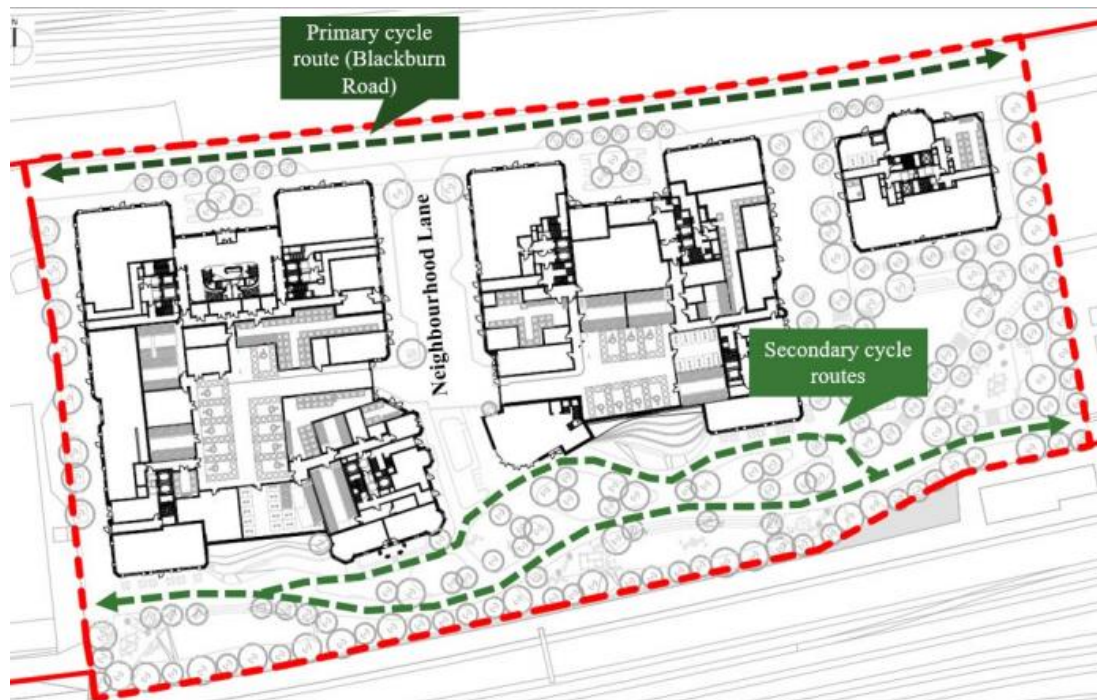


Figure 66 - Primary and secondary cycle route

- 22.28 LTN 1/20 ('Cycle infrastructure design') states that where cycle flows are less than or balanced with pedestrian flows (up to 300 cyclists sharing a footway with up to 300 pedestrians), a minimum width of 3.0m for a shared route is acceptable. The full Masterplan is forecast to generate up to around 225 cycling trips in peak hours, the vast majority of which are expected to use Blackburn Road as the primary cycle route. Based on this, it is likely that there would be substantially fewer than 300 cyclists an hour using the secondary east-west cycle route. The proposed width of the secondary cycle route is suitable for a shared route.
- 22.29 Additional trees are proposed along Blackburn Road to enhance the street's landscaping.

**Access and servicing**

- 22.30 The principles of the pedestrian access strategy remain consistent with the Approved Masterplan. The location of the pedestrian access points on the ground floor have been slightly amended to reflect changes to the internal building designs. The primary change is the revised community centre location, now at the eastern corner of Plot N4 (previously in the south-east corner).

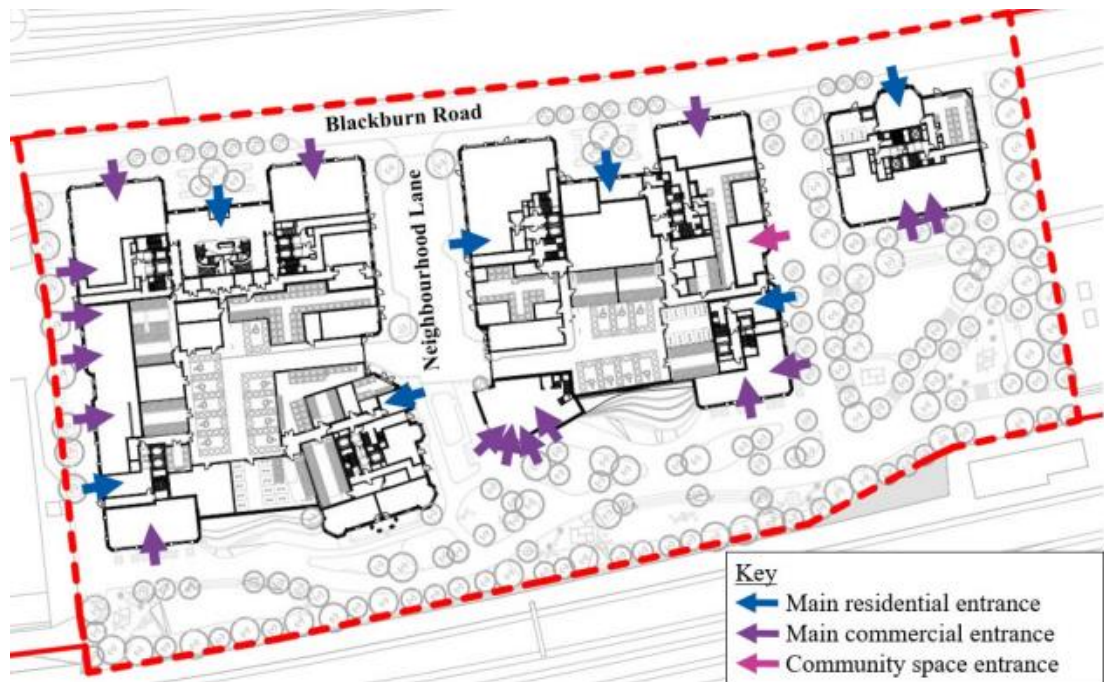


Figure 67 - Proposed main pedestrian entrances to buildings

22.31 Vehicular access will continue to be provided via Blackburn Road, to the north of the Detailed Phase 1 Plots. Vehicular access to the Plots N4 and N5 car parks, the on-street car parking, and a loading bay is provided via the Neighbourhood Lane between Plots N4 and N5. A turning head is provided at the southern end of the Neighbourhood Lane, for use by delivery and servicing vehicles and refuse collection vehicles on the Neighbourhood Lane

22.32 In summary, the delivery and servicing strategy includes the following:

- A loading bay is provided on the Neighbourhood Lane. The loading bay is adjacent to a shared concierge facility, which will include a parcel storage. Kerbside loading opportunities are also present on Blackburn Road close to the entrances to Plot N4 and N5.
- A move-in / move-out space is provided in the car park within Plot N5, for use by vans assisting with longer duration move-in / move-out activities.
- Parcel lockers are proposed to be provided within the Plot N4 entrance lobbies.

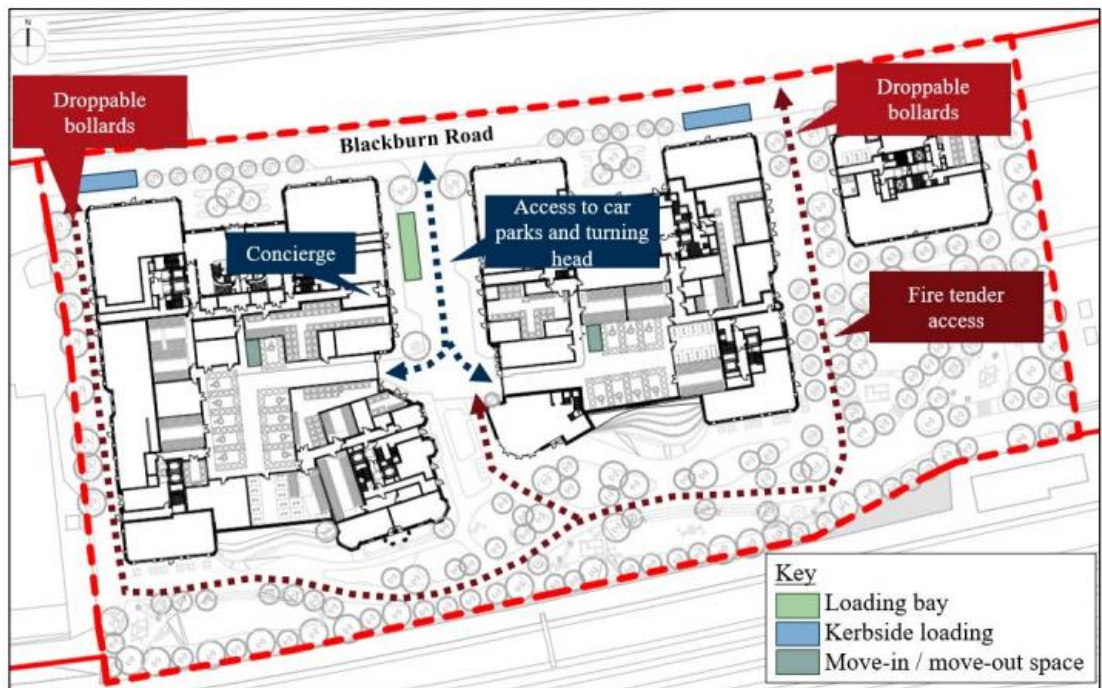


Figure 68 - Servicing plan

### **Trip Generation**

22.33 There are some minor increases in trip generation for the Detailed Phase 1 when comparing to the Approved Masterplan, but an overall reduction in trips when considering the Masterplan as a whole. This overall minor reduction is due to tenure changes.

22.34 Given the excellent public transport and active travel connections the application site benefits from, the scheme makes considerable mitigation through contributions, but the impact on trips from the amendments in this s73 Application is considered negligible. The financial contributions for transport and public realm improvements secured against the Approved Masterplan remain applicable, and any additional contributions are deemed unnecessary.

### **Construction Management**

22.35 The impacts from construction will be managed through Construction Management Plans (CMPs), including support contributions and Construction Impact Bonds. These would continue to apply under the s73 Application. The Phase 1 CMP support contribution and Impact Bond for Phase 1 has already been paid, but the remaining bonds for the later phases will need to be updated to reflect the Council's new increased costs.

### **Obligations**

22.36 The transport obligations are considerable and would be carried over to this s73 Application in the DOV. There are some updates and changes needed and the key ones are:

- Construction Management Plan (CMP) support fees have since increased.
- CMP Bonds has since increase.
- Travel Plan monitoring fees have since increased.

22.37 As well as some key updates as set out above, the trigger points for some of the payments will be adjusted as part of the s106 negotiations to assist in delivery of the scheme and severability of Plot S8, but payment totals remain the same and they will be made at appropriate times to allow for the delivery of improved infrastructure to meet the needs of growth.

22.38 The following contributions are specific to Plot S8 and, given the potential severability of Plot S8, are removed from the total, which is divided among the remaining plots. These obligations would be specifically secured based on Plot S8/the Builders Merchant coming forward:

- Blackburn Road (west) cul-de-sac improvements (within public highway) - £304,871.85
- Highways contribution £101,578.24 relating to remediation works, Blackburn Road (west), between the application site and West End Lane.
- If severed, Plot S8 will be required to contribute, on a proportionate basis, to other relevant financial contributions for Outline West based on its floor area. The financial Obligations related to Outline West include:
- West Hampstead Station Step Free Access improvements contribution (£10m total)
- Granny Dripping Steps and Billy Fury Way improvements (£400,000 total)
- Legible London (total £19,400)

22.39 Therefore, the amounts above would be divided among the N6, N7, and S8 floor areas.

22.40 Noting that other contributions, such as £1,100,000 Finchley Road Improvements Contribution and £400,000, relate more closely to Phase 3 and therefore are not required to be split on a pro rata basis.

22.41 This total PCE contribution is £1,505,872 and is divided 25:75 between Phase 1 & 2. The PCE contribution for Phase 2 (Outline West) is therefore £1,128,654. If S8 is not severed, the £1,505,872 would continue to be split between Phase 1 & 2 on the same ratio as per the current S106. However, if it is severed, the £304,871 would be deducted from the Outline West total of £1,128,654, leaving £824,654. This would be divided between plots N6 and N7 on a pro-rata basis.

### **Conclusion**

- 22.42 The S73 application amendments are consistent with the principles established in the Approved Masterplan. Overall, it can be concluded that it would continue to deliver a sustainable scheme which supports the Healthy Streets Approach, Mayor's Transport Strategy, and London Plan. Furthermore, the amendments would not adversely affect capacity or the safe operation of the surrounding transport networks.
- 22.43 The s73 Application is acceptable from a transport perspective and comply with the development plan.

## **23. SAFETY AND SECURITY**

### ***Policy context***

- 23.1 Camden Local Plan (CLP) policy C5 requires that development incorporate design principles which contribute to community safety and security. London Plan (LP) policy D8 requires public realm to be well-designed, safe, accessible and inclusive. LP policy D6 deals with housing quality and the supporting text explains that gated forms of development that could realistically be provided as a public street are unacceptable, and alternative means of security should be achieved through the principles of good urban design and inclusive design. LP policy D11 requires developers to work with Designing Out Crime Officers (DOCOs) to design and maintain a safe and secure environment that reduces fear of crime. However, it also deals more generally with safety, security, and resilience to emergency. It says development proposals should maximise resilience and minimise potential physical risks, including those resulting from extreme weather, fire, and flood.
- 23.2 The [Women and the Criminal Justice System 2023](#) report, published in January 2025, states that men are more likely to be victims of violent crime, but women are more likely to have a fear of violent crime. Younger people (18-24 years old) are also more likely to be victims of crime. The [Ethnicity Fear of Crime Survey](#) updated in August 2023 notes variation of fear of crime across ethnicities. A smaller proportion of white people report fear of crime, compared with non-white people from other ethnic groups. Asian people have the highest levels of fear of crime. Such discrepancies mean that if the environment is not perceived as a safe public space for **all** users, certain groups are likely to be excluded or suffer greater impact, contrary therefore not only to CLP Policy 5 on safety and security but also to CLP policy C6 which aims to secure access for all.
- ### ***Crime and security***
- 23.3 The Approved Masterplan was designed to design out crime through passive measures including natural surveillance and minimising spaces that lack activation or create easy opportunities for criminal and anti-social

behaviour. This s73 Application maintains permeability, active frontages, natural surveillance, clear sightlines and a clear navigable layout. The changes to the design of the Detailed Phase 1 include larger more prominent doors and portals on the ground floor, helping to further emphasise surveillance from active frontages. This s73 Application remains in accordance with the policies of the development plan.

### ***Building resilience***

- 23.4 The [London Risk Register \(version 14\)](#) identifies several risks with medium to high likelihood and impact. These include crime-related risks such as public disorder and attacks on transport. The risk from public disorder is more limited on the application site, with minimal night-time economy uses proposed across it. The eastern end (Phase 3 outline) is at the north end of the town centre and with its more commercial character, may suffer higher risk of public disorder. As the detailed proposals for this phase come forward under the reserved matters applications, the buildings and spaces will need to be designed to ensure they are resilient to such risks.
- 23.5 As well as crime-related risks, LP policy D11 and the London risk register identify other risks that should be minimised to ensure a safe and secure environment. These include several environmental risks with medium to high likelihood and impact, most notably, poor air quality, flooding, overheating, severe cold, and fires in high-rise flats.
- 23.6 These issues are dealt with in more detail under the other relevant sections of the report. Overall, the scheme would comply with the relevant policies of the development plan.

## **24. FIRE SAFETY**

- 24.1 LP policy D12 requires the application to be accompanied by a fire statement, prepared by a suitably qualified third-party assessor. It also says development should achieve the highest standards of fire safety. LP policy D5 seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. Further draft guidance is provided in the Mayor's Draft Fire Safety LPG.
- 24.2 The current fire safety regulatory framework includes three gateways for "relevant buildings". A relevant building is a building 18 metres or more in height OR 7 or more storeys tall, containing two or more dwellings or student accommodation. This applies to new buildings as well as changes of use of existing relevant buildings.
- 24.3 Planning Gateway One addresses fire safety considerations for relevant buildings in terms of land use planning, with the Building Safety Regulator (BSR) which is part of the Health and Safety Executive (HSE) acting as the

statutory consultee. Gateways Two and Three, introduced by the Building Safety Act 2022, ensure thorough scrutiny of detailed information by the BSR, including building regulations compliance, prior to construction and upon completion.

24.4 The Planning Gateway One was introduced during the assessment of the Approved Masterplan, and since being granted, the regulations and processes have further developed. There are several tall buildings across the Masterplan, and in the Detailed Element, that require compliance with the Regulations (they are “relevant buildings”).

24.5 The amendments to Phase 1 seek to address changes to Building Regulations regarding fire safety and to aid commercial delivery of the scheme. An updated fire statement (R3 Issue 6) was submitted as part of this s73 Application to address fire safety to meet the requirements of both the London Plan and Planning Gateway One. The Health and Safety Executive (HSE) and Building Safety Regulator (BSR) were consulted on this Section 73 application and have no objections, confirming they are content with the fire safety design, and it will be for the applicant to demonstrate compliance with building regulations at the Building Control stage.

24.6 The report expressly states this is a new Fire Statement reflecting updated regulations and best practice since the original permission. All blocks:

- Have at least two firefighting stairs;
- Include dual-purpose firefighting / evacuation lifts;
- Are fully sprinklered; and
- Use non-combustible external wall materials (A2-s1, d0 or better).

24.7 The Evacuation Strategy includes:

- Stay-put strategy for residential flats;
- Evacuation Alert System;
- Simultaneous evacuation for commercial areas; and
- Evacuation lifts provided for disabled occupants.

24.8 Means of escape:

- Travel distances compliant with BS 9991;
- Two stairs serving all residential levels;
- Smoke-vented lift lobbies and corridors;
- Fire-sterile entrance lobbies where required; and
- Protected final exits at ground.

24.9 Active and passive Fire Protection:

- Full sprinkler coverage;
- LD1 detection in flats;
- L3/L5 detection in communal areas;
- Smoke extract to corridors, lobbies and car parks;
- Secondary power supply;
- Compartmentation between residential and commercial;
- Fire-resisting doors; and
- 2-hour structural fire resistance.

24.10 The fire safety design is acceptable to the extent it affects land use planning considerations and LP Policy D5 and D12.

## **25. AIR QUALITY**

25.1 London Plan Policy SI1 states that masterplans and development briefs for large-scale development proposals subject to an EIA should consider how local air quality can be improved across the area of the proposal as part of an Air Quality Positive (AQP) approach. The AQP approach maximises the benefits to local air quality in and around a development site or masterplan area and aims to minimise exposure to existing sources of poor air quality. It requires development proposals to demonstrate what measures have been taken during the design stages to achieve the best possible outcomes for air quality. This approach goes beyond compliance with both the Air Quality Neutral (AQN) benchmarks and the minimum requirements of an air quality assessment. To achieve this, this s73 Application should consider ways to maximise benefits to local air quality and incorporate measures or design features to reduce exposure to pollution.

25.2 At a local level, CLP policy CC4 seeks to ensure that the impact of development on air quality is mitigated and ensures that exposure to poor air quality is reduced in the borough. The Council will consider the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupants to air pollution and the effect of the development on air quality. CPG Air Quality 2021 recognises the AQP approach although at the time of publication it was an emerging London Plan policy. It has since been adopted and now has full weight in planning decisions.

25.3 Development that involves significant demolition, construction or earthworks will also be required to assess the risk of dust and emissions impacts in an AQA and include appropriate mitigation measures to be secured in a Construction Management Plan.

25.4 The application site is partly in an Air Quality Focus Area (AQFA) and approximately 520m to the east of a further AQFA. The closest major A-road to the application site is the A41 (Finchley Road) which bounds the

application site to the east and is likely to have a significant impact on the existing air quality due to busy traffic flow and its proximity to the application site. Railway lines run to the north, south and west of the application site. The London Atmospheric Emissions Inventory maps (2019) indicate increased pollution from the railway lines from the diesel passenger trains from East Midlands Railway to the north of the application site, diesel passenger trains on the Chiltern Railway to the south of the application site and diesel freight from the North London Line which crosses near the west of the application site. These are likely to move away from diesel in the future but for now, they are a source of poor air quality. The map below shows the AQFAs in relation to the application site.



Figure 69 - Air Quality Focus Areas (AQFAs) in relation to the application site

- 25.5 The whole of the Borough of Camden was declared an Air Quality Management Area (AQMA) in 2000 due to the high concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) and concerns over the achievement of Air Quality Strategy (AQS) objectives (long-term NO<sub>2</sub> AQS objective and short-term PM<sub>10</sub> AQS objective).
- 25.6 An Air Quality Officer has been consulted and has no objections. The proposed s73 amendments do not alter their previous advice for the Approved Masterplan, with regards demolition and construction and impact on future occupiers. The construction management plans which include provisions for construction phase air quality management will continue to be in effect under the DOV to the s106 agreement. The conditions attached to the Approved Masterplan, including the need for an updated Air Quality Assessment which should consider the railways, would also be attached again. These conditions would include details of the proposed Emergency Diesel Generator Plant, including emissions, up to date air quality data for

each phase, and electric charging for vehicles. Construction phase includes real time dust monitoring, and restrictions on the use of Non-Road Mobile Machinery (NRMM).

- 25.7 The proposals would ensure adequate mitigation for air quality impacts, and would likely have long-term benefits with removal of a significant area of car-parking. The proposals would comply with the development plan in terms of air quality.

## **26. WASTE AND RECYCLING**

### ***Construction Waste***

- 26.1 The London Plan Policy SI 7 sets a target of 95 per cent for recycling/ reuse of construction, excavation and demolition waste. A condition is attached (condition D14) requiring that this be done in accordance with the Civil Engineer's Demolition Protocol. The applicant will specifically prioritise targeting those materials with the highest levels of embodied carbon (the greenhouse gas emissions generated during the extraction, manufacturing, transportation, and end-of-life processing of the discarded materials). They have committed to retaining, reusing, or recycling materials that contain at least 50% of the O2's embodied carbon. The monitoring, reduction, and recycling of construction waste will be included in a waste management strategy as part of the Construction Management Plan secured under a s106 agreement. The minimisation of construction waste will comply with CLP policy CC1, LP policy SI 7, and the relevant guidance. This S73 application does not seek to amend or alter the approach of managing construction waste from that set out in the Approved Masterplan.

### ***Domestic and commercial waste and recycling***

- 26.2 The Approved Masterplan featured separate dedicated residential bin stores on the ground floor of each building in the detailed plots (N3E, N4 and N5). Each residential core had its own local bin store, and the management team would coordinate the movement of bins from the local stores to larger stores, where weekly collection would take place. The larger stores were all within 10m of the nearest refuse truck parking stand on Blackburn Road (eastern half of N4 and N3E) or Neighbourhood Lane (western half of N4 and building N5).
- 26.3 Commercial waste was to be stored separately from residential waste. This approach is changing and the commercial waste collection contractor will now make use of the 'Neighbourhood Lane' between N4 and N5 to collect commercial waste from the N5 waste store. The commercial refuse contractor will then collect from these stores. Tenants will remove bagged waste from their unit and transfer it to the commercial waste store. For Plots N3E and N4, the waste would be stored in N3E, adjacent to Blackburn

Road, and for Plot N5, the waste would be taken to and stored in an external enclosure near Blackburn Road.

- 26.4 The following adjustments were made to provide improvements and simplifications:
- Internal connections from each core to waste storage rooms (via fire-protected lobbies) for ease of access.
  - Secondary bin stores reduced from three to one, reducing maintenance and management complexity.
- 26.5 Duplex houses within 30m of a bin store would take their waste to it. Where duplexes are more than 30m away, the facilities team would collect the waste and transfer it to the appropriate store.
- 26.6 Bulky waste stores of a minimum 7.5 sqm will be provided for each development plot with N4 and N5 incorporating two stores each.
- 26.7 There would be space for the provision of 96 Eurobins (a combination of 1,280 litre bins for residual waste and recycling and 240 litre bins for food waste) in total across the detailed element of the scheme. This is based on the following calculation for weekly waste in the Council's technical guidance:
- Number of units x 120 litre residual waste;
  - Number of units x 140 litre mixed dry recyclables; and
  - Number of units x 23 litre food waste.
- 26.8 The application site facilities team would oversee the bin storage and collection and would be able to adapt the ratio of recycling to refuse as needed. The proposals would therefore continue to comply with the waste and recycling policies of the development plan.
- 26.9 As with the Approved Masterplan, there are currently no details of the waste and recycling storage facilities which will be provided within the buildings in Phases 2 and 3, the outline element. A condition is imposed requiring the submission of further details as part of future reserved matter applications.
- 26.10 This s73 Application in terms of waste and recycling storage for operational needs is considered to be acceptable and in accordance with policy CC5. A condition would be imposed to secure the provision of the waste and recycling facilities shown on the drawings in the detailed application and a separate condition will require the submission of further details of waste and recycling for each development plot in the outline application prior to commencement of its development. The refuse truck movements (swept paths analysis) would be included within the servicing management plan which are secured by the s106 legal agreement.

