

**WHAT PUBLIC MEETING**  
**16 February 2022**  
**Daniel Pope**  
**Chief Planning Officer**

# Current situation

- Application received 31 January for approximately 1800 homes (170,180 sqm) – 608 in first phase
- Application is a hybrid as it is part detail and part outline
- Design and Access Statement contains illustrative masterplan
- Application provides detail for first phase of 608 homes.
- Layout, design and use of Phases 2 and 3 are controlled by Parameters, Design Code and Development Specification
- Subsequent Reserved Matter applications would contain the full details of the scheme's access, appearance, landscaping, layout and scale for phases 2 and 3.
- Currently being validated
- Will be consulted on for the statutory period three weeks but we will allow people to submit comments beyond that
- Likely to go to planning committee some time in the summer
- Pre-application discussions

# How application is assessed

- Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

# What is the development plan?

- The London Plan – adopted 2021
- Camden Local Plan – adopted 2017
- Camden Site Allocations – adopted 2013
- Neighbourhood Plans
  - Fortune Green and West Hampstead – adopted 2015
  - Redington and Frognal – adopted 2021

# London Plan/Local Plan - Housing delivery

- London Plan identifies need for 66,000 homes per year but only identifies capacity for 53,000 (19/20-28/29).
- Identifies Swiss Cottage/Finchley Road District as a Strategic Regeneration Area with potential for high residential growth
- Local Plan housing target is 1120 new homes a year and Growth Area sites such as this crucial to meeting this target (London