### ***Circular economy***

- 26.11 The promotion of a more circular economy involves resource conservation, waste reduction, and increased material reuse and recycling, and is a key policy in the London Plan 2021 (Policy SI 7 – Reducing waste and supporting the circular economy). To help achieve this, the London Plan requires all referable applications to submit a Circular Economy Statement.
- 26.12 A circular economy statement has been submitted that has been structured around the key principles contained within the GLA’s Circular Economy SPG, as follows:
- Conserve resources and source ethically;
  - Design to eliminate waste (and for ease of maintenance); and
  - Manage waste sustainably and at the highest value.
- 26.13 The O2 centre (outline phase 3) is an existing structure on site planned for demolition. Retention scenarios were explored for the O2 Centre; however, the building is deemed an outdated purpose-built structure that would for multiple reasons provide poor accommodation if repurposed (see ‘Principle of redevelopment’ section for more detail). Whilst the building could have been retained, considering the environmental and other policies in the development plan as a whole means that this would lead to underutilisation of an important site for housing delivery with excellent transport connections, and would result in a poor layout and design for the area. Furthermore, retention has to be balanced with the important objective of delivering significant housing for the borough on a site identified for dense housing delivery.
- 26.14 Structural feasibility studies have been conducted to retain parts of the substructure in the new development. For materials that cannot be retained or reused on site, the developer will explore the local secondary materials market or reuse networks. In terms of sourcing materials, there will be an emphasis on reclaimed and recycled materials, as well as on suppliers who minimise waste at source.
- 26.15 Excavation waste has been minimised by working with the levels of the application site. Where small basements are proposed for attenuation tanks, the waste is to be redistributed elsewhere on site, where possible. Construction waste will be managed by the CMP and held to defined performance measures and targets for minimisation, reuse and recycling. Demolition, excavation, and construction waste will be kept to a minimum, with at least 95% reused or recycled.
- 26.16 During the operational stage of development, waste minimisation principles will be built into the scheme, including community-led composting, spaces for repairs and making, and ‘swap shops’.

26.17 The Approved Masterplan is a significant material consideration and this proposed s73 Application continues to follow the key principles established in terms of waste and recycling. The proposals are in compliance with the development plan with regards to those policies.

## **27. BASEMENT CONSIDERATIONS**

27.1 Policy A5 of the Local Plan notes that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to

- a) neighbouring properties;
- b) the structural, ground, or water conditions of the area;
- c) the character and amenity of the area;
- d) the architectural character of the building; and
- e) the significance of heritage assets.

27.2 The policy goes on to note that, in determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA) and, where appropriate, a Basement Construction Plan (BCP). Other elements of the policy criteria (f) to (m) which seek to control the siting, location, scale and design of basements are not relevant in this case as this is a large comprehensively planned development site. Criteria (n) to (u) set out some of the factors which will be taken into account when considering whether a basement harms (a) to (e) listed above.

27.3 Basements were approved as part of the Approved Masterplan, including in Phase 1. The detailed elements (N3-E, N4, N5) plots N4 and N5 included localised basements within their footprints, approximately 2m below ground level, which would accommodate the water tanks for the two buildings.

27.4 The Basement Impact Assessment submitted with the Approved Masterplan application was reviewed by Campbell Reith, who concluded that it met the requirements of CPG Basements (2021). A BIA Addendum has been submitted as part of this s73 Application, addressing the proposed revisions to the approved basements in Phase 1. These amendments are as follows:

- For Plots N4 and N5 the basement depth is increased from 2m to 2.5m
- For Plot N3E, the basement is reduced from 6m to 3.5m

27.5 The submitted BIA addendum confirms there would be no material additional impacts. Given the reduction in depth of one approved basement and the very minor increase in the depth of the other two basements,

Campbell Reith did not need to be consulted. The BIA Addendum confirms that the amendments remain compliant with the Camden Planning Guidance and local planning policies. The assessment confirms that the design modifications will not result in significant adverse impacts on groundwater conditions, land stability, or the structural integrity of surrounding infrastructure.

27.6 As with the Approved Masterplan application, to mitigate basement-related impacts during construction and operational stages, a Construction Management Plan will be secured, as well as a final drainage design to be agreed with the Council and Thames Water, respectively. For the detailed element, the BIA states that the excavation will not impact surrounding infrastructure as the closest points to Network Rail assets are beyond the zone of influence of the works, although this will need to be confirmed with Network Rail's Asset Protection Team (Condition M22).

27.7 Details of a suitably qualified appointed engineer and their responsibilities to oversee the basement works will again need to be approved by the Council (condition M16). Updated and detailed technical information for the outline element will come forward with future reserved matters applications. With these conditions and controls in place, officers are satisfied that the submission meets the requirements of Policy A5.

## **28. ENERGY AND SUSTAINABILITY**

### ***Policy review***

28.1 In November 2019, Camden Council formally declared a Climate and Ecological Emergency. The current Camden Climate Action Plan 2026-2030 seeks to respond to the urgency of the climate crisis, enabling zero carbon and a climate resilient borough.

28.2 In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

28.3 Applicants must submit an Energy Statement and Sustainability Plan as part of an application showing how the development will meet the policy requirements.

### ***Approach to redevelopment***

28.4 The Approved Masterplan is a significant material consideration. The proposal is for a mixed-use, car-free development, which is of a density appropriate to the application site, which is in a highly accessible location.

Around 55% of the application site is to be retained as open space, which will include significant trees and planting. The principle of the scheme is therefore highly sustainable.

28.5 As set out in the waste and recycling section, the proposal involves the substantial demolition of existing buildings. Retention scenarios were explored but, considering the environmental and other policies in the development plan as a whole, this would lead to underutilisation of an important site for housing delivery with excellent transport connections, and would result in a poor layout and design for the area. The demolition of existing buildings has been balanced with delivering significant housing for the borough on a site identified for dense housing delivery. The existing Approved Masterplan which also establishes the principle of demolition for large scale redevelopment is a significant material consideration to consider too.

28.6 Key factors weighing into the decision on the Approved Masterplan and on this s73 Application are:

- The car showroom cannot realistically be repurposed or reused due to its 'big box' format and design. The existing buildings are unsuitable for residential conversion or other uses compatible with the proposed mixed-use redevelopment.
- The Builders' Merchant buildings are similarly unsuitable for reuse, and their demolition has already been accepted through a previous planning permissions (see 'History' section).
- Whilst demolition of the relatively modern O2 Centre is regrettable in sustainability terms, the building is not capable of being suitably repurposed for residential use, which is the principal proposed land use in accordance with the SPD and Neighbourhood Plan and aspirations for this growth area in the development plan and emerging DCLP.
- The O2 Centre is also considered to be of low design quality (as discussed in the 'Design' section). The existing built form severely restricts permeability and accessibility through the wider site, with access effectively limited to a single road.
- The replacement scheme would integrate significantly better with the Finchley Road Town Centre (as discussed in the 'Land Use' section). Paragraphs 124 and 125 of the NPPF support development that makes efficient use of land, having regard to need, viability and local character. The existing O2 Centre is considered an inefficient use of a highly accessible and strategically important site.
- Demolition of the existing buildings enables a comprehensive redevelopment delivering substantial housing provision alongside replacement commercial uses that better complement and reinforce the Town Centre.

- 28.7 Structural feasibility studies have been conducted to retain parts of the substructure in the new development. For materials that cannot be retained or reused on site, the developer will explore the local secondary materials market or reuse networks. In terms of sourcing materials, there will be an emphasis on reclaimed and recycled materials, as well as on suppliers who minimise waste at source.
- 28.8 The applicant has committed to reusing and recycling demolition waste wherever possible. A condition is attached to which would ensure that at least 95% of demolition waste shall be diverted from landfill. Sustainable materials are proposed in the new construction to reduce embodied carbon emissions.

### ***Energy***

- 28.9 An Energy Strategy Addendum, Sustainability Statement Addendum, and updated Whole Life Carbon Assessment have been submitted as part of this S73 Application. An addendum states that there has been no change to the key commitments in the Circular Economy Statement from the approved application.

### **Whole Life Carbon**

- 28.10 The assessment for Whole Life Carbon (WLC) emissions indicates that Construction (Modules A1-A5) is expected to result in 621kg.CO<sub>2e</sub>/m<sup>2</sup> GIA which meets the benchmark of 850 but doesn't meet the aspirational benchmark of 500. However, the in-use and end of life whole life carbon impact (Modules B-C) (ex B6 & B7 Operational Energy & Water use) of 494 kg.CO<sub>2e</sub>/m<sup>2</sup> is significantly over the benchmark of 350 and aspirational benchmark of 300. Whilst the overall the total whole life carbon including sequestration is within the benchmark of 1,200 with 1,090kgCO<sub>2e</sub>/m<sup>2</sup> GIA the whole life carbon report includes a 15% contingency which would result in total emissions of up to 1,254 kgCO<sub>2e</sub>/m<sup>2</sup> GIA which is above the benchmark. These increases are due to a reduction in the assumed cement replacement due to limited global supplies, additional stair cores, changes to internal finishes and changes to the cooling strategy.
- 28.11 Further consideration of ways to reduce carbon emissions associated with the developments over its lifespan should be undertaken. Emissions as a minimum should be within the GLA benchmarks for construction (A1-A5), and in-use and end of life phases (B-C). Although the WLC total is within the benchmark, there has been an increase in the A and B-C modules compared to the Approved Masterplan. Given the increases, further consideration would be required for the detailed phase and a condition has been added to this s73 Application (condition D27). Condition RM40 already secures WLC assessments for each RMA. Reporting of WLC to the GLA post construction is secured through condition (condition D16).

<b>Modules</b>	<b>Min benchmark RESIDENTIAL (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>	<b>Aspirational Benchmark for RESIDENTIAL (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>	<b>Approved application (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>	<b>Proposed (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>
A1-A5	<850	<500	548	621
B-C (excl B6 & B7)	<350	<300	449	494
Total A-C (excl B6&B7 but inc sequestration)	<1200	<800		1090 (1254 with 15% contingency)

*Table 23 - Whole Life Carbon against GLA benchmarks*

Operational carbon

- 28.12 To enable comparison with the approved scheme the Energy Strategy Addendum has reported carbon reductions using SAP10 methodology – however there have been changes to the modelling (see below). It should be noted that the Building Regulations Part L 2021 have since been published and applications are now assessed against SAP10.2 methodology. These results have not been provided. The applicant has stated that they intend to demonstrate compliance by committing to providing these calculations as part of the discharge of the Energy Efficiency and Renewable Energy Plan and expect the calculations to demonstrate a similar level of performance which meets or exceeds the minimum policy targets. The Energy Efficiency and Renewable Energy Plan is secure by the s106 agreement. The s106 agreement already requires use of the latest GLA Carbon Emissions Reporting Spreadsheet which would include up to date SAP10.2 calculations, as well as a review against SAP 10 for comparison. The updated SAP10.2 figures would therefore be secured through the s106 agreement.
- 28.13 There has been a change in the calculations due to factors including a change in the software used and an increase in the number of dwellings used in the modelling (increased from 16 to 81 which provides more detail) and a change to the area modelled due to the removal of ancillary areas such as corridors. The revised modelling used is in line with the guidance for carbon calculations and seen as a refinement over the approach with the Approved Masterplan, but it does mean that the results are not directly comparable.
- 28.14 The following summary table shows how the proposal performs against the policy targets for operational carbon reductions in major schemes, set out in the development plan.

Policy requirement (on site)	Min policy target	Approved Application	Proposal reductions
Be lean stage (low demand): LP policy SI2	10%	13%	10%
Be green stage (renewables): CLP policy CC1	20%	53.3%	54.3%
Total carbon reduction: LP policy SI2 and LP CC1	35%	66.3%	60.7%

*Table 24 - Site wide comparison for operational carbon reductions*

28.15 The following tables show the stage reductions for each building (both residential and commercial elements) in the s73 application against the relevant policy targets.

Policy requirement (on site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	15%	9.6%
Be green stage (renewables): CLP policy CC1	20%	29.6%
Total carbon reduction: LP policy SI2 and LP CC1	35%	36.3%

*Table 25 - Plot N3E Non residential Carbon saving targets (for majors) and the scheme results*

Policy Requirement (On Site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	10%	15.9%
Be green stage (renewables): CLP policy CC1	20%	56.2%
Total carbon reduction: LP policy SI2 and LP CC1	35%	63.2%

*Table 26 - Plot N3E Residential Carbon saving targets (for majors) and the scheme results*

Policy Requirement (On Site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	15%	15.7%
Be green stage (renewables): CLP policy CC1	20%	22.8%
Total carbon reduction: LP policy SI2 and LP CC1	35%	34.9%

*Table 27 - Plot N4 Non residential Carbon saving targets (for majors) and the scheme results*

Policy Requirement (On Site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	10%	17.3%
Be green stage (renewables): CLP policy CC1	20%	61.6%
Total carbon reduction: LP policy SI2 and LP CC1	35%	68.2%

*Table 28 - Plot N4 Residential Carbon saving targets (for majors) and the scheme results*

Policy Requirement (On Site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	15%	14.9%
Be green stage (renewables): CLP policy CC1	20%	15.1%
Total carbon reduction: LP policy SI2 and LP CC1	35%	27.8%

*Table 29 - Plot N5 Non residential Carbon saving targets (for majors) and the scheme results*

Policy Requirement (On Site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	10%	11.2%
Be green stage (renewables): CLP policy CC1	20%	52.9%
Total carbon reduction: LP policy SI2 and LP CC1	35%	58.2%

*Table 30 - Plot N5 Residential Carbon saving targets (for majors) and the scheme results*

28.16 The operational carbon savings and measures set out below will be secured under an **Energy and Sustainability Strategy secured by Section 106 legal agreement** which includes monitoring, in compliance with the development plan.

Total carbon reductions

28.17 Reductions are measured against the baseline which are the requirements set out in the Building Regulations. Major development should aim to achieve an on-site reduction of at least 35% in regulated carbon emissions below the minimums set out in the building regulations. To achieve net zero carbon, a carbon offset payment will be secured that offsets the remaining carbon emissions caused by the development after the required on-site

28.18 In general, this s73 application meets the requirements for carbon reduction for regulated energy. The site overall achieves a 60.7% carbon reduction,

meeting the 35% on-site minimum requirement (but lower than the 66.3% in the Approved Masterplan).

- 28.19 For the non-residential areas, the reduction should be at least 15% through energy efficiency, 20% from on-site renewable energy and at least 35% overall on-site carbon reduction. Generally, the carbon reductions for the commercial areas meet the minimum requirements although Plot N3E doesn't meet the 15% at Be Lean with only 9.6% reduction and Plot N5 doesn't meet the Be Green target with only 15.1% and overall reduction of only 27.8%. A commitment to achieving this would be secured through the Energy Plan in the s106 agreement.
- 28.20 For the residential areas the reduction should be at least 15% through energy efficiency, 20% from on-site renewable energy and at least 35% overall on-site carbon reduction. All residential areas meet and exceed the targets.
- 28.21 With regards to the carbon offset for the detailed phase, the current price is £95 per tonne, applied over a 30-year term. As the overall carbon reduction of 60.7% does not meet net-zero carbon on site, a carbon offset payment of £666,330 is secured (233.80 tonnes at £95 per tonne for 30 years), lower than the approved scheme (£828,345) largely due to the refinement of the modelling rather than design refinements. This is secured for Plots N3E, N4 and N5 (detailed phase) through the s106 agreement.
- 28.22 Financial payments would continue to be secured by the s106 legal agreement to cover any shortfall on meeting net zero carbon on site in the later outline phases. This will be based on the carbon offset cost per tonne in place at the time of approval of a relevant reserved matters application.

#### Be lean stage

- 28.23 London Plan policy SI 2 sets a policy target of at least a 10% (residential) and a 15% (non-resi) reduction through reduced energy demand at the first stage of the energy hierarchy.
- 28.24 Overall emissions are reduced by 13% across the site at this stage through energy efficient design. Most of the plots achieve their respective targets. The proposals still include MVHR, 100% energy efficient lighting and a fabric specification which generally meets or improves on current Building Regulations requirements. There is a slight change to the assumed air permeability for the residential areas which would result in slightly less efficiency, but the updated modelling shows that residential areas in all blocks at least meet the 10% reduction through energy efficiency. For the non-residential areas only block N3E does not meet the 15% reduction at Be Lean with only 9.6% reduction. There is an increase in the expected cooling demand because only a small part of the commercial elements were

modelled previously, whereas this s73 Application includes most of these areas. Site wide, this is considered acceptable.

Be clean stage (decentralised energy supply)

28.25 London Plan Policy SI3 requires developers to prioritise connection to existing or planned decentralised energy networks, where feasible, for the second stage of the energy hierarchy. Camden Local Plan policy CC1 requires all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network.

28.26 As per the approved Energy Strategy there are no district heat networks currently in the vicinity of the site. The Approved Masterplan included safeguarded pipe route and connections. The site is in a heat network priority area and identified as within the DESNZ initial heat network zoning priority areas. The appropriate safeguarded pipe routes and connections to enable connection to a future district heat network are included in the revised design proposals. Routes for the wider masterplan remain unchanged from the consented scheme. The safeguarding measures, along with a design note demonstrating the technical approach to ensuring compatibility, would be **secured as part of the s106**, as with the Approved Masterplan, to ensure future connection to a district heat networks.

Be green stage (renewables)

28.27 Camden Local Plan policy CC1 requires all developments to achieve a 20% reduction in CO<sub>2</sub> emissions through renewable technologies (after savings at Be Lean and Be Clean), where feasible, for the third stage in the energy hierarchy.

28.28 A reduction of 54.3% in carbon emissions at Be Green stage significantly improves on the policy requirement of 20% from onsite renewable energy. This is less than the Approved Masterplan reduction of 61.3%.

28.29 Photovoltaics would again be installed on the roofs. However, there is a significant reduction in the proposed PV array area from 645m<sup>2</sup> of arrays in the approved scheme which delivered a 2.6% reduction in CO<sub>2</sub> across the detailed elements in the Approved Masterplan. Based on the updated massing and more developed design at this stage, an overall reduction in the available roof area for PV has been identified. The main reduction in PV array area available has come from the removal of the standalone southwest core on block N4. A total of 351sqm of arrays will now be provided with 127sqm and 17.5 kWp for N3E, 90sqm and 12.4kWp for N4 and 134sqm and 18.4kWp for N5. The condition for the detailed plots (N3E, N4, and N5) (condition D20) would be updated accordingly and would include the blocks plot by plot to allow each to be discharged separately.

The condition attached regarding photovoltaic cells on the outline phases (condition RM38).

28.30 Air Source Heat Pumps (ASHP) are proposed and green/blue roofs will supplement the use of PVs. Conditions are recommended to secure details.

28.31 The **updates to the s106 agreement under the DOV** would include a requirement for the detailed phase Plots N3E, N4 and N5 to achieve carbon reduction using SAP10 for the residential areas of at least:

- 15.9% for N3E, 17.3% for N4 and 11.2% for N5 through energy efficiency,
- 56.2% for N3E, 61.6% for N4 and 52.9% for N5 from on-site renewable energy and,
- 63.2% for N3E, 68.2% for N4 and 58.2% for N5 % overall residential on-site carbon reduction.

28.32 For the non-residential areas the updates would be for at least

- 9.6% for N3E, 15.7% for N4 and 14.9% for N5 through energy efficiency,
- 29.6% for N3E, 22.8% for N4 and 15.1% for N5 from on-site renewable energy and,
- 36.3% for N3E, 34.9% for N4 and 27.8% for N5 overall non-residential on-site carbon reduction.

28.33 The applicant envisages a 53% reduction in carbon in the outline phase. The section 106 agreement also includes a requirement for the outline permission areas to meet the current standards at the time the RMAs come forward. This would ensure RMAs consider relevant targets or carbon and energy policy in place at the time of the approval, for example a move towards Energy Use Intensity (EUI) under the DCLP. This would continue to apply to this s73 Application. The applicant envisages a 53% reduction in carbon in the outline phase.

28.34 Initially, this s73 Application indicated that there was a risk of overheating in some units (95% met the criteria), but further measures have been proposed to enable full 100% compliance to be achieved. The proposed MVHR with trim cooling is accepted due to the acoustic limitations of the site (noise from the rail lines) and it is noted that with Trim cooling and boosted ventilation flow rates all of the modelled rooms pass the requirements including extreme overheating events. However, it is also proposed that there is additional comfort cooling for the market rent units (air conditioning). This is not considered to meet with the policy and guidance as it would use more energy than Trim cooling and could have a greater impact on the environment from plant and re Fridgerants and would expel more hot air into the environment and therefore increase the urban

heat island effect. Cooling compliance can be met without comfort cooling (air conditioning) and therefore this is not considered justified. A condition has been added to this s73 Application to require a cooling strategy that would need to justify any additional comfort cooling (condition D28).

### ***Sustainability***

- 28.35 A Sustainability Statement, Circular Economy Statement and BREEAM Target Assessment have been submitted as part of this S73 Application.
- 28.36 The water fixtures and fittings specified for each home will collectively deliver no more than 105 litres/person/day per home, which is secured by condition M25.
- 28.37 There is no change in this S73 Application from the Approved Masterplan to the pre-assessment summary for the detailed phase, which indicates that BREEAM Excellent with a score of 80.4% will be achieved. This has been clarified as a BREEAM Shell Only accreditation, with a breakdown of credits: Energy 69%, Water 100%, and Materials 86% targeted. Whilst these meet the requirements, it should be noted that they will not cover the 'fit out' of components such as water-efficiency components or electrical sub-metering. BREEAM Excellent and targeted credits for Energy, Water and Materials are secured through the Energy and Sustainability Strategy secured by the s106 agreement.

### ***Conclusion***

- 28.38 The proposal involves demolition of several buildings, as did the Approved Masterplan, but the need to avoid demolition must be considered in the round as part of the other environmental development plan policies, and then balanced with other objectives in the plan as a whole. The optimisation of this brownfield site for housing delivery should be given considerable and significant weight.
- 28.39 The scheme proposes a wide range of sustainability measures, including sustainable building materials, water-conservation measures, and photovoltaic cells. The scheme has been designed to minimise energy use and incorporates renewables. This s73 Application has a higher whole life carbon impact than the approved application but could meet the overall benchmark if the contingency is not needed. The operational carbon reduction results seem to be slightly worse than the approved application, but the tonnage of operational carbon (and hence carbon offset) is lower overall. However, this is largely to do with revisions to the modelling and not improvements to the design of the scheme. Overall, the results are generally acceptable and the reductions of on-site carbon still meet policy requirements.

28.40 Sustainability and energy policy targets are generally met, and officers are therefore satisfied that this s73 Application would be acceptable. Energy and sustainability measures are secured by conditions and the s106 agreement as part of the Energy and Sustainability Strategy. Future outline plots will need to demonstrate compliance with new standards as they emerge, further improving the overall impact over time. Overall, the proposal complies with the energy and sustainability policies of the development plan.

## **29. CONTAMINATED LAND**

29.1 Policy A1 of the Camden Local Plan seeks to protect the amenity of residents of the borough by ensuring consideration is given to contamination of land when assessing development proposals. The reason for this is that development on contaminated land can expose people to a wide range of health risks so it is necessary to assess that risk and to secure remediation as appropriate. Without proper management of risks and appropriate remediation, disturbing the land could release contaminants into the local environment, impacting on local environment and those who occupy or visit the land – both during and following excavation and construction.

29.2 Evidence of certain historical uses on and around the application site mean that there may be potential risks of land contamination. These uses include coal and coke merchants, landfill, depots, and railway lands. Details of the ground conditions and land contamination were submitted as part of the Environmental Statement. Preliminary ground investigations have been undertaken and reported in this document.

29.3 The investigations did not reveal any notable evidence of contamination and ground gas monitoring concluded very low risk. This submitted report has been assessed by the Council's Contaminated Land Officer who has no objections to the proposal but noted that site investigation was constrained by site operations. As a result, the officer has recommended that more detailed phased investigation and assessment is secured by condition. This condition secures the further investigation, together with remediation measures, that could come forward by plot or phase. There is no change in approach between the Approved Masterplan and the s73 Application.

29.4 Given the above, the proposal is acceptable and in compliance with the development plan in terms of contaminated land, subject to conditions on a written programme of ground investigation and remediation measures.

## **30. FLOOD RISK AND DRAINAGE**

- 30.1 Policy CC3 is relevant with regards to flood risk and drainage, it states that development should not increase flood risk and should reduce the risk of flooding where possible. When considering development proposals we should consider the impact of development in areas at risk of flooding, incorporate flood resilient measures in areas prone to flooding and utilise Sustainable Drainage Systems to achieve a greenfield runoff rate where possible.
- 30.2 Policy SI 13 of the London Plan states that London is at particular risk from surface water flooding and that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. A preference should be given to 'green' over 'grey' infrastructure in line with the drainage hierarchy. Policy GG6 seeks to ensure that London becomes more efficient and resilient, and that development is designed to take account of a changing climate including natural hazards like flooding.
- 30.3 The application site is located within Flood Zone 1. There are 3 flood zones as defined by the Environment Agency: Flood Zones 1, 2 and 3. These are based on the likelihood of an area flooding, with flood zone 1 being the least likely to flood and flood zone 3 being the most likely to flood. There has, however, been localised flooding in the area in recent years including on West End Lane and Finchley Road. The application site is adjacent to a Local Flood Risk Zone (Goldhurst).
- 30.4 The application site is currently dominated by impermeable surfaces being largely made up of roads, car parking, and the rest being developed. The underlying geology is London clay. Very little of the application site is made up of green planted areas and the application site has a very poor run-off rate at present that would contribute towards local flooding. The topography of the application site is undulating with the most elevated point being Blackburn Road to the north and the lowest points to the south-east of the application site.
- 30.5 Since the Approved Masterplan was granted permission, the Council has published an updated Strategic Flood Risk Assessment 2024 (SFRA) which should be taken into account when considering flood risk. In addition the national maps on the Risk of Surface Water Flooding were updated in early 2025. These maps show that a larger proportion of the site is now medium to high risk of surface water flooding.
- 30.6 A Sustainable Drainage Report Addendum has been prepared and submitted as part of this s73 Application. The submitted document includes details of runoff rates, drainage and SuDS. This s73 Application presents a significant opportunity to reduce flood risk.

- 30.7 The strategy to reduce run-off and the potential for flooding centres around reducing the amount of impermeable surfaces and creating new green spaces, with Sustainable Urban Drainage Systems (SUDS) proposed. Alongside this cellular storage tanks are to be used to provide attenuation, the application site has been divided into seven catchments and the volume of attenuation needed in each has been calculated. Other SUDS features that have been included are brown and green roofs, permeable paving, and swales/ponds. As the detailed design progresses and landscaping approaches refined, it is hoped that further features can be incorporated including rainwater gardens, filter drains, silt traps, and sump gullies.
- 30.8 The design of the detailed Phase 1 in the Approved Masterplan allowed for an attenuation volume which would result in a 50% reduction run-off rate as required by policy. The applicant committed to meeting greenfield run-off rates in all 3 phases. The applicant has made the same commitment in this S73 application.
- 30.9 The Lead Local Flood Authority was consulted and has recommend approval of the S73 application as no significant changes to the drainage strategy as set out in the Approved Masterplan have been identified. The same conditions attached to the Approved Masterplan application are attached to this current s73 Application; details of SUDS, the need to meet greenfield runoff rates and a water efficiency condition in respect of the detailed element that would ensure no more than 105L per person per day of internal water use.
- 30.10 At the time the Approved Masterplan was granted permission the site was identified as having some limited areas with potential surface water risk. The updated Risk of Surface Water Maps now indicate that larger parts of the site are at medium to high risk of surface water flooding which increases to significant proportions in the 2040-60 Climate Change modelling. As a result of this change, an additional condition will be added requiring a Flood Risk Emergency Plan to protect future occupants in the event of a flood.
- 30.11 As part of the reserved matters for phases 2 and 3 details of the above would also be secured via condition.
- 30.12 Thames Water responded to consultation on the Approved Masterplan application and had no objections subject to conditions confirming that there is sufficient infrastructure in place to allow the development to be occupied. A condition would again be attached accordingly (condition M24).

## **31. CONSTRUCTION PHASE EMPLOYMENT AND TRAINING**

- 31.1 The proposal is a large mixed-use scheme providing significant new homes and commercial space. The scheme has significant potential for job creation and could generate significant local economic benefits. Policies E1

and E2 seeks to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services. CPG Employment Sites and Business Premises (2021) sets out that the Council will use S106 agreements to secure local employment and training initiatives and an element of affordable workspace from large scale employment schemes.

31.2 This Section 73 application involves a very minor decrease in retail floorspace in Phase 1. The rest of the commercial land use package remains unaffected and therefore the employment and training obligations from the Approved Masterplan application for both construction and end use phases are unchanged for this s73 Application.

31.3 This package of recruitment, apprenticeship and procurement measures would continue to be secured via S106 legal agreement and will comprise:

- Construction apprenticeships and work placement opportunities through the King's Cross Construction Skills Centre;
- Local employment;
- Local Procurement;
- Work apprenticeships; and
- Employment Training Plan.

## **32. HEALTH IMPACT**

32.1 CLP policy C1 and LP policy GG3 promote strong, vibrant, and healthy communities and seek to tackle health inequalities. Healthy and inclusive communities are a key objective of the Council, supported by the development plan's commitment to improving health through a range of policies, such as affordable housing, housing quality, active travel, and seeking to reduce health inequality. A Health Impact Assessment (HIA) has been carried out by the applicant, and the findings of the assessment have been submitted as part of this s73 Application. The Proposal's potential health impact has been assessed based on the HUDU Planning for Health Rapid HIA Tool. Impacts were also considered in chapter 6 of the ES addendum.

32.2 The submitted HIA Addendum finds that there would be no significant change on health impacts from the amendments to the Approved Masterplan application. There are some identified benefits, like additional public space and improved greening, but overall the impacts are considered in line with the Approved Masterplan. The conclusions of the HIA for the Approved Masterplan remain valid, albeit there would be some different impacts given tenure changes. Nonetheless, the overall impacts would be positive and mitigated through measures which include Construction

Management, and the health centre (at least 1,000sqm GIA with the capacity for 11 GPs) which is to be provided in the Outline west area.

- 32.3 The health centre is to be provided on site in the Outline West phase (phase 2). The s106 will be amended so that in the event that plot S8 is severed from the Masterplan, an appropriate pro-rata payment would be secured to support the delivery of the health centre on the other part of the site.
- 32.4 The Healthcare facility (total £3,095,840) would be calculated based on a proportionate contribution of Plot S8 (or a subsequent application floorspace) relative to the entire Approved Masterplan floor area. There were no S106 payments allocated towards the healthcare facility, as it was to be delivered on-site. A payment for the healthcare facility would therefore be made by Plot S8, if severed, directly to a fund for the facility's delivery.
- 32.5 Whilst there will be adverse impacts arising from the construction activity itself, these can be carefully managed and mitigated to some degree through the CMP and air quality controls, as well as through other highways and environmental legislation. Measures are also in place to manage health risks arising from air quality issues and noise. There is no significant change in this respect between the Approved Masterplan and the S73 application.
- 32.6 A Framework Travel Plan will set out the proposed modal shift objectives and targets to encourage increased use of public transport and active travel. Planning obligations have been secured within the Section 106 agreement to promote local employment opportunities (Employment and Training Strategy).
- 32.7 Provision of new accessible homes, affordable housing, green public open space, and a largely car-free environment, will benefit all but particularly the disabled (including those with long-term health conditions), elderly, the very young. The proposal is likely to have an overall positive impact on health and wellbeing, with clear benefits for those most affected by health inequalities and as such, it complies with the objectives of the development, particularly in relation to CLP policy C1.

### **33. MANAGING PHASING**

- 33.1 The application submission still envisages delivery of the scheme over 3 phases with an anticipated start date at the end of this year or start of next year. Current anticipated timescales are:
- Phase 1: 2027 to 2031
  - Phase 2: 2029 to 2034
  - Phase 3: 2035 to 2041
  - First residents occupying buildings: Mid-2030

- 33.2 Phase 1 is expected to take 4 to 5 years, up to 2031. Phase 2 is expected to start on site in 2029, overlapping with the end of Phase 1. The reason for this is to enable the earlier completion of the public realm and the proposed health centre in Plot N7.
- 33.3 Phase 3 is expected to start in 2035. As the application is hybrid, with only phase 1 submitted in detail, further reserved matters applications must be approved before phases 2 and 3 can be progressed. Given this and the many challenges that might be encountered in delivering the scheme, the phasing programme and timings may change from those currently envisaged.
- 33.4 In view of this, a condition (RM6) is attached to the permission which requires the submission of an updated phasing plan prior to implementation of Phase 1 and as part of all future reserved matters applications.

## **34. PLANNING OBLIGATIONS**

### ***Obligations (Heads of Terms)***

- 34.1 The planning obligations (including contributions) below are required to mitigate the impact of the development. These heads of terms will mitigate the proposal's impact on the area's infrastructure.
- 34.2 There are generally no notable changes to the Heads of Terms (HoTs) which were included in the S106 agreement for the Approved Masterplan unless the changes proposed in this S73 application have resulted in recalculated contributions such as the carbon offset payment, or the public open space contribution. Other contributions have updated because published fees and charges have been increased since the Approved Masterplan were agreed. The heads of terms which are changed by this S73 application are shown in bold font.

### ***Land use***

- Ensuring a supermarket is open throughout the build stage and at completion.
- Affordable Housing Delivery Plan
- Affordable Commercial Space Plan.
- Affordable workspace.
- Minimum size of the cinema.
- Healthcare Facility Specification
- **Healthcare Facility pro-rata contribution in the event of S8 being severed**
- Community Facility Management and Maintenance Plan.
- Public toilets.
- Provision and maintenance of public water fountains.

### ***Employment***

- Employment Training Plan.
- Post-construction employment financial contribution of £17,911.
- Construction apprenticeships and work placement opportunities through the King's Cross Construction Skills Centre.
- Local employment.
- Local Procurement.
- Work apprenticeships.
- Apprenticeships support fee of £404,600.

### ***Public Open Space***

- The provision of Public Open Space.
- **Public Open Space contribution of £969,429.87.**
- An Open Space Strategy.
- Public Realm Delivery Plan.
- Public Realm Maintenance and Management Plan.

### ***Sustainability***

- Energy and Sustainability Strategy
- **Phase 1 - a commitment to achieving updated on site carbon reductions**
- Outline – carbon reduction - a commitment to comply with the standards in place at the time that the reserved matters applications come forward
- **Phase 1 - A carbon offset payment of £666,330.**
- Outline - A carbon offset payment
- Safeguarded pipe route with soft points are proposed to be provided along with cross-section spatially in utilities layouts
- 100% compliance with TM59 with thermal modelling.

### ***Transport***

#### Phase 1

- Car free.
- Car Parking Management Plan.
- **Phase 1 Residential Strategic Travel Plan with monitoring and measures contribution of £11,348.**
- **Phase 1 Commercial Local Travel Plan with monitoring and measures contribution of £5,674.**
- Phase 1 Delivery and Servicing Management Plan.
- Phase 1 CMP, implementation support fee of £28,520 (already paid). The CMP will be required to address on-going provision of commercial parking on site alongside construction as requested by TfL.
- Phase 1 CMP Bond of £30,000 (already paid).
- Phase 1 Bus Infrastructure Safeguarding Plan.

- Maintaining east/west cycle/pedestrian route through the application site throughout construction.

### Outline

- Car free.
- Car Parking Management Plan updated for phase 2 and phase 3.
- Residential Strategic Travel plan secured for phase 1 updated for phase 2.
- **Phase 2 Residential Strategic Travel Plan monitoring and measures contribution of £11,348.**
- Residential Strategic Travel plan secured at phase 1 and updated at phase 2, updated for phase 3.
- **Phase 3 Residential Strategic Travel Plan monitoring and measures contribution of £11,348.**
- Commercial Strategic Travel Plan for phase 2.
- **Phase 2 Commercial Strategic Travel Plan with monitoring and measures contribution of £11,348.**
- Commercial Strategic Travel Plan for phase 3.
- **Phase 3 Commercial Strategic Travel Plan with monitoring and measures contribution of £11,348.**
- Phase 2 Delivery and Servicing Management Plan.
- Phase 3 Delivery and Servicing Management Plan.
- **Phase 2 CMP, implementation support fee of £60,000.** The CMP will be required to address on-going provision of commercial parking on site alongside construction as requested by TfL.
- **Phase 2 CMP Bond of £50,000** (this is carried over from previous phases and topped up where needed).
- **Phase 3 CMP, implementation support fee of 60,000.**
- **Phase 3 CMP Bond of £50,000.**
- Phase 2 Bus Infrastructure Safeguarding Plan.
- Phase 3 Bus Infrastructure Safeguarding Plan.

### All Masterplan

- West Hampstead Station Transport Task Force – to agree scope and programme for the West Hampstead Station Feasibility work, should include representatives of TfL, LUL, the Council and Land Securities
- West Hampstead Station Improvements £10m.
- Safeguarding of land for future provision of step-free access to Finchley Road Underground Station. To be safeguarded in perpetuity.
- Secure details on the delivery of both the interim and permanent east/west link.
- Blackburn Road/Finchley Road junction improvements to be agreed as part of Phase 3 (Outline East) and delivered through S278 agreement with TfL.

- Remediation works on Finchley Road to be secured by an S278 agreement between TfL and the applicant.
- Legible London - £58,200.
- Billy Fury Way and Granny Dripping Steps contribution - £400,000
- West End Lane bus priority and cycle scheme, including relocation of pedestrian crossing closer to Blackburn Road- £650,000
  - South Hampstead LTN and C51 (Priory Road) cycle route £450,000
  - Blackburn Road/West End Lane junction improvements, including mobility hub, greening and footway widening - £100,000
  - Blackburn Road (west) cul-de-sac improvements (within public highway) - £304,871.85 (**updated in DOV to split into £304,000 and £871.8 in the case of plot S8 being severed**).
  - Highways contribution for remediation works, Blackburn Road (west), between the application site and West End Lane. £101,578.24.
- Finchley Road Surface Level Improvements – feasibility study £400,000 payable at Phase 1.
- Finchley Road Surface Level Improvements £1.1m payable at Phase 3.
- Cascade to allow for the Finchley Road Surface level Improvements contributions and other PCE contributions above to be redirected to other public realm projects if the Council considered appropriate.

34.3 It should be noted that other changes are also proposed to the detailed wording of the S106 agreement, including some triggers for payments and are under discussion between council officers, the applicant, and the Mayor, these are to support delivery, especially where plots (like Plot S8) may become severed.

### **35. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

35.1 The CIL applies to all proposals which add 100m<sup>2</sup> of new floorspace or an extra dwelling. The amount to pay is the increase in floorspace (m<sup>2</sup>) multiplied by the rate in the CIL charging schedule. Camden collects 2 types of Community Infrastructure Levy: Mayoral CIL and Camden CIL.

35.2 The Mayor's recently introduced "Emergency Measures" to support housing delivery do not in themselves provide an exemption from CIL liability. However, the applicant has indicated that the scheme may benefit from emerging proposals for partial borough CIL relief and potential grant funding mechanisms associated with the Accelerated Funding Route, subject to meeting eligibility criteria and any future legislative changes.

35.3 Any applicable social housing relief, existing floorspace credits and other statutory exemptions would be applied in the normal way at the point of

liability calculation. The final CIL liability will therefore be confirmed through the submission of the CIL Additional Information Form and the issuing of the Liability Notice by the Council following the grant of planning permission.

- 35.4 Overall, the proposal would continue to make an appropriate contribution towards strategic and local infrastructure through CIL payments, alongside the site-specific mitigation secured through the Section 106 agreement.

#### ***Mayoral CIL***

- 35.5 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it includes the addition of private residential units. This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

#### ***Camden CIL***

- 35.6 The proposal would also be liable for the Camden Community Infrastructure Levy (CIL).
- 35.7 Most of the Camden CIL (70%) is used for strategic purposes and is spent on borough-wide infrastructure to support growth. To date this has been spent on schools and highways.
- 35.8 A quarter of the Camden CIL collected (25%) goes to Local CIL which will be allocated locally by local ward councillors. The spending process for Local CIL is guided by a priority list for each ward. These have been developed by ward members in consultation with their local communities and the priority list for West Hampstead includes "Projects that meet priorities identified in the Fortune Green & West Hampstead Neighbourhood Plan". Improvements to West Hampstead Underground Station are likely to be supplemented by funds from Local CIL.

### **36. CONCLUSION**

- 36.1 The changes proposed under this s73 Application are considered minor material amendments, which bring about the need for changes to condition 2 (plan numbers) and appropriate variations to other conditions. In line with the legal and policy requirements, considerations has been limited to changes arising from the terms of the application, like the design amendments, changes to affordable housing, and relevant policy changes.
- 36.2 Overall, the proposed s73 Application is considered acceptable and would continue to accord with the development plan when read as a whole, having regard to the presumption in favour of sustainable development set out in

paragraph 11(d) of the NPPF. The scheme would deliver a significant public benefit through the provision of many new homes on a well-connected brownfield site, making a more effective use of land which includes a large car park. The 43 additional homes to be delivered earlier, in Phase 1, are also a considerable benefit, helping to improve housing delivery in a highly accessible Growth Area, contributing towards addressing Camden's identified shortfall in housing delivery, which is set in the context of a limited five-year housing land supply.

- 36.3 The proposed amendments do not fundamentally alter the Approved Masterplan strategy of delivering a high-density, residential-led mixed-use development. The scheme continues to make efficient use of previously developed land and would deliver a comprehensive redevelopment including housing, commercial, community and public realm uses, consistent with the spatial strategy for the Finchley Road/Swiss Cottage and West Hampstead Growth Area.
- 36.4 In terms of affordable housing, the scheme has been revised to provide 20% affordable housing by habitable room across the masterplan, with 21% delivered within the Detailed Element (Phase 1). Whilst this represents a reduction from the previously approved amount which is disappointing, the proposals meet the eligibility criteria for the Mayor's time-limited planning route ("Emergency Measures"), which seeks to support housing delivery during the current period of viability challenge affecting the development sector. This is a significant material consideration. The proposed tenure split of 60% social-affordable rent and 40% intermediate rent housing accords with London Plan policy H6 and would enable delivery of the scheme in the current economic context.
- 36.5 In design terms, the amendments represent an evolution of the approved landscape-led masterplan and would continue to deliver a coherent townscape response that reinforces the established strategy of taller elements located towards the northern edge of the site, with buildings arranged around south-facing courtyards and a new green route. The proposals would contribute towards a legible and well-structured urban environment, providing improved connections between West End Lane and Finchley Road and delivering high quality public realm and open space. The revised design approach would support the creation of a distinctive sense of place consistent with the aspirations of the Growth Area and relevant design policies. The improvement to design detailing in the Detailed Elements would represent good design with increased open space, improved greening, and limited additional amenity impacts arising.
- 36.6 With regard to heritage, the only additional harm arising from the increased height, massing and visibility of built form is to South Hampstead Conservation Area. The less than substantial harm to its significance would

increase from a low to a medium level. The other impacts are consistent with the Approved Masterplan with very low level of less than substantial harm to another two conservation areas, and a low level of less than substantial harm to a fourth. These are designated assets and the harm must be given great weight. The low harm to the locally listed buildings is a matter for the decision maker to weigh in the balance.

36.7 Given the identified impacts, harm must be weighed against the public benefits of the proposal, in accordance with the NPPF. Additional factors to consider are the reduction in community floorspace, although this is mitigated through its location and connection to the central square, and the harm to the amenity of some properties through impact on light.

36.8 Nonetheless, the scheme would retain the overarching masterplan principles previously found acceptable and would deliver significant public benefits including new housing, public realm improvements and regeneration of a previously underutilised site. The proposals would continue to deliver a range of other public benefits, including new public open space, improved east-west connections, community facilities, employment and training opportunities, and sustainability measures secured through the Section 106 agreement. The amendments make further improvements to the design and sense of place, with more rapid housing delivery through the first phase. The significant amount of housing, and the affordable housing (albeit reduced from the Approved Masterplan) should be given considerable weight.

36.9 Paragraph 11 of the NPPF is engaged and the application should be granted unless adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.

36.10 On balance, it is considered that the public benefits associated with the scheme would outweigh any identified harm, including heritage harm.

36.11 Taking these matters into account, the proposed amendments are considered to represent an appropriate and justified evolution of the Approved Masterplan. The development would continue to deliver a comprehensive, sustainable and policy-compliant form of development, and the benefits of the scheme, including increased housing delivery, regeneration benefits and enhanced public realm. The scheme complies with the development plan as a whole, and with the policies in the NPPF.

## **37. RECOMMENDATION**

37.1 The application is recommended for approval subject to referral to the Mayor of London for Stage II, completion of the Deed of Variation to the s106 agreement, and the conditions set out in this report.

**38. CONDITIONS**

# Draft conditions – subject to consultation with the Mayor

## IMPLEMENTATION

I1	<p><b>Implementation date of this permission</b></p> <p>This development must be begun not later than five years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
I2	<p><b>Reserved matters submission</b></p> <p>The outline elements of this permission shall lapse unless the first Reserved Matters application is made within five years of the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
I3	<p><b>Condition for Third Party Land</b></p> <p>Unless otherwise agreed with the Council in writing no development in a Phase may be commenced unless and until all property interests in that Phase are bound by the obligations in the Section 106 Agreement dated 20 December 2023 and made between (1) LS Finchley Road Limited; (2) Deutsche Trustee Company Limited; (3) Transport for London; and (4) the Mayor and Burgesses of the London Borough of Camden.</p> <p>Reason: To allow the flexible delivery of the comprehensive redevelopment of the site to achieve the policy objectives in accordance with Camden Local Plan policy G1.</p>
I4	<p><b>“Severability” Condition – making each plot severable</b></p> <p>The development hereby permitted shall be built in accordance with the approved Plans (in relation to phase 1) and the approved Parameter Plans (in relation to the Outline phases 2 and 3) listed at Conditions AD1, AD2, and AD3, unless a further planning permission specific to that part of the severable plot shown on Drawing No: 4602_001-GRD-00-100L-DR-A-(00) P011 Rev. P2 is implemented in substitution for that part of the approved development such that it becomes physically impossible to carry out the approved development. If this occurs, the remainder of the development hereby approved may still be developed on the remainder of the site as approved in this Planning Permission, it being intended that this Planning Permission should permit the development of that part of the site separately and severably from the remainder of the site.</p>

Reason: To allow the flexible delivery of the comprehensive redevelopment of the site to achieve the policy objectives in accordance with Camden Local Plan policy G1.

## APPROVED DRAWINGS

AD1	<p><b>Approved drawings – Masterplan</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: 19066_X(00)_P001 P01, 19066_X(00)_P002 P01, 19066_X(00)_P003 P01, 19066_X(00)_P004 P01, 19066_X(00)_P005 P01, 19066_X(00)_P006 P01, 19066_X(00)_P007 P01, 19066_X(00)_P008 P01, 19066_X(00)_P031 P01, 19066_X(00)_P032 P01.</p> <p>Proposed Drawings:</p> <p>Site Wide</p> <p>Proposed Site Plan Ground Floor PL000011 Rev P2, Proposed Site Plan First Floor PL000012 Rev P2, Proposed Site Plan Roof PL000013 Rev P2, Proposed Site Elevation North &amp; South C-C &amp; D-D PL000014 Rev P2, Proposed Site Section A-A &amp; B-B PL000015 Rev P2</p> <p>Documents:</p>
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	<p>CIL Strategy Report (dated January 2026), prepared by Quod; Site Location Plan (resubmitted for completeness), prepared by GRID; Severability Plan, prepared by GRID; Proposed General Arrangement Plans, Sections and Elevations, prepared by GRID; Revised Drawing Schedule - January 2026, prepared by Newmark; Design and Access Statement including Landscaping Strategy (dated January 2026), prepared by GRID, Heatherwick Studios and Townshends; Development Specification Document (dated January 2026), prepared by Newmark; Environmental Statement Addendum (dated January 2026), prepared by Plowman Craven; Affordable Housing Statement Addendum (dated January 2026), prepared by Quod; Basement Impact Assessment Addendum (dated January 2026), prepared by Pell Frischmann; Biodiversity Net Gain (BNG) Updated Assessment and Metric (dated January 2026), prepared by Pell Frischmann; Circular Economy Statement Addendum (dated January 2026), prepared by Buro Happold; Energy Strategy Addendum (dated January 2026) and GLA spreadsheets, prepared by Buro Happold; Flood Risk Assessment Addendum (dated January 2026), prepared by Pell Frischmann; Health Impact Assessment Addendum (dated January 2026), prepared by Quod; Landscape and Open Space Addendum (dated January 2026), prepared by Townshends; Revised Fire Statement and Planning Gateway One Form (dated January 2026), prepared by Jensen Hughes; Statement of Community Involvement (dated February 2025) (resubmitted for completeness), prepared by SOCO; Supplementary Daylight, Sunlight and Overshadowing Report (Internal) (dated January 2026), prepared by Point 2; Sustainability Statement (including WLCA) Addendum (dated January 2026), prepared by Buro Happold; Sustainable Drainage Report Addendum (dated January 2026), prepared by Pell Frischmann; Town Planning Statement Addendum (dated January 2026), prepared by Newmark; Transport Assessment Addendum (dated January 2026), prepared by Arup; Updated CAVAT Assessment (dated January 2026), prepared by Pell Frischmann; Urban Greening Factor (UGF) Addendum (dated January 2026), prepared by Townshends; Waste Management Plan Addendum (dated January 2026), prepared by Arup.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
AD2	<p><b>Approved drawings – Reserved matters</b></p> <p>Parameter Plans (Outline Phases)  19066_X(02)_P100 P01, 19066_X(02)_P101 P01, 19066_X(02)_P102 P01, 19066_X(02)_P103 P01, 19066_X(02)_P104 P01, 19066_X(02)_P105 P01, 19066_X(02)_P106 P01, 19066_X(02)_P107 P02, 19066_X(02)_P108 P02, 19066_X(02)_P109 P02, 19066_X(02)_P110 P01, 19066_X(02)_P111 P01.</p> <p>Documents:</p>

	<p>CIL Strategy Report (dated January 2026), prepared by Quod; Site Location Plan (resubmitted for completeness), prepared by GRID; Severability Plan, prepared by GRID; Proposed General Arrangement Plans, Sections and Elevations, prepared by GRID; Revised Drawing Schedule - January 2026, prepared by Newmark; Design and Access Statement including Landscaping Strategy (dated January 2026), prepared by GRID, Heatherwick Studios and Townshends; Development Specification Document (dated January 2026), prepared by Newmark; Environmental Statement Addendum (dated January 2026), prepared by Plowman Craven; Affordable Housing Statement Addendum (dated January 2026), prepared by Quod; Basement Impact Assessment Addendum (dated January 2026), prepared by Pell Frischmann; Biodiversity Net Gain (BNG) Updated Assessment and Metric (dated January 2026), prepared by Pell Frischmann; Circular Economy Statement Addendum (dated January 2026), prepared by Buro Happold; Energy Strategy Addendum (dated January 2026) and GLA spreadsheets, prepared by Buro Happold; Flood Risk Assessment Addendum (dated January 2026), prepared by Pell Frischmann; Health Impact Assessment Addendum (dated January 2026), prepared by Quod; Landscape and Open Space Addendum (dated January 2026), prepared by Townshends; Revised Fire Statement and Planning Gateway One Form (dated January 2026), prepared by Jensen Hughes; Statement of Community Involvement (dated February 2025) (resubmitted for completeness), prepared by SOCO; Supplementary Daylight, Sunlight and Overshadowing Report (Internal) (dated January 2026), prepared by Point 2; Sustainability Statement (including WLCA) Addendum (dated January 2026), prepared by Buro Happold; Sustainable Drainage Report Addendum (dated January 2026), prepared by Pell Frischmann; Town Planning Statement Addendum (dated January 2026), prepared by Newmark; Transport Assessment Addendum (dated January 2026), prepared by Arup; Updated CAVAT Assessment (dated January 2026), prepared by Pell Frischmann; Urban Greening Factor (UGF) Addendum (dated January 2026), prepared by Townshends; Waste Management Plan Addendum (dated January 2026), prepared by Arup.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
AD3	<p><b>Approved drawings – Phase 1</b></p> <p>Approved drawings - Phase 1</p> <p>Plot N3-E - Proposed Drawings</p> <p>N3E Proposed Basement GA Plan PL110099 Rev P2, N3E Proposed Ground GA Floor PL110100 Rev P2, N3E Proposed Level 01-10 GA Plan PL110102 Rev P2, N3E Proposed Level 11 GA Plan PL110111 Rev P2, N3E Proposed Roof GA Plan PL110112 Rev P2, N3E Proposed North GA Elevation PL100300 Rev P2, N3E Proposed East GA Elevation PL100301 Rev P2, N3E Proposed South GA Elevation PL100302 Rev P2, N3E Proposed West GA Elevation PL100303 Rev P2, N3E Bay Study South Elevation PL121401 Rev P2, N3E Proposed GA Section PL110300 Rev P2</p> <p>Plot N4 - Proposed Drawings</p>

	<p>N4 Proposed Ground Floor GA Plan PL210100 Rev P3, N4 Proposed Level 01 GA Plan PL210101 Rev P4, N4 Proposed Level 02-08 GA Plan PL210102 Rev P4, N4 Proposed Level 09 GA Plan PL210109 Rev P3, N4 Proposed Levels 10-13 Plan PL210110 Rev P4, N4 Proposed Level 14-15 GA Plan PL210115 Rev P3, N4 Proposed Level 16 GA Plan PL210116 Rev P3, N4 Proposed North GA Elevation PL200310 Rev P2, N4 Proposed East GA Elevation PL200311 Rev P2, N4 Proposed South GA Elevation PL200312 Rev P2, N4 Proposed West GA Elevation PL200313 Rev P2, N4 Bay Study Building N4-A, B &amp; C PL221402 Rev P2, N4 Bay Study Building N4-D PL221403 Rev P2, Proposed N4 Short GA Section West PL210301 Rev P2, Proposed N4 Short Section GA East PL210302 Rev P2</p> <p>Plot N5 - Proposed Drawings</p> <p>N5 Proposed Ground Floor GA Plan PL310100 Rev P3, N5 Proposed Level 01 GA Plan PL310101 Rev P3, N5 Proposed Level 02-09 GA Plan PL310102 Rev P3, N5 Proposed Level 10 Plan PL310110 Rev P3, N5 Proposed Level 11 Plan PL310111 Rev P3, N5 Proposed Level 12-15 Plan PL310112 Rev P3, N5 Proposed Level 16 Plan PL310116 Rev P3, N5 Proposed Level 17 Roof Plan PL310117 Rev P3, N5 Proposed North GA Elevation PL300320 Rev P2, N5 Proposed East GA Elevation PL300321 Rev P2, N5 Proposed South GA Elevation PL300322 Rev P2, N5 Proposed West GA Elevation PL300323 Rev P2, N5 Bay Study Building N5-A, C &amp; D PL321404 Rev P2, N5 Bay Study N5D PL321405 Rev P2, N5 Bay Study N5-A PL321406 Rev P2, N5 Proposed Short GA Section West PL310301 Rev P2, N5 Proposed Short GA Section East PL310302 Rev P2</p> <p>Detailed Plot Sections</p> <p>Proposed Long Section North PL000016 Rev P2, Proposed Long Section South PL000017 Rev P2</p> <p>Documents:</p> <p>Planning Document Register dated March 2026</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
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**RESERVED MATTERS**

<p>RM1</p>	<p><b>Parameter Plans and Development Specification</b></p> <p>Subject to Condition I4 (Severability Condition) the outline elements of the development shall be carried out in accordance with the approved Parameter Plans and as described in the specified paragraphs of the approved Development Specification Document dated January 2026.</p> <p>For each reserved matters application, the following shall be submitted to and approved in writing by the Local Planning Authority:</p>
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	<p>A compliance report detailing how it complies with the approved parameter plans.  A compliance report detailing how it complies with the approved design codes.  A compliance report detailing how it complies with the approved Development Specification Document.</p> <p>Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed as above might have an impact, which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design and to accord with the assessment and conclusions of the Environmental Impact Assessment in accordance with policies G1, H1, C1, C2, C3, C4, E1, E2, A1,D1, D2, TC1, TC2 and TC4 and policies 2, 4, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM2	<p><b>Reserved matters</b></p> <p>Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by an Urban Design Report which demonstrates how the reserved matters has been designed to take account of the approved parameters, development spec and design code.</p> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design and to accord with the assessment and conclusions of the Environmental Impact Assessment in accordance with policies G1, A1, D1 and D2 of the London Borough of Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
RM3	<p><b>Approval of reserved matters</b></p> <p>Approval of the Reserved Matters shall be obtained from the local planning authority in writing prior to the commencement of any development to the development plot which those Reserved Matters relate and the development shall be carried out only as so approved.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
RM4	<p><b>Time limit – reserved matters applications submission</b></p> <p>No later than 10 years following the date of this permission an application or applications shall have been submitted to the local planning authority for the approval of Reserved Matters in respect of all of the built accommodation in the Development hereby permitted.</p>

	<p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
RM5	<p><b>Time limit – reserved matters implementation</b></p> <p>No Reserved Matters approval shall be implemented more than 15 years from the date of this permission or 2 years from the date of the final approval of any Reserved Matters application, whichever is the later.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
RM6	<p><b>Phasing Plan</b></p> <p>The Phasing Plan shall be implemented in accordance with the approval of details application Ref. 2024/07/27/P dated 30/05/2024. In the event the Phasing Plan is different to the approved phasing plan 19066_X(00)_P008_PO2 and the changes are likely to result in new or different significant environmental impacts to those assessed at the time of the determination of the planning application then such Phasing Plan shall be accompanied by an Environmental Statement or Supplemental Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>The development shall thereafter be carried out in accordance with the approved Phasing Plan and subject to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 applying to any such amended or updated Phasing Plan.</p> <p>Reason: To ensure a comprehensive and sustainable development and to achieve regeneration, integration and good design in accordance the Environmental Impact Assessment, in accordance with policies G1, A1, D1 and D2 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM7	<p><b>Reserved matters – Earthworks and Remediation Plan</b></p> <p>Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by an Earthworks and Remediation Plan to deliver appropriate site levels and ground conditions for that part of the development. All works shall be carried out in accordance with the Earthworks and Remediation Plan as approved.</p> <p>Reason: To ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policy A1 of the Camden Local Plan 2017.</p> <p>.</p>

<p>RM8</p>	<p><b>Reserved matters – Illustrative Build Out Plan</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by an illustrative build out plan showing:</p> <ul style="list-style-type: none"> <li>(a) the disposition of any buildings for which approval has been given and the take-up through those approvals of the land uses permitted by this planning permission;</li> <li>(b) the disposition of any buildings for which approval of Reserved Matters is sought and how the approved uses are to be incorporated in these buildings;</li> <li>(c) how the development plots within which buildings for which approval has been given under (a) and those for which approval has been sought under (b) above, may be built out and completed in conformity with this planning permission;</li> <li>(d) Development plots (or part thereof) for which buildings have yet to come forward for approval of Reserved Matters;</li> <li>(e) the status of each area of Principal Public Realm, the phasing of development;</li> <li>(f) demonstrate ongoing provision of green and brown roofs; and</li> <li>(g) the relationship between the buildings/development referred to in (a), (b), (c) (d) and (e) above.</li> </ul> <p>The proposals will thereafter be constructed in accordance with the approved illustrative build out plan.</p> <p>Reason: To ensure a comprehensive and sustainable development and to achieve regeneration, integration and good design in accordance the Environmental Impact Assessment, in accordance with policies G1, A1, D1 and D2 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
<p>RM9</p>	<p><b>Reserved matters – Construction Timetable</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by details of:</p> <ul style="list-style-type: none"> <li>(a) the construction timetable for those developments for which approval is sought; and</li> <li>(b) how that construction timetable relates to the overall sequence of the development and its division into a number of major phases.</li> </ul> <p>The proposals will thereafter be constructed in accordance with the approved construction timetable.</p> <p>Reason: To ensure a comprehensive and sustainable development, to protect amenities and ensure safe access in accordance the assessment and conclusions of the Environmental Impact Assessment, in accordance with policy A1 of the Camden Local Plan 2017.</p>
<p>RM10</p>	<p><b>Reserved matters – Environmental Sustainability Plan</b></p>

	<p>Relevant applications (or groups of related applications) for approval of Reserved Matters in respect of buildings shall be accompanied by an Environmental Sustainability Plan. The Environmental Sustainability Plan shall explain:</p> <ul style="list-style-type: none"> <li>(a) how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures to use as little energy as possible to heat the buildings;</li> <li>(b) the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing or any replacement standards at the time the application(s) for approval of reserved matters are submitted to minimise total energy use;</li> <li>(c) the specification for any green and/or brown roofs;</li> <li>(d) how energy shall be supplied to the building(s);</li> <li>(e) any other measures to incorporate renewables to ensure the generation of renewable energy through solar pv is maximised;</li> <li>(f) how the proposed building(s) have been designed to achieve a BREEAM; and</li> <li>(g) The incorporation of bird boxes, bat roosts and other wildlife features on buildings.</li> </ul> <p>The proposals will thereafter be constructed and maintained in line with the approved Environmental Sustainability Plan.</p> <p>Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies A3, CC1, CC2 and CC3 of the Camden Local Plan and London Plan policies SI 2, G5 and G6.</p>
RM11	<p><b>Reserved matters – Access Statement</b></p> <p>Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an access statement for the development in those reserved matters. Each access statement shall:</p> <ul style="list-style-type: none"> <li>(a) address the relevant design principles for those reserved matters;</li> <li>(b) highlight any areas where technical or other constraints have prevented or constrained the application of these design principles;</li> </ul> <p>The proposals will thereafter be constructed and maintained in line with the approved Access Statement.</p> <p>Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies H1 and C6 of the Camden Local Plan 2017.</p>
RM12	<p><b>Reserved matters – Servicing Strategy</b></p>

	<p>A servicing strategy demonstrating where servicing for any building will be located will support any relevant application for approval of Reserved Matters. The strategy shall include details of the proposed hours of servicing and the mechanisms that will be used to ensure loading and unloading takes place and details of waste and recycling in accordance with the strategy as approved. No servicing of any building shall take place on any part of the highway network or public realm other than in accordance with the servicing strategy so approved.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved Servicing Strategy.</p> <p>Reason: To ensure safe, efficient and sustainable access to, and protect amenities in, the development in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies A1 and T4 of the Camden Local Plan 2017.</p>
RM13	<p><b>Reserved matters – Highways Plan</b></p> <p>Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by a Highways Plan. The Highways Plan shall show any works that are required to the existing adopted highways of Finchley Road, Blackburn Road and Billy Fury Way, to achieve appropriate means of access to those buildings for which approval is sought.</p> <p>Development shall not commence on those buildings until a detailed concept scheme for the highway works required has been approved by the local planning authority and the buildings shall not be first occupied until the level of works specified by the local planning authority as being required prior to occupation have been completed and provision has been made for the completion of the remaining works.</p> <p>The proposals will thereafter be constructed and in line with the approved Highways Plan.</p> <p>Reason: To ensure safe, efficient and sustainable access and to protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies A1, T3 and T4 of the Camden Local Plan 2017 and policy 7 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM14	<p><b>Reserved matters – Housing Delivery Plan</b></p>

	<p>Accompanying each application for approval of Reserved Matters which contains plans and particulars of residential accommodation, there shall be submitted to the local planning authority a housing delivery plan in relation to those residential units, the plan to give details of the number of units, size, dwelling and tenure mix, the stage reached in the tendering/procurement of the social rented, intermediate and market units, the confirmed or anticipated (as appropriate) dates for the start of construction and completion, the confirmed or anticipated ownership and management arrangements for each tenure of affordable housing units, the number, unit size and mix of wheelchair accessible and adaptable homes and their storey level, and the quantity and type of private residential amenity space to be provided.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved Housing Delivery Plan.</p> <p>Reason: To ensure a comprehensive and sustainable development and the provision of a variety of housing in terms of size and type of affordability in accordance with policies H1, H2, H4, H6 and H7 of the Camden Local Plan 2017 and policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM15	<p><b>Reserved matters – Floorplans etc</b></p> <p>Details and particulars including floorspace figures, floorplans and layouts of the uses, and the vehicle and other servicing and access, including provision for any car parking to be accommodated in built accommodation, shall be submitted to and approved in writing by the local planning authority before any of those uses commences and the uses will commence only in accordance with the details so approved.</p> <p>Reason: To ensure a comprehensive and sustainable development, to ensure safe and efficient access, to achieve good design and protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies G1, H1, C1, C2, C3, C4, E1, E2, A1, TC1, TC2, TC4, T2, T3, T4 and policies 1, 2, 4, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM16	<p><b>Reserved matters – Statement of Community Involvement</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by a Statement of Community Involvement, including details of engagement with young people.</p> <p>Reason: To ensure that the views of the local community including young people are taken into account in further design development of the scheme, including its design and the provision of community facilities in accordance with policies G1, C1, C2, C3 and DM1 of the Camden Local Plan 2017 and policy 2 and 10 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>

RM17	<p><b>Reserved matters – Community Safety Strategy</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by a Community Safety Strategy.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved Community Safety Strategy.</p> <p>Reason: To ensure safe and efficient access, to achieve good design and protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment on community safety, in accordance with policies A1 and C5 of the Camden Local Plan 2017.</p>
RM18	<p><b>Reserved matters – Basements</b></p> <p>Relevant applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by details of basement floorspace including layout, design, access, the provision of plant and ventilation and an updated Basement Impact Assessment. The basement space so permitted shall only be used for purposes ancillary to the primary purposes permitted for the relevant buildings including the storage of plant equipment, building services, plant and equipment, other ancillary storage, servicing and parking.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved basement details.</p> <p>Reason: To ensure a comprehensive and sustainable development, to ensure safe and efficient access, to achieve good design and protect amenities in accordance with the assessment and conclusions of the Environmental Impact Assessment and in accordance with the requirements of policies D1, T2, T4, A1 and A5 of the London Borough of Camden Local Plan 2017.</p>
RM19	<p><b>Reserved matters – BRE ‘Site Layout and Planning’</b></p> <p>Relevant applications for approval of Reserved Matters submitted pursuant to this permission relating to each development plot and the landscaping of the public realm or open space, shall be accompanied by a report setting out the level of compliance with the BRE 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice 2022', or the superseding BRE guidance standards that will be achieved.</p> <p>Reason: To ensure sufficient daylight and sunlight to the proposed dwellings, neighbouring dwellings and the proposed open space, in accordance with policies A1 and A2 of the Camden Local Plan 2017.</p>
RM20	<p><b>Reserved matters – Land use GIA</b></p>

	<p>Relevant applications for approval of Reserved Matters shall be accompanied by a Land Use Report detailing compliance with the floorspace figures set out in the Development Specification complying with all ranges, maximums, and minimums set out therein.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved Land Use Report.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and the assessment and conclusion of the Environmental Impact Assessment, in accordance with policies G1, H1, C1, C2, C3, C4, E1, E2, A1, TC1, TC2 and TC4 and policies 1, 4, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM21	<p><b>Reserved matters – total floorspace</b></p> <p>The total floorspace of the outline phases shall not exceed a maximum of 126,935 sqm.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and the Environmental Impact Assessment, in accordance with policies G1, H1, C1, C2, C3, C4, E1, E2, TC1, TC2, TC4 of the Camden Local Plan 2017 and policies 1, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM22	<p><b>Reserved matters – private amenity space</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by a report setting out details of private amenity space, demonstrating compliance with the approved plans and documents.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved private amenity space details.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and the Environmental Impact Assessment, in accordance with policies H1, H2, H4, H6 and H7 of the Camden Local Plan 2017 and policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM23	<p><b>Reserved matters – noise</b></p> <p>A Noise Assessment shall be provided as part of each reserved matters application demonstrating that noise levels within the residential units will meet the relevant policy standards. Details shall take account of noise from:</p>

	<ul style="list-style-type: none"> <li>- plant, machinery and equipment;</li> <li>- road and rail;</li> <li>- neighbouring residential properties; and</li> <li>- neighbouring non-residential properties.</li> </ul> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and policy A1 of the Camden Local Plan 2017.</p>
RM24	<p><b>Reserved matters – Class E floorspace</b></p> <p>The Class E (a), (b), (c), (d), (e), (f) and (g) floorspace hereby permitted shall be occupied only in accordance with the floorspace figures and uses as set out in Table 6 of the approved Development Specification.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and the Environmental Impact Assessment, in accordance with policies G1, C1, C2, C3, C4, E1, E2, A1, TC1, TC2 and TC4 and policies 4, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
RM25	<p><b>Reserved matters – Wind mitigation measures</b></p> <p>Relevant applications for approval of Reserved Matters shall be accompanied by full details of wind mitigation measures for the communal roof terraces for each development plot.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved mitigation measures.</p> <p>Reason: To ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policy A1 of the Camden Local Plan 2017.</p>
RM26	<p><b>Reserved matters - Phase-wide Landscape Strategy</b></p> <p>Prior to commencement of above ground works for each of the Outline Phases of the development hereby permitted, a Phase-wide Landscape Strategy for that Outline Phase shall be submitted to and approved in writing by the local planning authority.</p> <p>This shall include a play strategy, including types of play equipment and surfaces (as well as shading of play space) and timing for installation and delivery of the relevant area.</p> <p>The Phase-wide Landscape Strategy shall be used to inform the Detailed Landscape Strategy prepared for each Reserved Matters area.</p>

	<p>Reason: To ensure that the development achieves a high quality of cohesive landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3, and D1 of the London Borough of Camden Local Plan 2017 and London Plan policy G5 and D8.</p>
<p>RM27</p>	<p><b>Reserved matters – Landscape details (public realm and public open space)</b></p> <p>For each Reserved Matters area, prior to commencement of the relevant part of the development full details for the public realm associated with that area comprising (where relevant):</p> <ul style="list-style-type: none"> <li>- hard and soft landscaping;</li> <li>- planting plans;</li> <li>- playspace specification;</li> <li>- MUGA;</li> <li>- means of enclosure of all un-built, open areas;</li> <li>- safety and security features;</li> <li>- details of accessibility; and</li> <li>- details of how the UGF has been maximised.</li> </ul> <p>Shall be submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed replacement planting and post planting maintenance, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3 and D1 of the London Borough of Camden Local Plan 2017 and London Plan policy G5 and D8.</p>
<p>RM28</p>	<p><b>Reserved matters – Landscape details (private open space)</b></p> <p>For each Reserved Matters area, prior to commencement of the relevant part of the development full details for the private amenity areas associated with that area comprising (where relevant):</p> <ul style="list-style-type: none"> <li>- hard and soft landscaping;</li> <li>- planting plans;</li> <li>- playspace specification;</li> <li>- safety and security features;</li> <li>- details of accessibility; and</li> <li>- details of how the UGF has been maximised.</li> </ul>

	<p>Shall be submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed replacement planting and post planting maintenance, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3 and D1 of the London Borough of Camden Local Plan 2017.</p>
RM29	<p><b>Reserved matters submission – Tree Protection measures</b></p> <p>For each reserved matters application, full details of the tree protection measures shall be submitted on a plot, by plot, basis.</p> <p>The development shall thereafter be constructed in accordance with the approved tree protection measures.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 18.</p>
RM30	<p><b>Reserved matters – disabled car parking</b></p> <p>Relevant applications for approval of Reserved Matters for each plot of group of plots shall be accompanied by details of accessible car parking spaces being provided with 20% to be provided with active EVC and the remaining passive provision for future use.</p> <p>All such facilities shall be provided in accordance with the details thus approved and maintained and retained thereafter.</p> <p>Reason: To ensure that the scheme makes adequate provision for people with disabilities users in accordance with Camden Local Plan policies T1 and T2, the London Plan policy T6 and CPG Transport and Fortune Green and West Hampstead Neighbourhood Plan policy 7.</p>
RM31	<p><b>Reserved matters – Cycle parking</b></p> <p>Relevant applications for approval of Reserved Matters for each development plot or group of plots shall be accompanied by details of long stay and short stay cycle parking.</p> <p>All such facilities shall be provided in accordance with the details thus approved and maintained and retained thereafter.</p>

	<p>Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, London Plan policy T5 and CPG Transport and Fortune Green and West Hampstead Neighbourhood Plan policy 8.</p>
RM32	<p><b>Reserved matters Phase 3 – loading bays EVC</b></p> <p>Relevant applications for approval of Reserved Matters for each plot or group of plots shall be accompanied by details demonstrating that electric vehicle charging has been installed for loading bays.</p> <p>All such facilities shall be provided in accordance with the details thus approved and maintained and retained thereafter.</p> <p>Reason: To ensure that the scheme contributes towards the sustainable movement of goods and materials in accordance with Camden Local Plan policies CC1, CC4 and T4.</p>
RM33	<p><b>Reserved matters submission - Fire Statement and Evacuation Strategy</b></p> <p>For each development plot, a Fire Statement shall be submitted to and approved in writing by the Local Planning Authority (following consultation with the Health and Safety Executive).</p> <p>The Fire Statement shall be produced by an independent third party suitably qualified assessor and shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how final provision will be made within the site to enable fire appliances to gain access to the building. This shall include a fire and evacuation strategy to take account of any current or emerging standards, including managing assisted evacuation within the building.</p> <p>No building shall be occupied until the fire statement for that development plot has been approved. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the development provides for the safety of all building users and the highest standards of fire safety in accordance with Policy D5 and D12 of the London Plan.</p>
RM34	<p><b>Reserved matters submission – Green/brown roofs</b></p> <p>For each reserved matters application, full details of the green/brown roofs shall be submitted on a plot by plot basis.</p>

	<p>Reason: To ensure the development is sustainable and promotes biodiversity in line with Camden Local Plan policies CC1, CC3 and A3.</p>
RM35	<p><b>Reserved matters submission – Urban Greening Factor (UGF)</b></p> <p>For each reserved matters application, details of the UGF scores shall be submitted to demonstrate how the UGF has been maximised.</p> <p>Reason: To ensure the development will increase green cover, is sustainable, improves drainage and promotes biodiversity in line with Camden Local Plan policies CC2, CC3, A2 and A3 and London Plan policy G5 and D8.</p>
RM36	<p><b>Reserved matters submission – Bird and bat boxes</b></p> <p>For each reserved matters application, details of the bird and bat boxes shall be submitted which demonstrate the opportunities to enhance biodiversity and habitat on site have been maximised.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan, and Policies A3 of the London Borough of Camden Local Plan 2017.</p>
RM37	<p><b>Reserved matters submission – SuDS: Evidence of Installation</b></p> <p>For each reserved matters application, details of Sustainable Drainage Systems (SuDS) and greenfield run off rates shall be submitted to and approved by the Local Planning Authority. The system shall thereafter be implemented, retained and maintained in accordance with the approved maintenance plan, with confirmation provided regarding who will own the maintenance of the implemented SuDS features with confirmation being provided regarding long term ownership/responsibility for maintenance of the implemented SuDS features.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies and London Plan G5 and D8.</p>
RM38	<p><b>Reserved matters – details of renewables</b></p>

	<p>Prior to commencement of development (other than site clearance &amp; preparation) of a development plot, a feasibility assessment with the aim of maximising the provision of energy via air source heat pumps, solar photovoltaics or other renewables as appropriate within that plot shall be submitted to the local planning authority and approved in writing. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development maximises the opportunities for renewable energy and is sustainable in line with Camden Local Plan policy CC1 and London Plan policy SI 2.</p>
RM39	<p><b>Detailed Lighting Strategy for each development plot</b></p> <p>Prior to occupation or use of the relevant development plot (including areas of public realm) hereby approved, a Detailed Lighting Strategy for that plot (or group of plots) shall be submitted to and approved in writing by the local planning authority.</p> <p>The submitted details for each plot will incorporate any changes necessary to the detailed strategies already approved, and include the following:</p> <ul style="list-style-type: none"> <li>a) All external lighting to buildings.</li> <li>b) All external lighting to public open spaces and private spaces.</li> <li>c) Luminance levels of all external lighting.</li> <li>d) Direction and light-spill of all external lighting.</li> <li>e) A programme for maintenance of the lighting.</li> </ul> <p>The development hereby permitted shall thereafter be built and maintained in accordance with the latest approved Detailed Lighting Strategy for each plot.</p> <p>Reason: To ensure the development minimises the opportunities for crime and anti-social behaviour, ensures community safety, creates an inclusive environment and minimises impact on biodiversity and the natural environment, in accordance with policy D1, A2, A3, C5 and C6 of the Camden Local Plan 2017 and policy D5, D8 and D11 of the London Plan 2021.</p>
RM40	<p><b>Reserved matters – Whole Life Carbon</b></p> <p>For each reserved matters application, full details of the Whole Life Carbon shall be submitted on a plot by plot basis.</p> <p>Reason: To encourage waste reduction and the sustainable management of waste in accordance with policies CC5 of the Camden Local Plan 2017 and Policy SI 7 of the London Plan 2021.</p>
RM41	<p><b>Reserved matters – Circular Economy – waste</b></p>

	<p>For each reserved matters application, full details of the Circular Economy (Waste) shall be submitted on a plot by plot basis.</p> <p>Reason: To encourage waste reduction and the sustainable management of waste in accordance with policies CC5 of the Camden Local Plan 2017 and Policy SI 7 of the London Plan 2021.</p>
RM42	<p><b>Reserved matters Phase 3 – Operational Management Plan – Deliveries</b></p> <p>Relevant applications for approval of Reserved Matters for each plot or group of plots shall be accompanied by details setting out how retail/food and drink uses offering a delivery service will be managed, including type of vehicles to be used, drop off/pick up space, management of riders and the provision of welfare facilities for riders.</p> <p>All such facilities shall be provided in accordance with the details thus approved and maintained and retained thereafter.</p> <p>Reason: To ensure that the scheme contributes towards the sustainable movement of goods and materials, protects the amenity of residents, the transport network and highway safety in accordance with Camden Local Plan policies A1, CC1, CC4, T1 and T4.</p>

**DETAILED (PHASE 1)**

D1	<p><b>Materials details</b></p> <p>The details of the following shall be submitted to and approved in writing by the local planning authority before any work is commenced on the relevant part of the development:</p> <ul style="list-style-type: none"> <li>a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);</li> <li>b) Details of all windows, canopies, ventilation grills, external doors and boundary treatments;</li> <li>c) Details including materials of all balconies, balustrades and privacy measures;</li> <li>d) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of new shopfronts;</li> <li>e) Details, including samples, of landscaping to all external areas;</li> <li>f) Details of lighting within the public realm and fixed to buildings, to include location, design, specification, fittings and fixtures;</li> <li>g) Details of landscaping features and plant species to be incorporated within the podiums; and</li> </ul>
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	<p>h) Details of the of the landscaped steps including the boundary treatment and interface with the podiums.</p> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
D2	<p><b>Phase 1 full scale sample panel</b></p> <p>A full scale sample panel of 1 whole bay for each of the residential buildings shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed or control bay built and used for this purpose instead.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
D3	<p><b>Phase 1 – Land use totals</b></p> <p>The floorspace hereby permitted as part of Phase 1 shall be occupied only in accordance with the floorspace figures set out in the approved Development Specification.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve regeneration and integration and to ensure that the development complies with the outline permission and the Environmental Impact Assessment, in accordance with policies H1, C2, C3, C4, E1, E2, TC1, TC2 and TC4 of the Camden Local Plan 2017 and policies 1, 10 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
D4	<p><b>Phase 1 – Location and provision of wheelchair housing</b></p> <p>Notwithstanding the approved plans for internal layouts of the phase 1 development, prior to above ground works, plans showing the final location, layout, and design of all the following units for the phase shall be submitted to and approved by the Local Planning Authority:</p> <p>Wheelchair adaptable units to comply with Part M4(3)(2)(a) of the Building Regulations; and</p>

	<p>Adapted wheelchair accessible units to comply with Part M4(3)(2)(b) of the Building Regulations.</p> <p>The wheelchair accommodation shall thereafter be provided in accordance with the approved plans and relevant regulations Building Regulations Part M.</p> <p>Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policies H1 and C6 of the Camden Local Plan 2017.</p>
D5	<p><b>Part M4 (2) Adaptable Housing</b></p> <p>All residential units, unless otherwise specified as a M4(3) unit (wheelchair adaptable and wheelchair accessible units under the above condition "Phase 1 - Location and provision of wheelchair housing"), shall be designed and constructed in accordance with Building Regulations Part M4(2).</p> <p>Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policies H1 and C6 of the Camden Local Plan 2017.</p>
D6	<p><b>Phase 1 – Wind mitigation measures</b></p> <p>Prior to occupation of each development plot within phase 1, full details of wind mitigation measures for the communal roof terraces shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The proposals will thereafter be constructed and maintained in line with the approved mitigation measures.</p> <p>Reason: To ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policy A1 of the Camden Local Plan 2017.</p>
D7	<p><b>Phase 1 - Phase-wide Landscape Strategy</b></p> <p>Prior to commencement of above ground works for Phase 1 of the development hereby permitted, a Phase-wide Landscape Strategy for that phase shall be submitted to and approved in writing by the local planning authority.</p> <p>This shall include a play strategy, including types of play equipment and surfaces (as well as shading of play space) and timing for installation and delivery of the relevant areas.</p> <p>The Phase-wide Landscape Strategy shall be used to inform the Detailed Landscape Strategy prepared for each development plot within Phase 1.</p>

	<p>Reason: To ensure that the development achieves a high quality of cohesive landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3, and D1 of the London Borough of Camden Local Plan 2017.</p>
D8	<p><b>Phase 1 – Landscape details (public realm and public open space)</b></p> <p>For each development plot in Phase 1, prior to commencement of the relevant part of the development full details for the public realm associated with that plot comprising:</p> <ul style="list-style-type: none"> <li>- hard and soft landscaping;</li> <li>- playspace specification;</li> <li>- means of enclosure of all un-built, open areas;</li> <li>- safety and security features; and</li> <li>- details of accessibility.</li> </ul> <p>Shall be submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed replacement planting and post planting maintenance, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3 and D1 of the London Borough of Camden Local Plan 2017.</p>
D9	<p><b>Phase 1 – Landscape details (private open space)</b></p> <p>For each development plot in Phase 1, prior to commencement of the relevant part of the development full details for the private amenity areas associated with that plot comprising:</p> <ul style="list-style-type: none"> <li>- hard and soft landscaping;</li> <li>- planting plans;</li> <li>- playspace specification;</li> <li>- safety and security features; and</li> <li>- details of accessibility.</li> </ul> <p>Shall be submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed replacement planting and post planting maintenance, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p>

	<p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area and sustainability objectives in accordance with the requirements of policies A2, A3, C5, C6, CC2, CC3 and D1 of the London Borough of Camden Local Plan 2017.</p>
D10	<p><b>Phase 1 – Tree Protection measures</b></p> <p>Prior to the commencement of demolition/construction works on each development plot on the Phase 1 site, tree protection measures shall be installed in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. The protection shall then remain in place for the duration of works on that development plot and recommendations made in the method statement followed, unless otherwise agreed in writing by the local authority.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 18.</p>
D11	<p><b>Phase 1 – Green/brown roofs</b></p> <p>Prior to commencement of above ground development, of each building further details of the green/brown roof (design, sections, species and maintenance) for that building are to be submitted to and approved in writing by the Council, to follow the recommendations in the Ecological Assessment Report.</p> <p>The green roofs shall thereafter be constructed in accordance with the approved details prior to occupation of the relevant block, and they shall thereafter be retained and maintained in accordance with those details.</p> <p>Reason: To ensure the development is sustainable and promotes biodiversity in line with Camden Local Plan policies CC1, CC3 and A3.</p>
D12	<p><b>Phase 1 – Bird and bat boxes</b></p> <p>Prior to commencement of above ground works for each development plot, a plan showing details of bird and bat box locations and types and indication of species to be accommodated in that plot shall be submitted to and approved in writing by the local planning authority.</p> <p>The boxes shall thereafter be installed in accordance with the approved plans prior to the occupation of the development plot by plot and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan, and Policies A3 of the London Borough of Camden Local Plan 2017.</p>

D13	<p><b>Phase 1 – SuDS: Evidence of Installation</b></p> <p>Prior to occupation of each development plot in Phase 1 evidence that the Sustainable Drainage System (SuDS) has been implemented as part of the development in accordance with the approved details shall be submitted to and approved in writing by the Local Planning Authority. The system shall thereafter be retained and maintained in accordance with the approved maintenance plan, with confirmation being provided regarding long term ownership/responsibility for maintenance of the implemented SuDS features.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies and London Plan policy G5 and D8.</p>
D14	<p><b>Reuse and recycling of demolition waste</b></p> <p>The demolition hereby approved shall divert at least 95% of demolition waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation on a plot by plot basis evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017, Camden Planning Guidance, and Policy SI 7 of the London Plan 2021.</p>
D15	<p><b>Phase 1 – Waste and recycling storage to be implemented</b></p> <p>The waste and recycling storage shown on the approved plans and documents shall be provided for each of the residential and non-residential uses within a plot , prior to the occupation of the relevant use in that block. It shall thereafter be retained for the duration of the development for its designated use.</p> <p>Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the in accordance with policies CC5, D1 and TC4 of the Camden Local Plan 2017, and Policy SI 7 of the London Plan 2021.</p>
D16	<p><b>Phase 1 – Whole Life Carbon</b></p> <p>Prior to occupation of each development plot, the post-construction tab of the GLA's whole life carbon shall be submitted to and approved by the Local Planning Authority (in consultation with the GLA).</p>

	Reason: To encourage waste reduction and the sustainable management of waste in accordance with policies CC5 of the Camden Local Plan 2017 and Policy SI 7 of the London Plan 2021.
D17	<p><b>Phase 1 – Circular Economy - waste</b></p> <p>Prior to occupation of each development plot, the likely destination of all waste streams and confirmation that the destination landfill has capacity in respect of the waste from that plot shall be submitted to and approved by the Local Planning Authority (in consultation with the GLA).</p> <p>Reason: To encourage waste reduction and the sustainable management of waste in accordance with policies CC5 of the Camden Local Plan 2017 and Policy SI 7 of the London Plan 2021.</p>
D18	<p><b>Phase 1 – Circular Economy - post-completion report</b></p> <p>Prior to occupation of each development plot, a Circular Economy post-completion report for that plot shall be submitted to and approved (in consultation with the GLA) in writing by the Local Planning Authority.</p> <p>Reason: To encourage waste reduction and the sustainable management of waste in accordance with policies CC5 of the Camden Local Plan 2017 and Policy SI 7 of the London Plan 2021.</p>
D19	<p><b>Phase 1 – Air source heat pumps</b></p> <p>Prior to occupation of each development plot, details, drawings and data sheets showing the location and carbon saving, of the air source heat pumps and associated equipment to be installed, shall have been submitted to and approved in writing by the Local Planning Authority. The measures shall include the installation of meters to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development maximises the opportunities for renewable energy, minimises the impact on climate change and is sustainable in line with Camden Local Plan policy CC1 and London Plan policy SI 2.</p>
D20	<p><b>Phase 1 – Photo-voltaic cells</b></p> <p>Prior to occupation of each development plot, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. A total of 351sqm of arrays shall be provided with 127sqm and 17.5 kWp for N3E, 90sqm and 12.4kWp for N4 and 134sqm and 18.4kWp for N5. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be</p>

	<p>installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development maximises the opportunities for renewable energy, minimises the impact on climate change and is sustainable in line with Camden Local Plan policy CC1 and London Plan policy SI 2.</p>
D21	<p><b>Phase 1 – Long stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following bicycle parking shall be provided:</p> <p>Secure cycle parking of 903 long stay spaces</p> <p>Plot N3(E):</p> <p>Residential - 97 long stay spaces (including 5 spaces for larger adaptable bikes) Commercial/retail - 4 long stay spaces</p> <p>Plot N4:</p> <p>Residential - 311 long stay spaces (including 16 spaces for larger adaptable bikes) Commercial/retail - 7 long stay spaces</p> <p>Plot N5:</p> <p>Residential - 478 long stay spaces (including 24 spaces for larger adaptable bikes) Commercial/retail - 6 long stay spaces.</p> <p>All such facilities shall thereafter be maintained and retained.</p> <p>Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, LPG (2026) Support for housebuilding in London: package of support, the London Plan policy T5, CPG Transport and Fortune Green and West Hampstead Neighbourhood Plan policy 8.</p>
D22	<p><b>Phase 1 – Short stay cycle parking</b></p> <p>Prior to first occupation of each development plot, the following parking shall be provided :</p> <p>110 short-stay cycle parking spaces.</p> <p>All such facilities shall thereafter be maintained and retained.</p> <p>Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, the London Plan policy T5 and CPG Transport and Fortune Green and West Hampstead Neighbourhood Plan policy 8.</p>
D23	<p><b>Phase 1 – Electric vehicle charging</b></p>

	<p>Prior to first occupation of each development plot, the car parking shall provide 20% active and 80% passive Electric Vehicle Charging in accordance with the approved documents.</p> <p>All such facilities shall thereafter be maintained and retained.</p> <p>Reason: To ensure that the scheme contributes towards sustainability objectives by making adequate provision for electric vehicles in accordance with Camden Local Plan policies T1 and T2 and the London Plan Policy T6.</p>
D24	<p><b>Phase 1 – disabled car parking</b></p> <p>Prior to first occupation, of each development plot, the relevant disabled parking spaces to serve that plot shall be provided. The number of spaces provided shall be as follows:</p> <p>Plot N4: 7 spaces</p> <p>Plot N5: 10 spaces</p> <p>Neighbourhood Lane External Spaces: 4 spaces</p> <p>All such facilities shall thereafter be permanently maintained and retained.</p> <p>Reason: To ensure that the scheme makes adequate provision for people with disabilities users in accordance with Camden Local Plan policies T1 and T2, the London Plan and CPG Transport and Fortune Green and West Hampstead Neighbourhood Plan policies 5, 7, 8 and 9.</p>
D25	<p><b>Phase 1 – Fire vehicle access arrangements</b></p> <p>No building shall be occupied until details (interim and completed) of the Fire Appliances Access Arrangements to that building have been submitted to and approved in writing by the Local Planning Authority. The Fire Vehicle Access Arrangements shall include how provision will be made within the site to enable fire appliances to gain access to any occupied buildings, to that Plot whether as an interim measure during ongoing site construction, or as part of the completed scheme. The Fire Appliances Access Arrangements document shall be updated for each building occupied. The development and any interim access arrangements during construction shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the development, both during construction and as completed, provides appropriate access for fire appliances, the safety of all building users and the highest standards of fire safety in accordance with Policy D5 and D12 of the London Plan.</p>
D26	<p><b>Phase 1 - Fire safety – implementation of approved measures</b></p>

	<p>The Phase 1 detailed part of the development must be implemented in accordance with the provisions of the Fire Statement prepared by Jensen Hughes (January 2026) and the Fire Gateway One Form prepared by Jensen Hughes (January 2026)</p> <p>Reason: To ensure the development provides for the safety of all building users and the highest standards of fire safety in accordance with Policy D5 and D12 of the London Plan.</p>
D27	<p><b>Phase 1 – Updated Whole Life Carbon Assessment</b></p> <p>Prior to commencement of construction works on each development plot in Phase 1, an updated version of the Whole Life Carbon Assessment must be submitted to and approved in writing by the Local Planning Authority.</p> <p>Whole life carbon should be minimised where feasible and the assessment should demonstrate all reasonable endeavours to meet the GLA benchmarks. Where the updated assessment submitted pursuant to (a) or (b) above identifies that changes to the design, procurement or delivery of the approved development will result in an increase in embodied carbon (A1-A5) above 621kgCO<sub>2</sub>e/m<sup>2</sup> and/or Whole Life Carbon (A1-C4) above 1254kgCO<sub>2</sub>e/m<sup>2</sup>, which are the benchmarks established by your application stage Whole Life Carbon assessment, you must identify measures that will ensure that the additional carbon footprint of the development will be minimised.</p> <p>Work must not commence on any plot until the Council has approved the updated assessment for that plot in writing. Works shall be carried out in accordance with the updated version of the Whole Life Carbon assessment that has been approved.</p> <p>Reason: To ensure the development minimises carbon emissions throughout its whole life cycle and optimises resource efficiency in accordance with Policy SI2 in the London Plan 2021 and Policy CC1 of the Camden Local Plan.</p>
D28	<p><b>Phase 1 – Cooling Strategy</b></p> <p>Prior to the commencement of above ground works for each development plot in Phase 1, a Cooling Strategy shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the extent of MVHR with Trim cooling and full justification for any comfort cooling (air conditioning) required to prevent overheating to any units proposed within that plot. It shall include a detailed analysis and justification of the adopted strategy to be provided. The buildings and homes shall thereafter not be provided other than in full accordance with the approved Cooling Strategy.</p> <p>Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.</p>

## CONDITIONS ACROSS WHOLE MASTERPLAN

M1	<b>Removal of permitted development rights</b>
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	<p>Notwithstanding the provisions of Part 3 of the Schedule of the Town and Country Planning (Use Classes) Order, 2015, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the Class E sub-class uses hereby approved shall not be used as any alternative sub use class (a), (b), (c), (d), (e), (f), (g) within Class E.</p> <p>Reason: To ensure that the uses approved come forward in line with the permission in accordance with policies G1, C1, C2, C3, C4, E1, E2, A1, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017 and policies 4, 10, 11 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan.</p>
M2	<p><b>External fixtures</b></p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
M3	<p><b>Advertisement and wayfinding strategy – temporary construction</b></p> <p>Prior to the erection of any signage/adverts or wayfinding, an Advertisement and Wayfinding Strategy shall be submitted to and approved by the Local Planning Authority.</p> <p>All adverts/signage wayfinding shall comply with this strategy unless benefitting from its own advertisement consent.</p> <p>Reason: To ensure an attractive urban environment free from clutter in accordance with policy D1 of the Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
M4	<p><b>Advertisement and wayfinding strategy – permanent wayfinding</b></p> <p>Prior to the erection of any signage/adverts or wayfinding, an Advertisement and Wayfinding Strategy shall be submitted to and approved by the Local Planning Authority.</p> <p>All adverts/signage wayfinding shall comply with this strategy unless benefitting from its own advertisement consent.</p> <p>Reason: To ensure an attractive urban environment free from clutter in accordance with policy D1 of the Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
M5	<p><b>Removal of deemed consent for advertisements on buildings</b></p> <p>Notwithstanding Part 2 of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any provision equivalent, deemed consent for adverts on new buildings is removed.</p>

	<p>Reason: To ensure an attractive urban environment free from clutter in accordance with policy D1 of the Camden Local Plan 2017 and Fortune Green and West Hampstead Neighbourhood Plan policy 2.</p>
M8	<p><b>Noise</b></p> <p>Prior to commencement of above ground works for each development plot, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development plot by plot and thereafter be permanently maintained and retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
M9	<p><b>Plant/extraction equipment</b></p> <p>No other plant or extraction equipment is permitted to be installed unless shown on the approved drawings for the detailed permission (Phase 1) or on any subsequent reserved matters approval, or unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
M10	<p><b>Approved Machinery/Plant in permanent situ</b></p> <p>Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such thereafter.</p> <p>Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
M11	<p><b>Road Traffic Noise – Internal</b></p>

	<p>Prior to commencement of above ground works of each development plot, a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that all habitable rooms exposed to external road traffic noise in excess of 55dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35dBA Leq 16 hour during the day and 30dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows.</p> <p>No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
M12	<p><b>Railway Vibration</b></p> <p>Prior to commencement of above ground works of each development plot a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz].</p> <p>No dwelling shall be occupied until the approved anti-vibration measures have been installed to that property in accordance with the approved details. The approved measures shall be thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
M13	<p><b>Separation of noise sensitive rooms in neighbouring flats</b></p> <p>Prior to occupation of each development plot, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value DnT,w [and L'nT,w] of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development plot by plot and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with the requirements of policy A1 and A4 of the Camden Local Plan.</p>

M14	<p><b>Separation of commercial and noise sensitive premises</b></p> <p>Prior to occupation of each development plot details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating any commercial part(s) of the development from dwellings or other noise sensitive premises. Details shall demonstrate that the sound insulation value <math>D_{nT,w}</math> [and <math>L'_{nT,w}</math>] is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development plot by plot and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/noise sensitive premises is not adversely affected by noise in accordance with the requirements of policy A1 and A4 of the Camden Local Plan.</p>
M15	<p><b>Roof terraces</b></p> <p>No flat roofs within the development shall be used as terraces/amenity spaces unless marked as such on the approved plans, without the prior approval in writing of the Local Planning Authority.</p> <p>Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan.</p>
M16	<p><b>Basement Suitable qualified engineer</b></p> <p>Prior to the commencement of each development plot, details of a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To ensure a comprehensive and sustainable development, to achieve good design and protect amenities in accordance with the assessment and conclusions of the Environmental Impact Assessment and in accordance with the requirements of policies D1, A1 and A5 of the London Borough of Camden Local Plan 2017.</p>
M17	<p><b>Diesel or oil back-up generators</b></p>

	<p>Prior to the relevant part of the development, details of any proposed Emergency Diesel Generator Plant and associated abatement technologies including make, model and emission details shall have been submitted to and approved in writing by the Local Planning Authority. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and emission certificates shall be from an accredited Environment Agency Monitoring Certification Scheme (MCERTS) organisation within six months following installation, and thereafter on an annual basis, verifying compliance with regulations made by the Secretary of State. The certificates shall be retained for inspection by the Local Planning Authority on request.</p> <p>Reason: To safeguard the amenity of occupants, adjoining premises and the area generally in accordance with policy A1 and CC4 of the Camden Local Plan 2017, and policy GG3 and SI1 of the London Plan 2021.</p>
M18	<p><b>Updated Air Quality information - design and mitigation</b></p> <p>Prior to above ground works on each development plot, a statement of conformity which identifies if the development in that plot will give rise to any deviation in the findings of the approved Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The statement of conformity for each plot shall assess the current Air Quality baseline, including all calculations for emissions from road and railways along with air pollution design solutions, including maximising the distance of air intakes from extracts.</p> <p>If the effects in the statement of conformity are materially different to those set out in the approved Air Quality Assessment, an Addendum Air Quality Assessment (with a scheme for air pollution design solutions or mitigation measures based on the findings of the addendum) shall also be submitted to and approved by the Local Planning Authority prior to the commencement of development of that phase.</p> <p>The approved design and/or mitigation scheme shall be constructed and maintained in accordance with the approved details.</p> <p>Reason: To protect the amenity of residents in accordance with policy A1 and CC4 of the Camden Local Plan 2017, and policy GG3 and SI1 of the London Plan 2021.</p>
M19	<p><b>Air Quality dust monitoring</b></p> <p>No demolition, excavation, or other development shall commence on any development plot until all of the following have been complied with:</p> <p>a) Full details have been submitted to and approved in writing by the local planning authority of air quality monitors, include the location, number and specification of the monitors, and confirmation they will be installed in line with guidance in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance (SPG), and the anticipated date when they will be installed.</p> <p>b) A confirmation email shall be sent to <a href="mailto:airquality@camden.gov.uk">airquality@camden.gov.uk</a> no later than five day after the monitors have been installed in line with the approved details.</p>

	<p>c) The monitors shall be installed in line with the approved details, and must have been in place for at least three months prior to the commencement of works.</p> <p>The monitors shall be retained and maintained on site for the duration of the development in accordance with the approved details, including ref. 2024/0661/P dated 04/07/2024.</p> <p>Reason: To mitigate the impact of dust emissions from development on air quality in the area, and London as a whole, and to avoid irreversible and unacceptable damage to the environment, in accordance with policy A1 and CC4 of the Camden Local Plan 2017, and policy GG3 and SI1 of the London Plan 2021.</p>
M20	<p><b>Non road-mobile machinery (NRMM)</b></p> <p>No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).</p> <p>Reason: To ensure that air quality is not adversely affected by the development in accordance with policy A1 and CC4 of the Camden Local Plan 2017, and policy GG3 and SI1 of the London Plan 2021.</p>
M21	<p><b>London Underground</b></p> <p>The development hereby permitted on each development plot shall not commence until detailed design and method statements for that plot have been submitted to and approved in writing (in consultation with London Underground) by the local planning authority. The information for each plot shall include the following details:</p> <ul style="list-style-type: none"> <li>a) The demolition, foundations, basement and ground floor structures, or any other structures below ground level (Part a details approved for Plots N3E, N4, and N5 under ref. 2024/0663 dated 04/07/2024);</li> <li>b) The superstructure;</li> <li>c) The use of tall plant, lifting equipment and scaffolding;</li> <li>d) How works accommodate the location of the existing London Underground structures;</li> <li>e) Demonstrate that London Underground access will not be hindered by the development in the short and long term;</li> <li>g) Mitigation for any potential security risk to our railway, property or structures;</li> <li>h) Management of ground movement arising from the construction;</li> <li>i) Measures to mitigate noise and vibration arising from the adjoining; and operations within the structures.</li> </ul> <p>The development shall thereafter be carried out in accordance with the approved design and method statements, and all structures and works shall be completed in accordance with the approved details, in their entirety, before any part of the buildings is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan 2021 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>

<p>M22</p>	<p><b>Network Rail</b></p> <p>The development hereby permitted shall not be commenced on a development plot until detailed design and method statements demonstrating that there is no impact on Network Rail infrastructure have been submitted to and approved (in consultation with Network Rail) in writing by the local planning Authority.</p> <p>Reason: To ensure that the development does not impact on existing transport infrastructure, in accordance with London Plan 2021 policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
<p>M23</p>	<p><b>Piling Method Statement</b></p> <p>No piling shall take place until a Piling Method Statement has been submitted to and approved in writing by the local planning authority (in consultation with Thames Water and London Underground). The method statement shall include all the following details for all temporary and permanent piling:</p> <ul style="list-style-type: none"> <li>" The depth and type of piling to be undertaken;</li> <li>" The methodology by which such piling will be carried out;</li> <li>" Measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure;</li> <li>" Measures to prevent and minimise the potential for damage to rail infrastructure; and</li> <li>" The programme for the works.</li> </ul> <p>Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: To ensure the protection of underground sewerage utility infrastructure and management of the water environment in accordance with Camden Local Plan policy CC3.</p>
<p>M24</p>	<p><b>Thames Water</b></p> <p>The development shall not be occupied until confirmation for each phase has been provided that either:</p> <ol style="list-style-type: none"> <li>1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or-</li> <li>2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.</li> </ol> <p>Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.</p>

	<p>Reason: To ensure the adequate provision of water infrastructure to meet the developments needs and to protect the water environment from harm in accordance with policy CC3 and A1 of the Camden Local Plan 2017 and policy D2 and SI 5 of the London Plan 2021.</p>
M25	<p><b>Water efficiency</b></p> <p>The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of each development plot, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CC3 of the Camden Local Plan 2017.</p>
M26	<p><b>Land Contamination Risk Assessment</b></p> <p>Part A: No development shall commence on any development plot until a site investigation is undertaken for that plot to which it belongs, and the findings are submitted to and approved in writing by the local planning authority. The site investigation should assess all potential risks identified by the desktop study for that plot, should build on the findings of the intrusive works referred to in the EIA Ground Conditions Chapter, should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by ground gas and vapours. All works must be carried out in compliance with the latest published Land Contamination Risk Management government guidance or superseding guidance (LCRM) and by a competent person.</p> <p>Part B: No development shall commence on any development plot until a Remediation Strategy for that plot to which it belongs is submitted to and approved in writing by the local planning authority. This strategy shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM and by a competent person.</p> <p>Part C: Within six weeks of the completion of any remediation, a verification report demonstrating that the remediation as outlined in the Remediation Strategy has been completed should be submitted to the local planning authority for approval in writing. This report shall include (but may not be limited to): details of the remediation works carried out, results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation.</p> <p>All works must be carried out in compliance with LCRM and by a competent person.</p>

	<p>Reason: To safeguard future users or occupiers of this site and the wider environment from risks associated with contaminants which may be present in the land and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors, that any work has been carried out effectively and the environmental risks have been satisfactorily managed, in accordance with policies G1, D1, A1, and DM1 of the Camden Local Plan 2017.</p>
M27	<p><b>Secure by Design</b></p> <p>Prior to above ground works, evidence that the plans can achieve secured by design accreditation must be submitted to and approved in writing (in consultation with the Designing Out Crime Officer) by the local planning authority (plot by plot basis).</p> <p>Reason: To ensure the development minimises the opportunities for crime and anti-social behaviour and ensures community safety in accordance with policy D1 and C5 of the Camden Local Plan 2017 and policy and D11 of the London Plan 2021.</p>
M28	<p><b>Phase-wide Lighting Strategy</b></p> <p>Prior to the superstructure works on each development plot hereby permitted (excluding demolition), a Phase-wide Lighting Strategy shall be submitted to and approved in writing by the local planning authority.</p> <p>The Phase-wide Lighting Strategy shall be used to inform the Detailed Lighting Strategy prepared for each development plot.</p> <p>Reason: To ensure the development minimises the opportunities for crime and anti-social behaviour, ensures community safety, creates an inclusive environment and minimises impact on biodiversity and the natural environment, in accordance with policy D1, A2, A3, C5 and C6 of the Camden Local Plan 2017 and policy D5, D8 and D11 of the London Plan 2021.</p>

**INFORMATIVE(S):**

- 1 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 2 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the

Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 3 The Health and Safety Executive (HSE) states that work-related stress and poor mental health should be treated with the same significance as risks of poor physical health and injury. The Council views this as particularly pertinent to the construction industry, a predominantly male environment where the risk of suicide is around 3.5 times higher than men in general. Approximately one-third of construction workers report increased levels of anxiety every day. The Council strongly encourages developers of major construction sites to sign up to one of two construction industry led initiatives, Building Mental Health (Building Mental Health - Home) or Mates in Mind (Home Page), train a proportionate number of staff in Mental Health First Aid, and offer drop-in sessions/or spaces at construction sites for workers.

The Council will support the construction industry working in Camden with an offer of free Mental Health First Aid and other training, and information on local resources and signposting to sources of help.

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 Your proposals will be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 6 Waste comments from Thames Water  
Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater

discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### 7 Water Comments (Thames Water)

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

#### 8 London Underground

The applicant is advised to contact London Underground Infrastructure Protection in advance of assessment of impact to London Underground assets, submission of method statement of the demolition and preparation of final

design and associated method statements, in particular with regard to: demolition; excavation and construction methods.

9 Non-road mobile machinery

Non-road mobile machinery (NRMM) is any mobile machine or vehicle that is not solely intended for carrying passengers or goods on the road. The Emissions requirements are only applicable to NRMM that is powered by diesel, including diesel hybrids. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".

10 Biodiversity Net Gain (BNG) Informatve (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because this planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.

*++ Summary of transitional arrangements and exemptions for biodiversity gain condition*

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
  - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
  - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
  - The application is a Householder Application.
  - It is for development of a "Biodiversity Gain Site".

- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

11 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

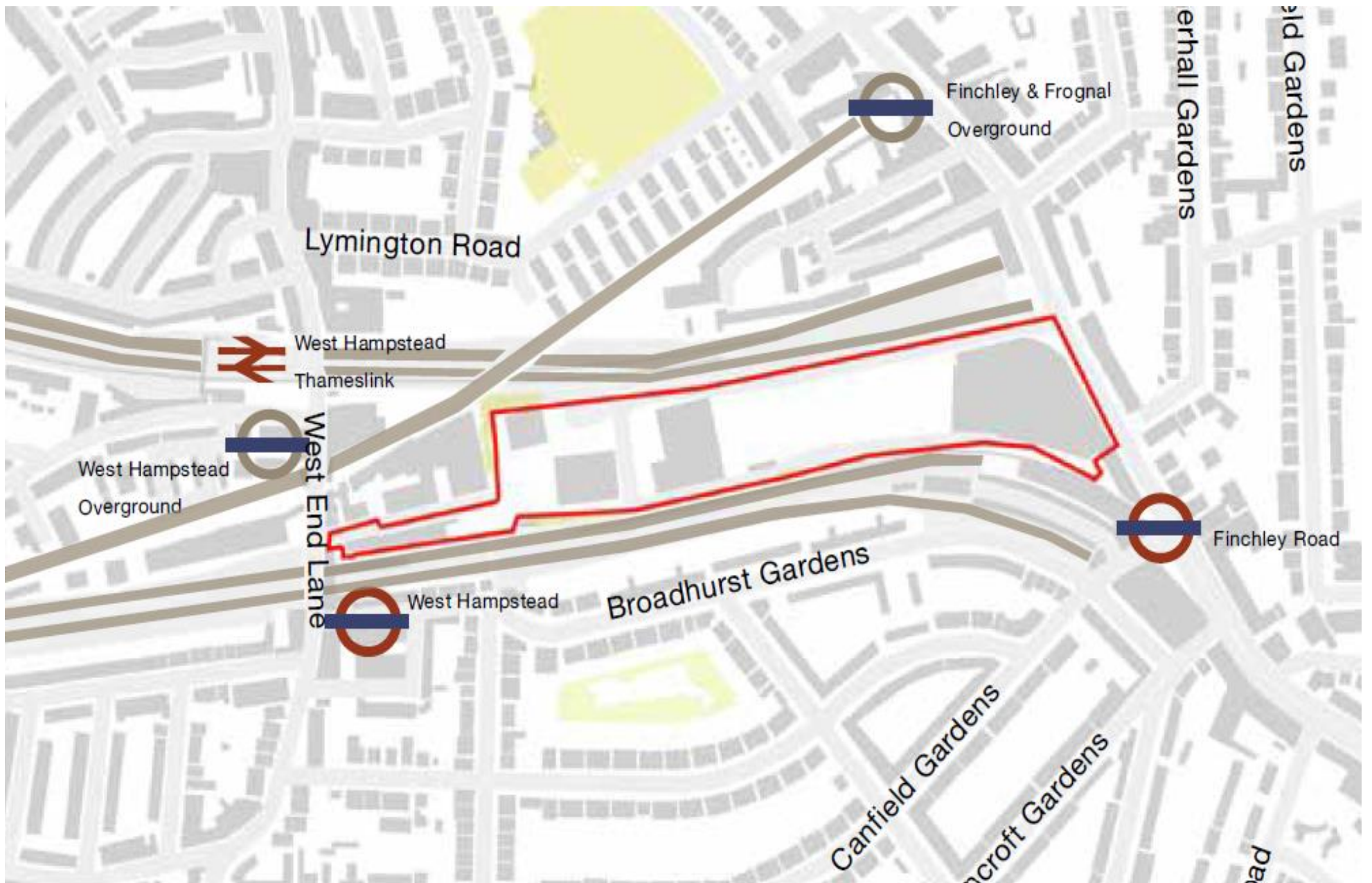
If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

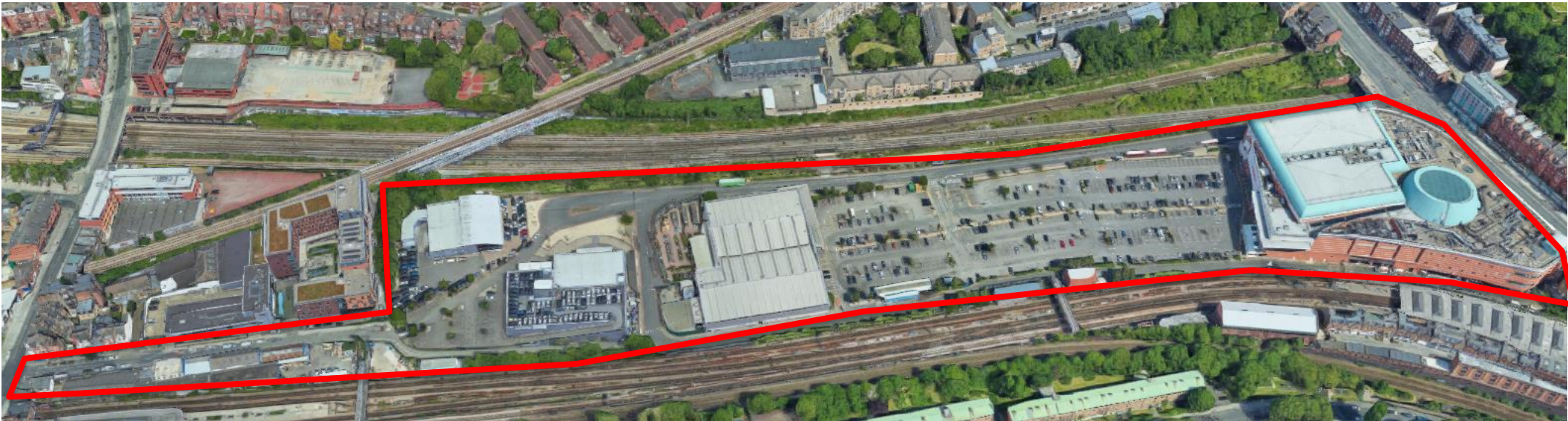
++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.





















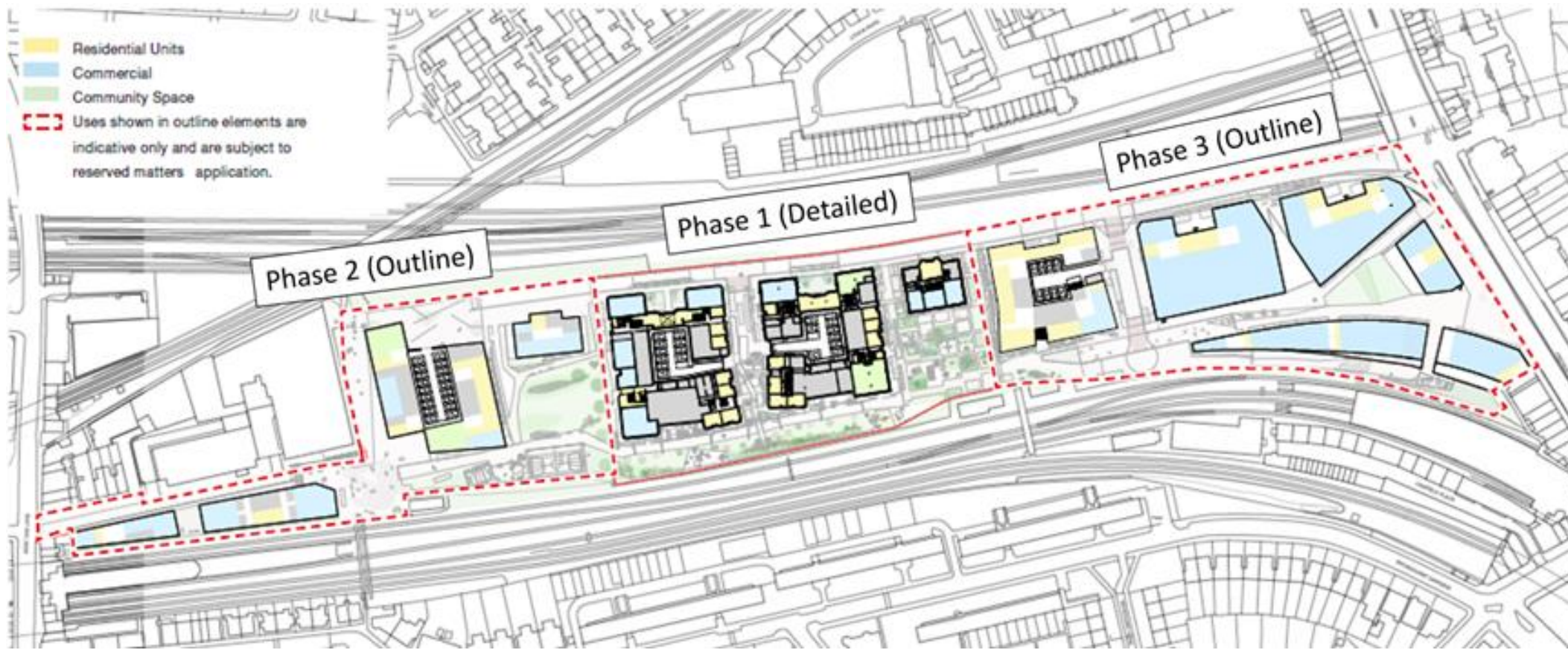


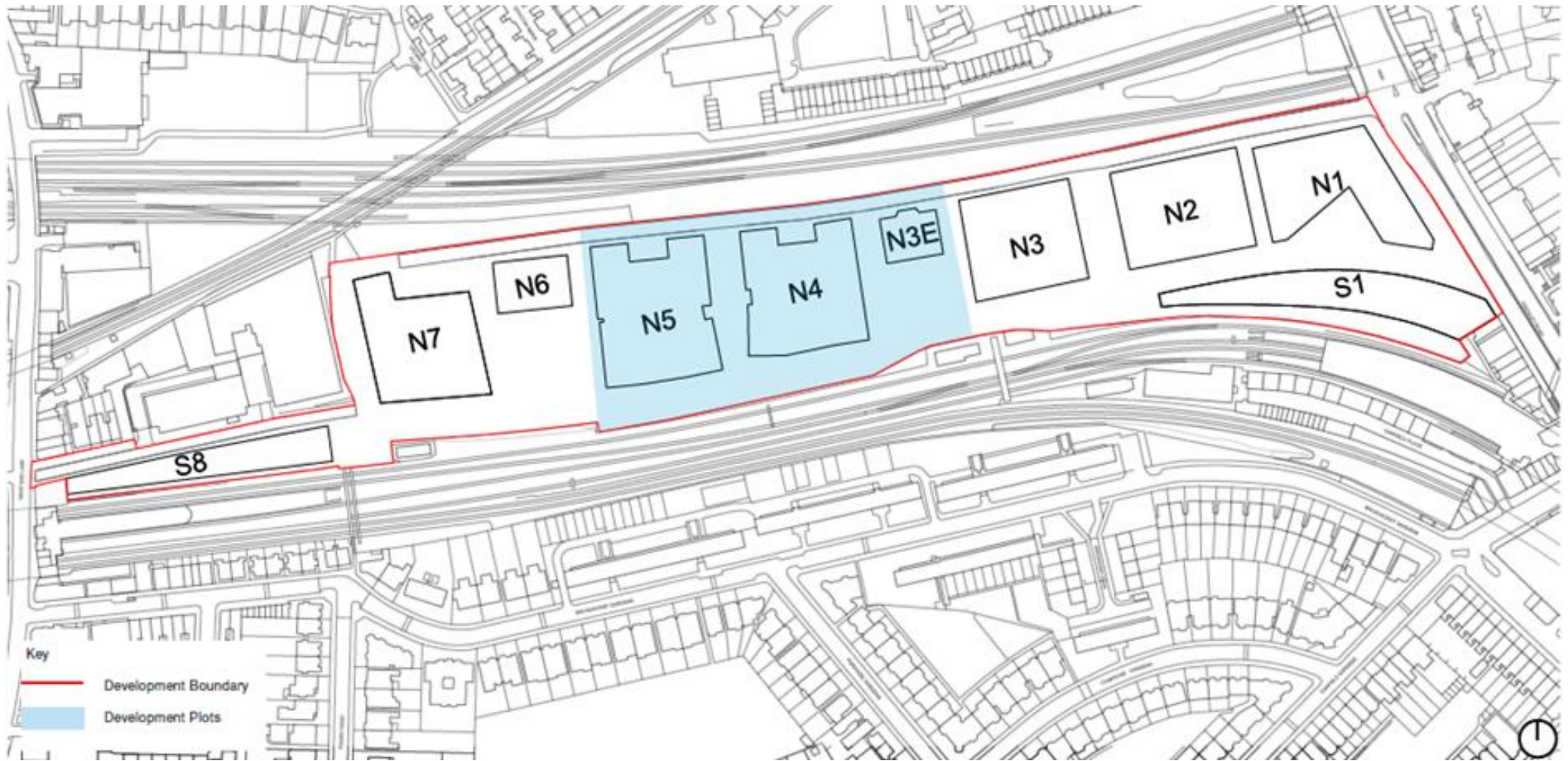




- PLANNING APPLICATION BOUNDARY
- LAND FOR DETAILED PLANNING PERMISSION
- OUTLINE ELEMENT DEVELOPMENT PLOTS
- LAND FOR OUTLINE PLANNING PERMISSION
- A** DEVELOPMENT PLOT REFERENCE







Approved



Proposed

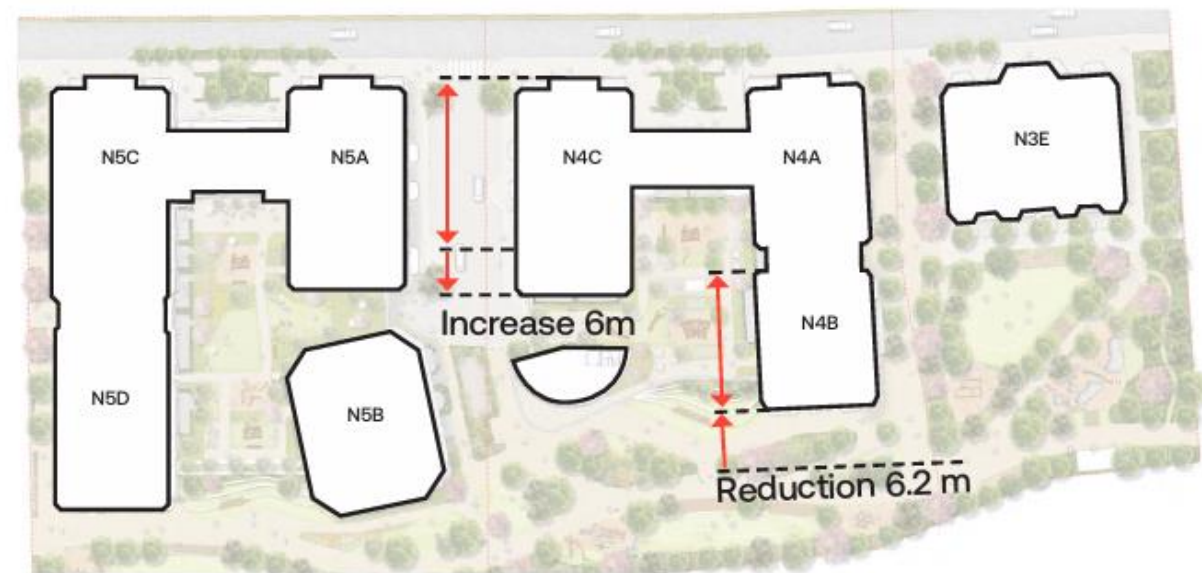
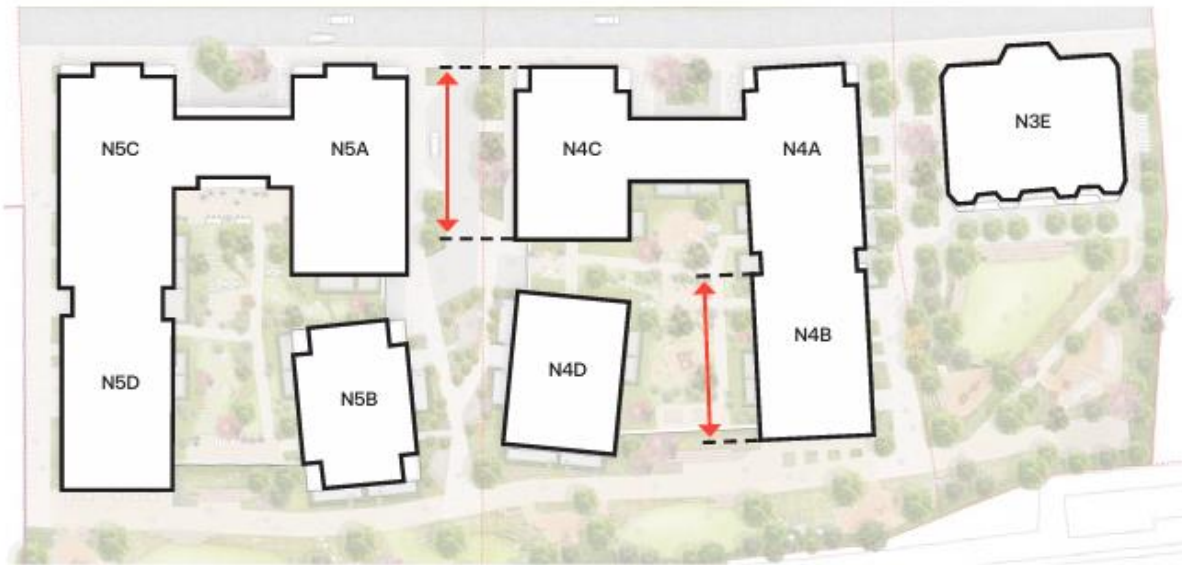


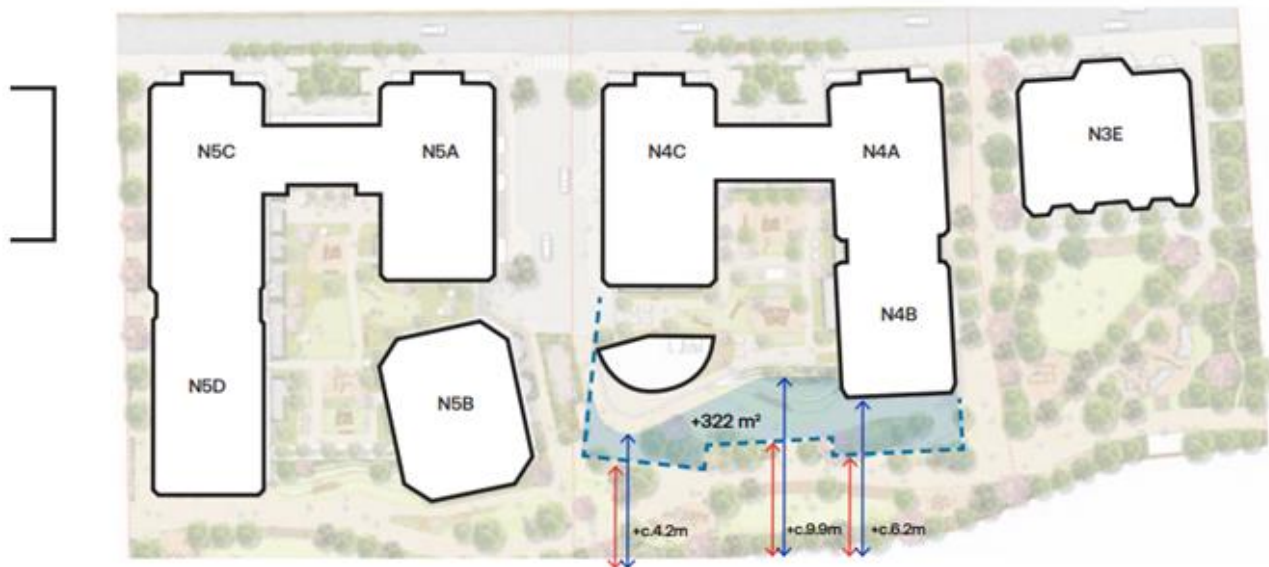
- Market Rent
- Intermediate Rent
- Low Cost Rent

Type	Market	Social Rent	Intermediate Rent
Studio	77	0	0
1 bedroom	164	0	16
2 bedroom	265	22	16
3 bedroom	45	38	8
Total	551	60	40
		100	

Table 1: Proposed unit mix for detailed element







- Proposed
- Consented









Landscape-led masterplan



Detailed Element (Phase 1) - "Site Diagram"

Town Square	3 100	(sq.m)
Linear Park	6 814	(sq.m)
Linear Park East	5 743	(sq.m)
Linear Park West	1 071	(sq.m)
Central Square	1 729	(sq.m)
Community Green	3 572	(sq.m)
Billy Fury Yard	1 629	(sq.m)
Billy Fury Yard North	1 289	(sq.m)
Billy Fury Yard South	340	(sq.m)
TOTAL OF PARKS AND SQUARES	16 844	(sq.m)

Key

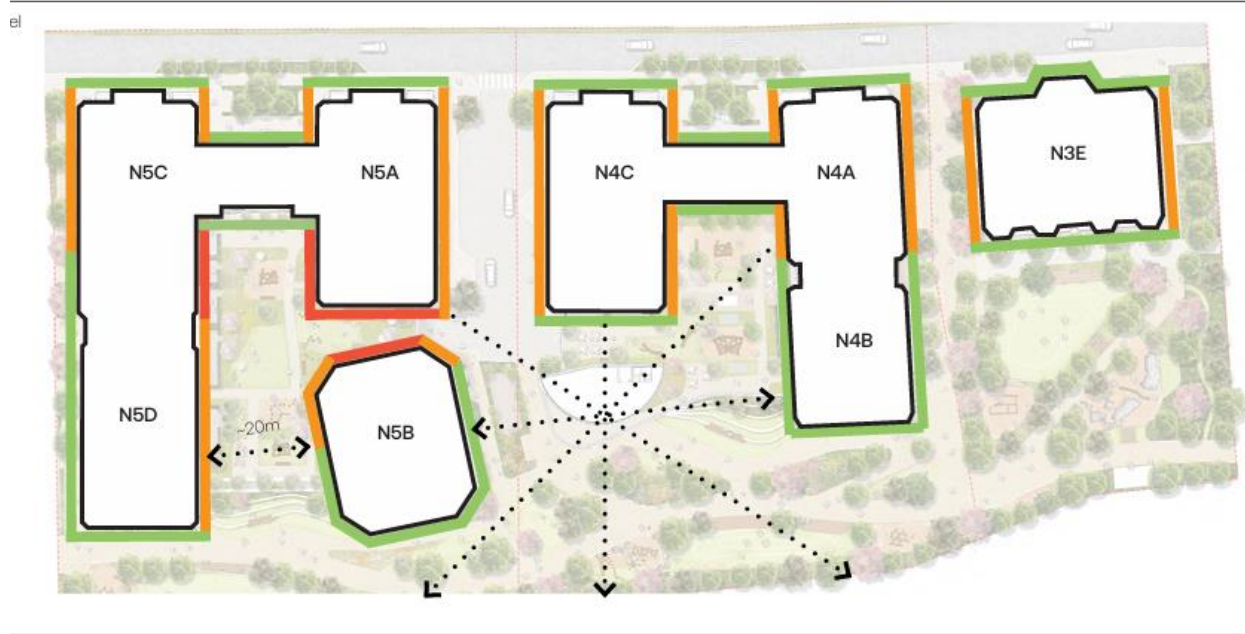
-  Roads
-  Shared surfaces
-  Pavements and paths
-  Parks and squares



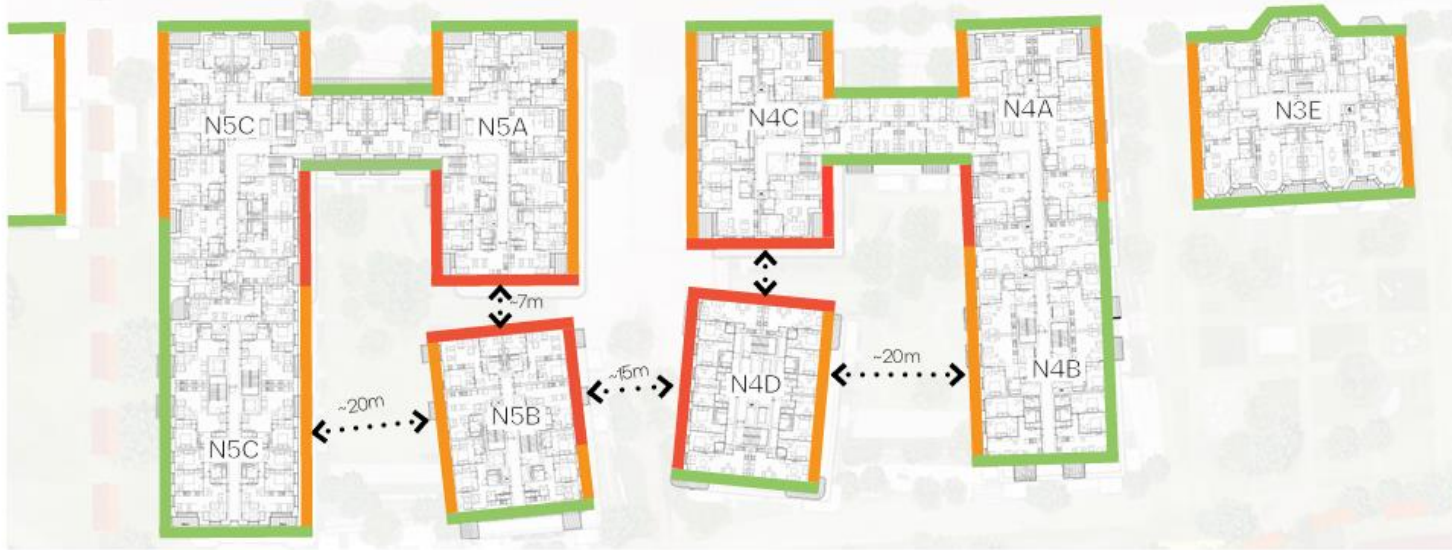


Distances from neighbouring buildings

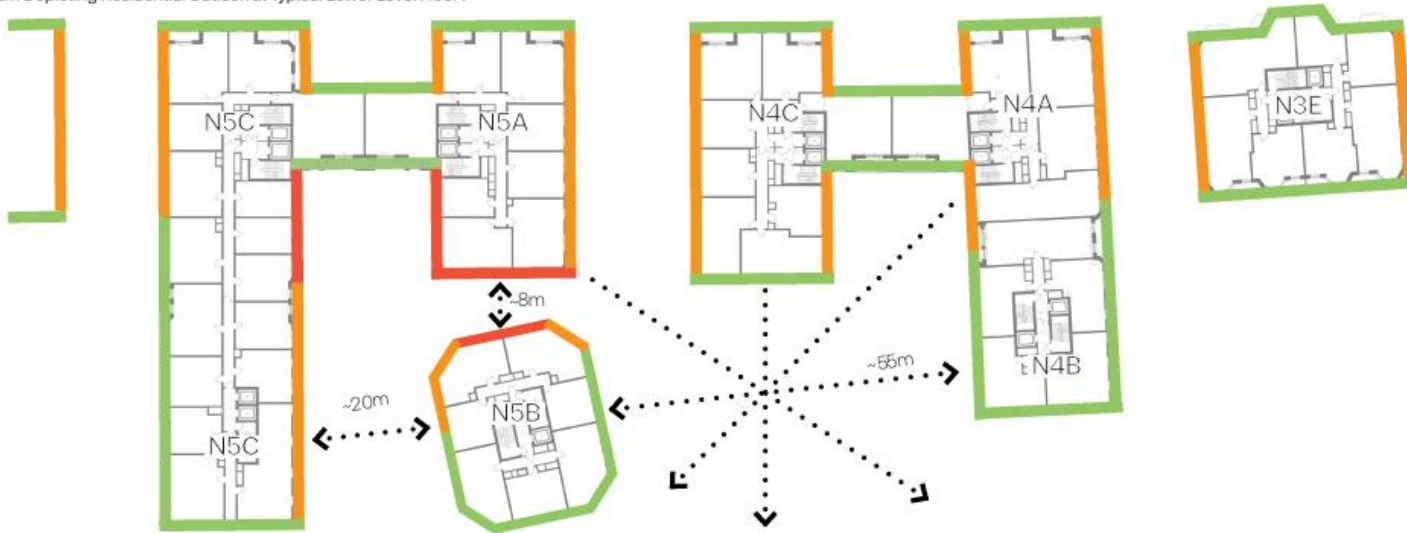
- Good Outlook
- Medium Outlook
- Poor Outlook



Illustrative Diagram Depicting Residential Outlook at Typical Lower Level Floor :  
Approved



Illustrative Diagram Depicting Residential Outlook at Typical Lower Level Floor :  
Proposed





## Dual Aspect: Proposed

### Ground Floor



### Typical Lower Floor (L2 Plan)



### Typical Upper Floor (L12 Plan)



- Dual aspect : Market Rent
- Dual aspect : Intermediate Rent
- Dual aspect : Low Cost Rent

Podium Level Access - Approved



Podium Level Access - Proposed



 Rooftop External Amenity

 Podium External Amenity

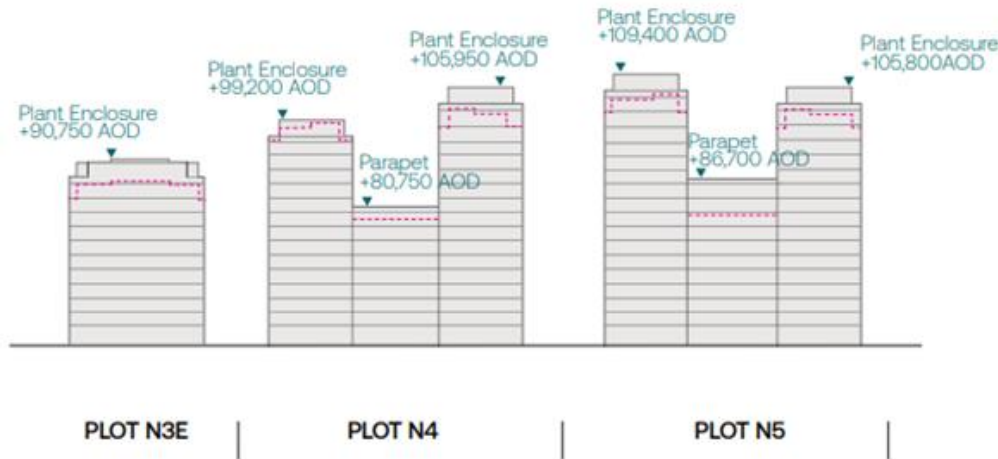


Ⓐ 16 (+2 Floors on planning approval)



Detail Element Massing, North Elevation - Proposed

Detail Element Massing, South Elevation - Proposed







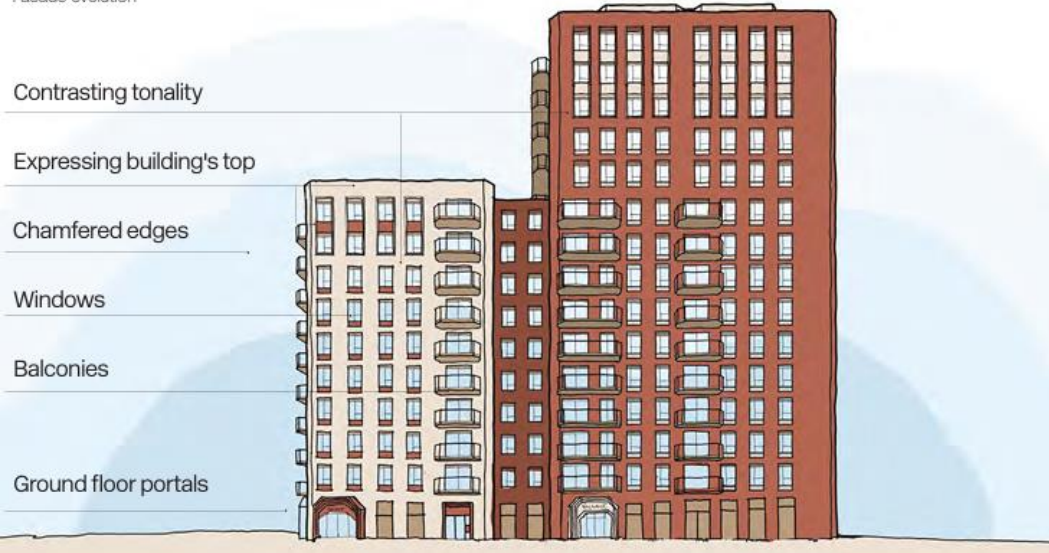




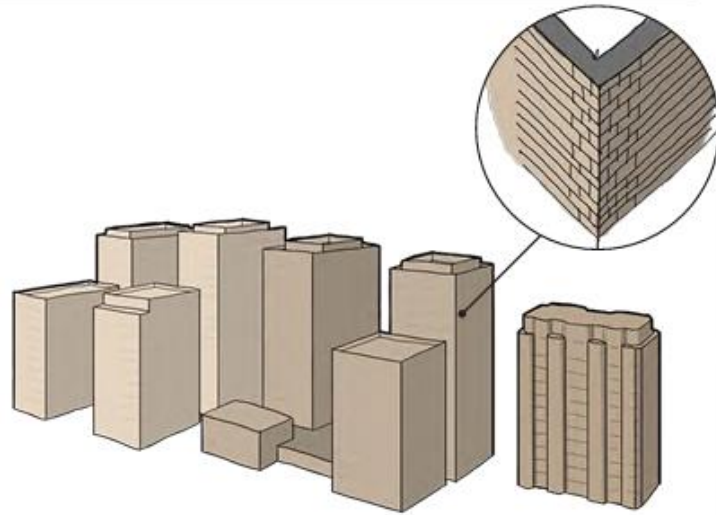
Consented facade design



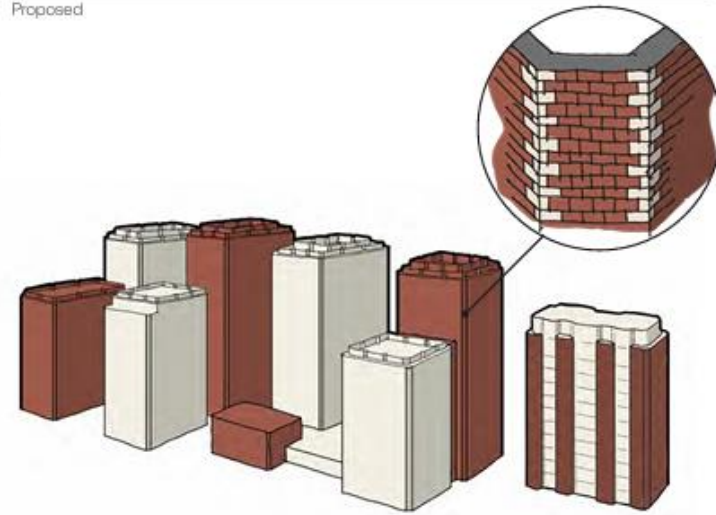
Facade evolution



Approved



Proposed



Approved - Building tops



Proposed - Building tops









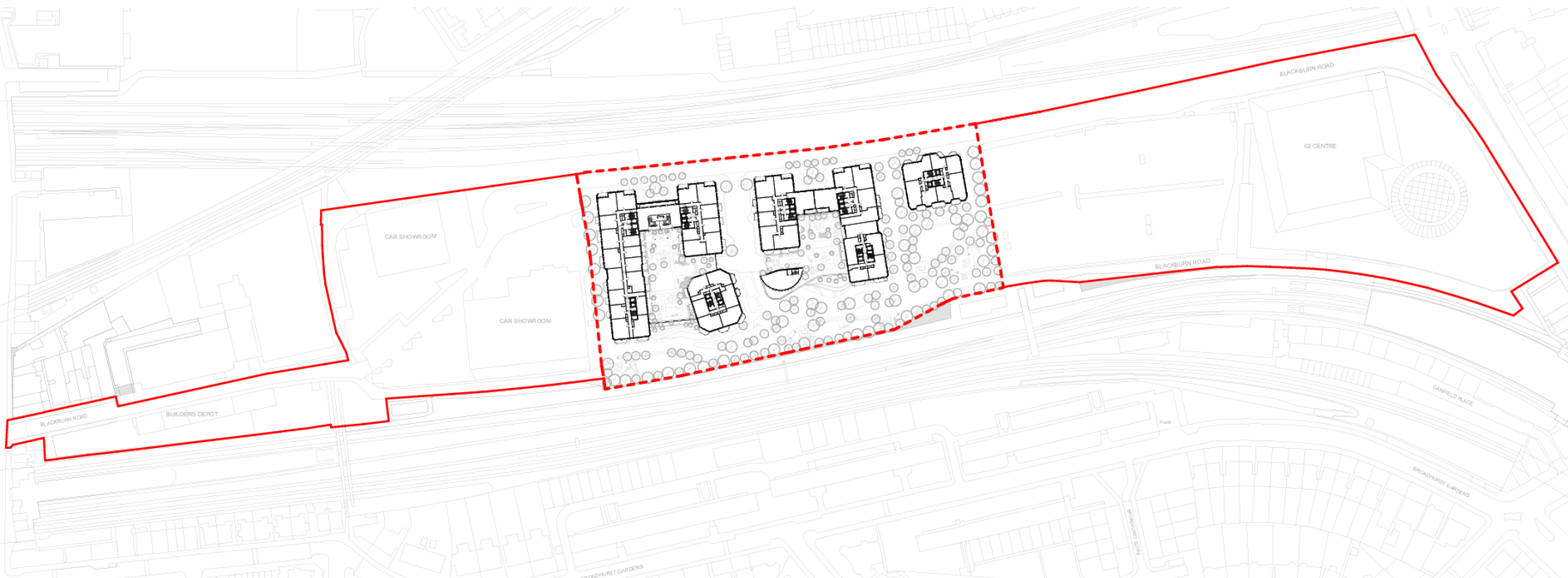















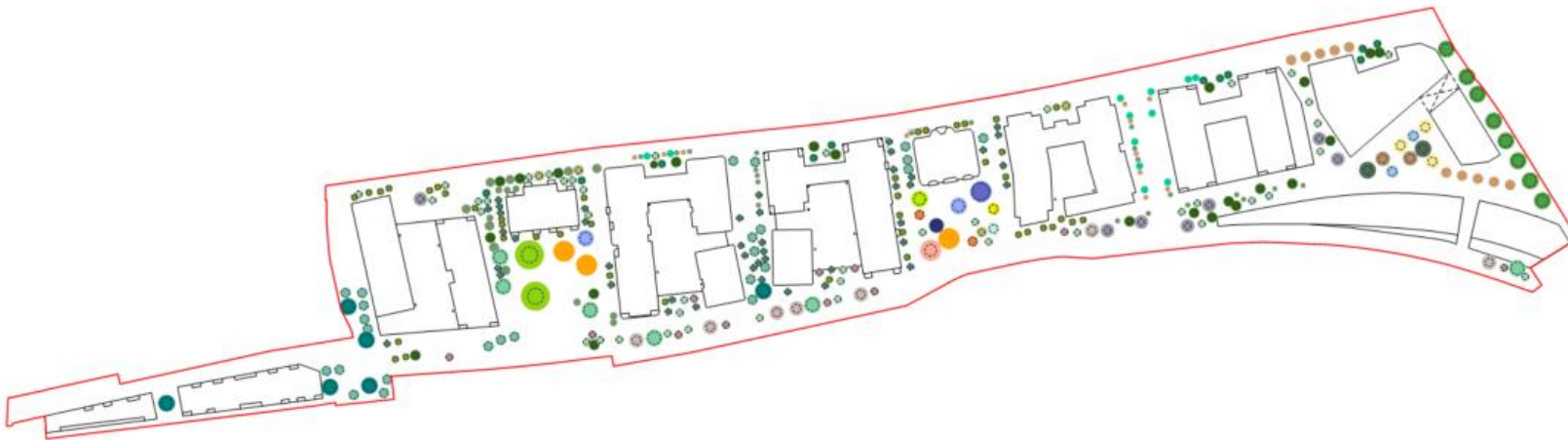


Tree Planting Strategy to Detail Plots

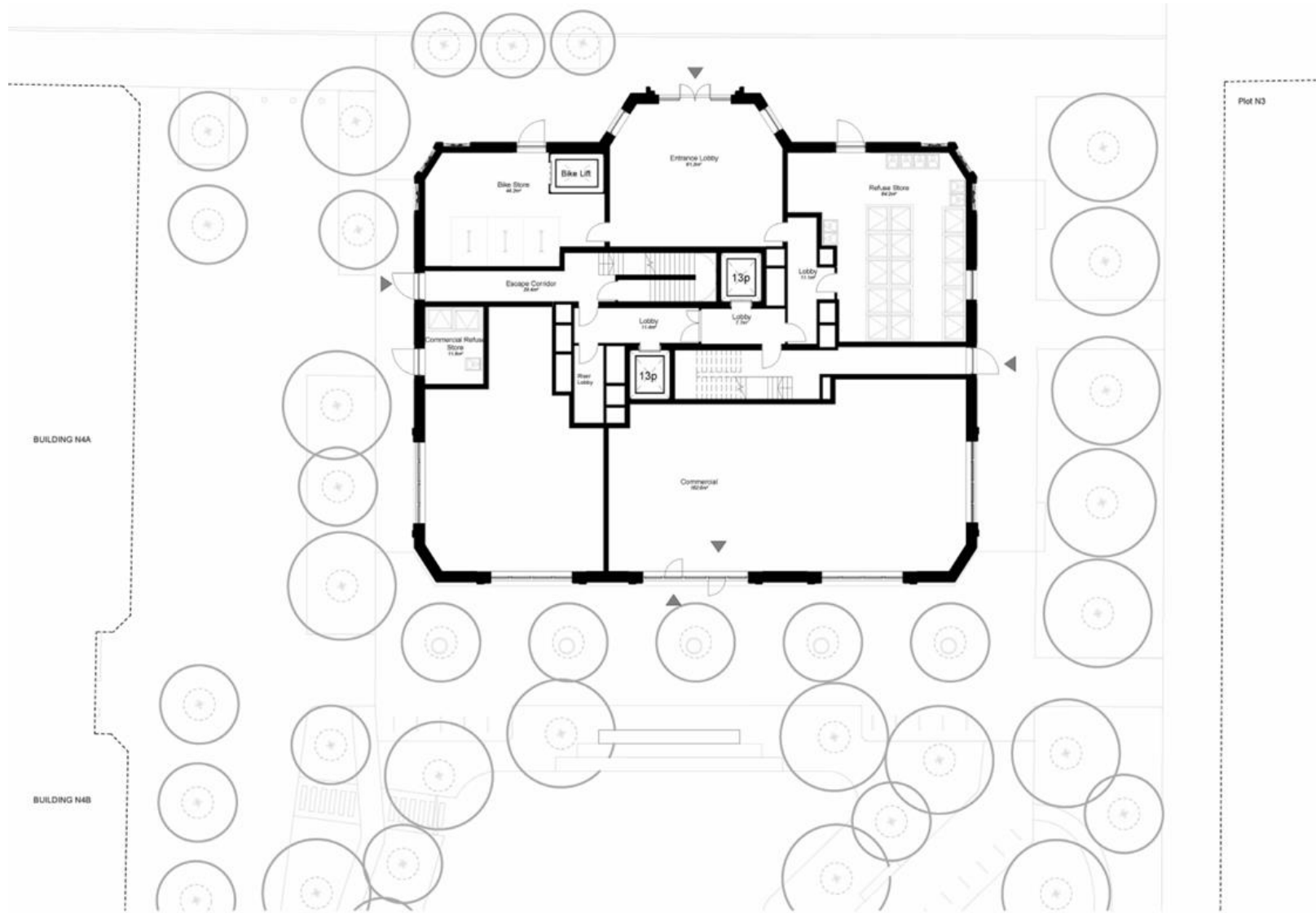
Key:			
	<i>Catalpa bignonioides</i> Indian Bean Tree Mature height: 7-12m Mature spread: 5-8m		Hornbeam mull stem Mature height: 3-5m Mature spread: 3-4m
	<i>Pinus Pinna</i> Italian stone pine Mature height: 12-17m Mature spread: 5-10m		<i>Amelanchier lamarkii</i> Snowy Mesplis Mature height: 3-5m Mature spread: 3-4m
	<i>Pinus sylvestris</i> Scots pine Mature height: 12-17m Mature spread: 5-10m		<i>Taxus totandra</i> Tamarix Salt Cedar Mature height: 5-10m Spread: 3-6m
			<i>Prunus avium Plena</i> Double flowered Wild Cherry Mature height: 7-12m Mature spread: 5-8m
			Persian silk tree Mature height: 7-12m Mature spread: 5-8m
			<i>Liriodendron tulipifera</i> Tulip Tree Mature height: 20m+ Mature spread: 10-15m
			<i>Zelkova serrata</i> Japanese zelkova Mature height: 12-17m Mature spread: 10-15m
			<i>Betula albosinensis</i> Fascination Chinese Red Birch Mature height: 7-12m Mature spread: 4-8m
			<i>Betula papyrifera</i> Paper Birch Mature height: 12-17m Mature spread: 8-12m
			Silver birch Mature height: 12-17m Mature spread: 4-9m

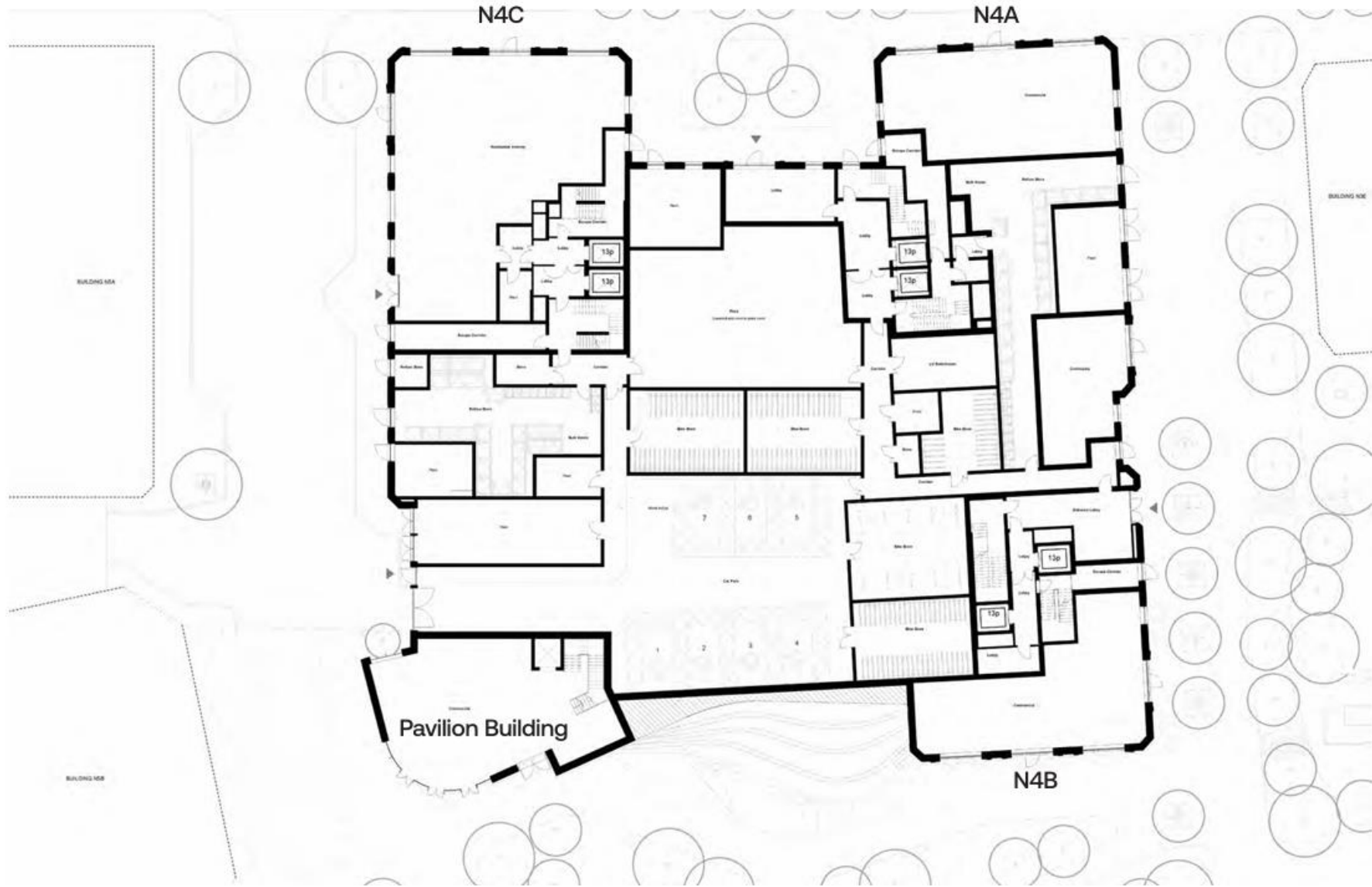


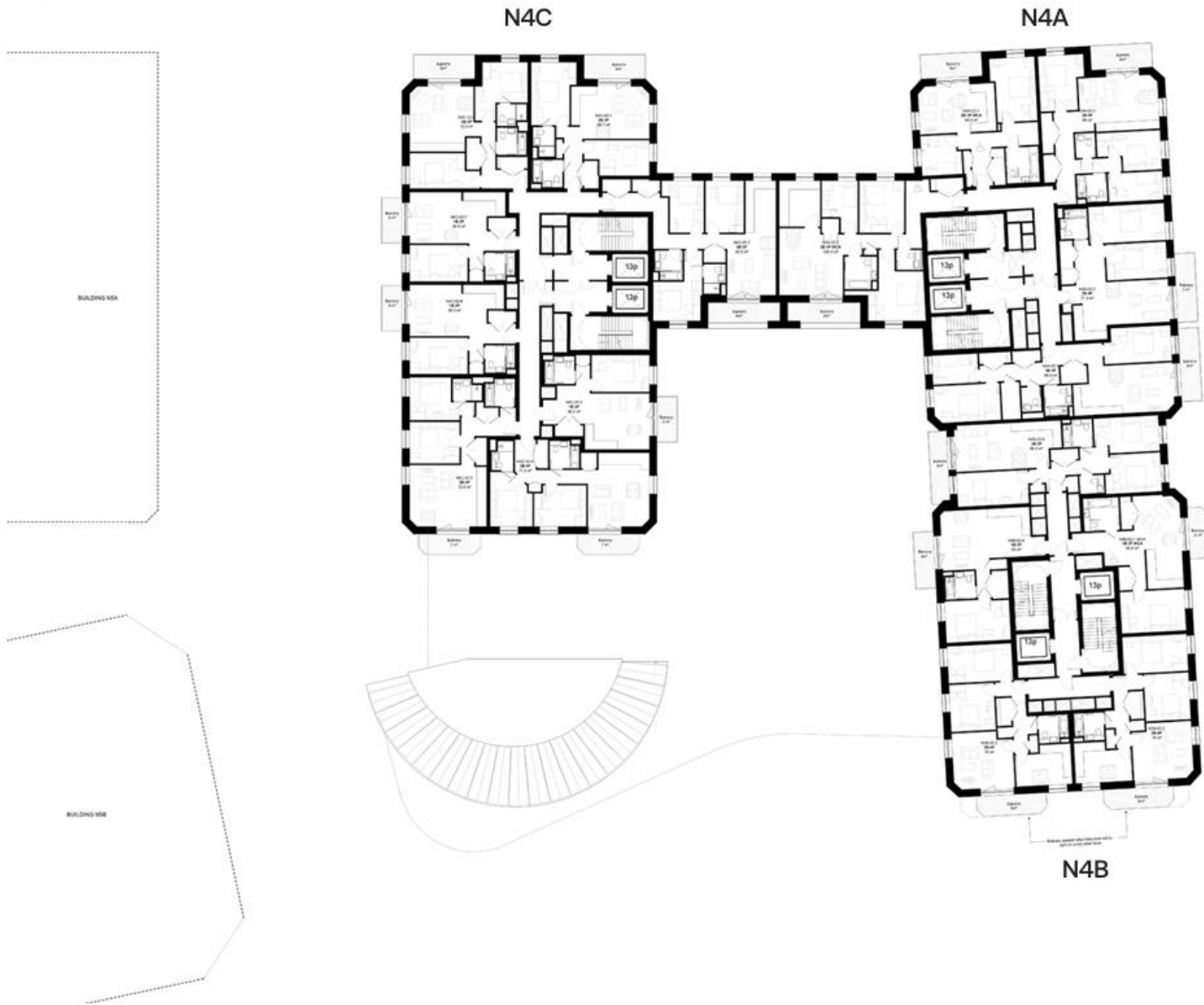
Existing tree survey 2021

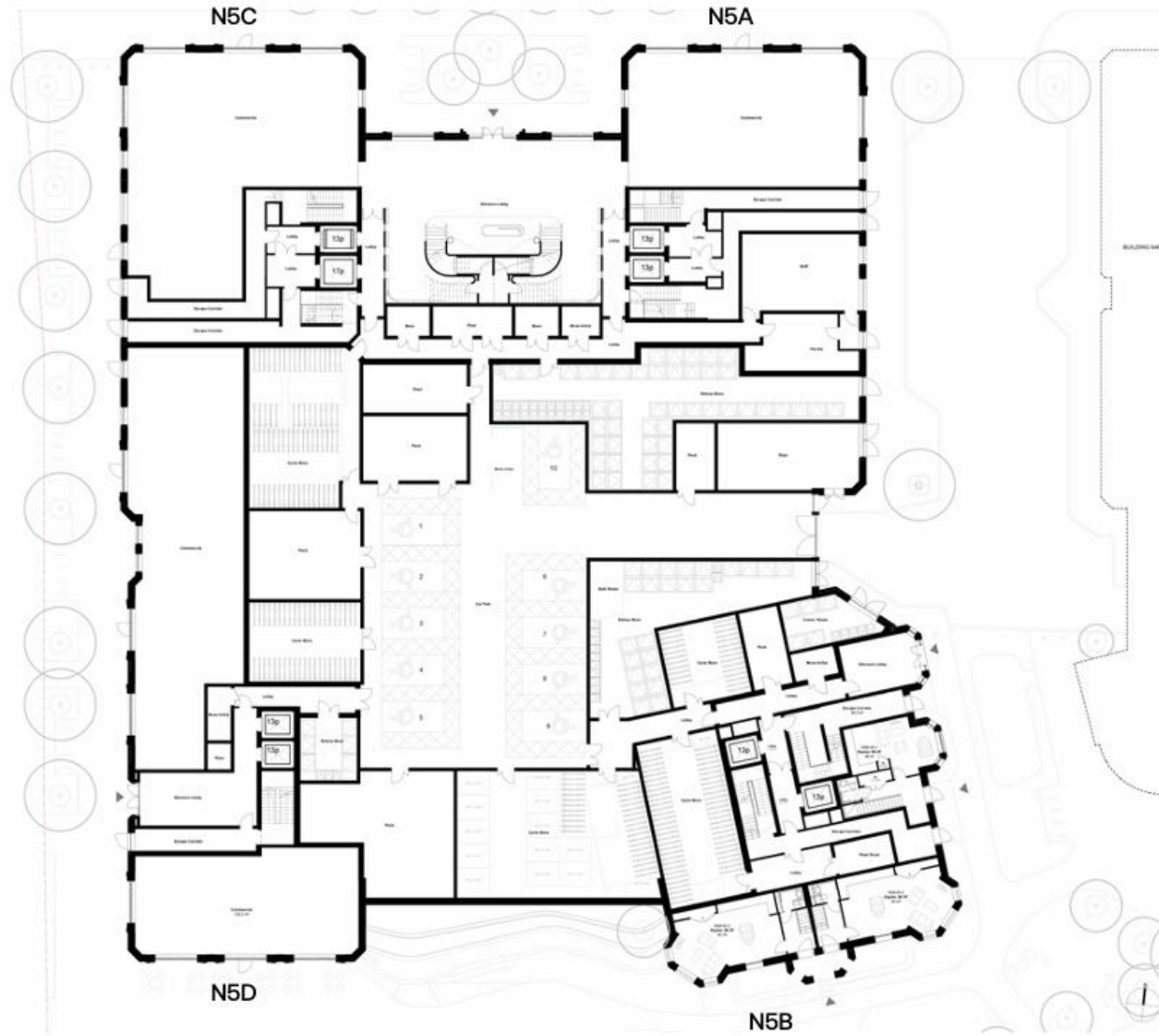


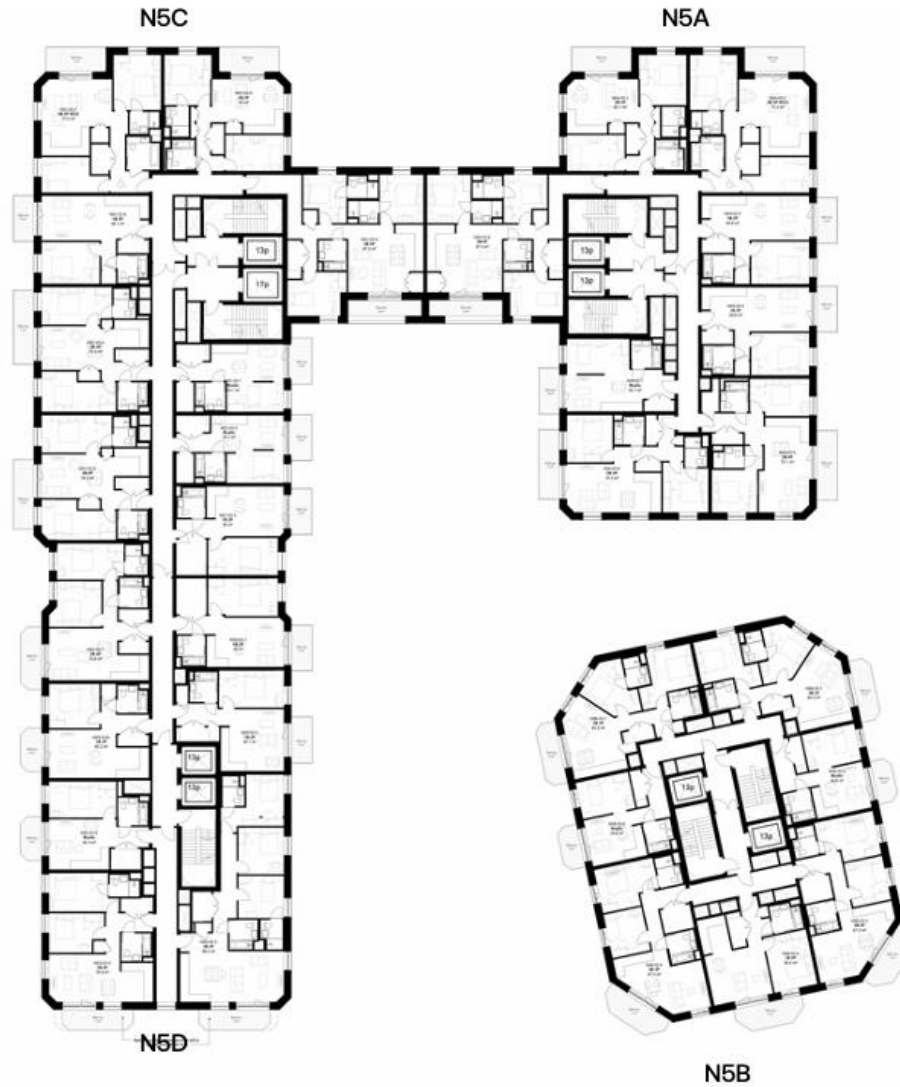
Proposed tree plan

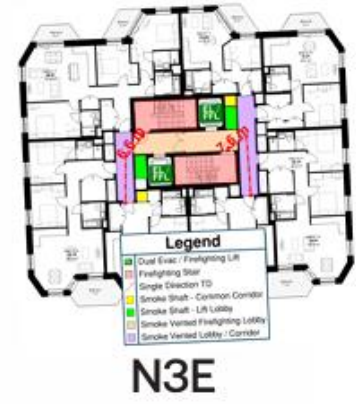


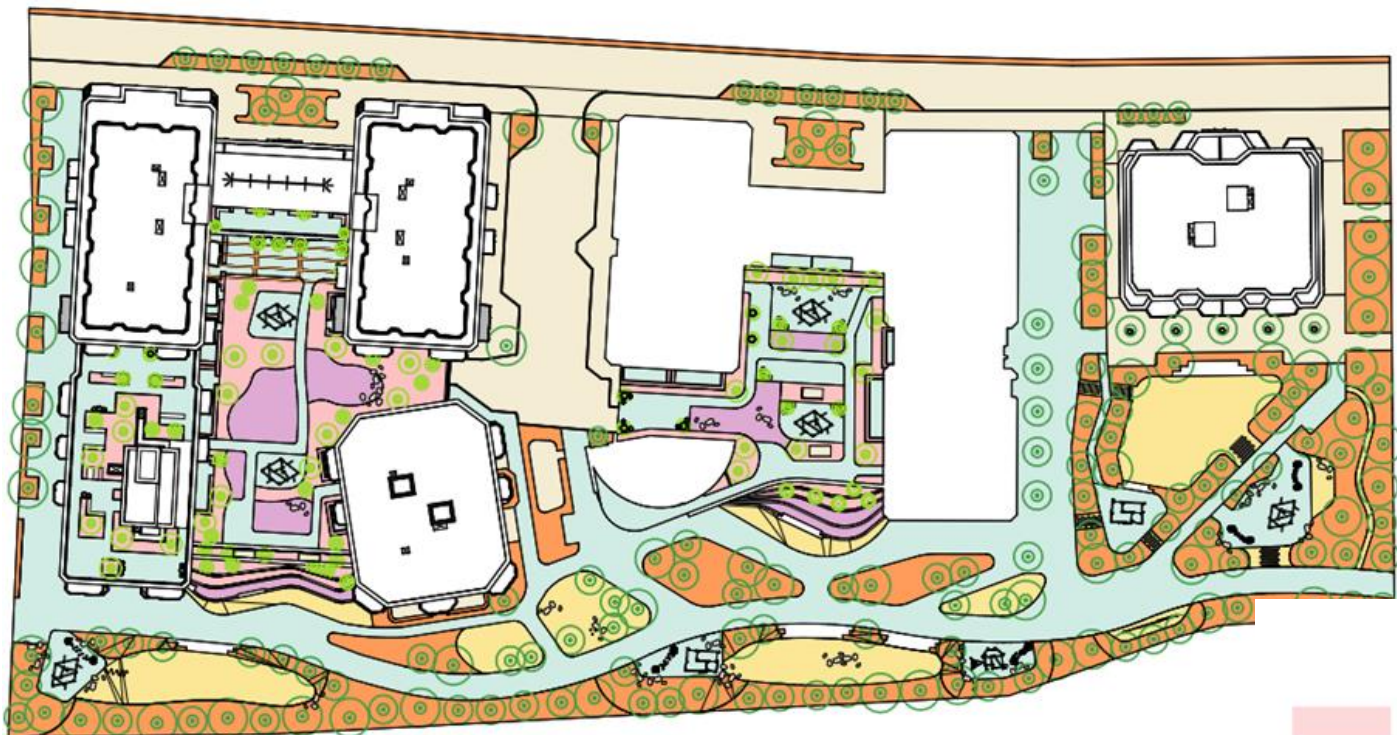












Surface Cover Type	Factor	Area (sqm)	Score
INTENSIVE GREEN ROOF	0.8	925	740
EXTENSIVE GREEN ROOF WITH SUBSTRATE	0.7	383	268
FLOWER-RICH PERENNIAL PLANTING	0.7	2855	1998
AMENITY GRASSLAND	0.4	1280	512
PERMEABLE PAVING	0.1	4249	425
SEALED SURFACES	0	5046	0
STANDARD TREES PLANTED IN NATURAL SOILS	0.8	2731	2185
STANDARD TREES PLANTED IN PITS	0.6	370	222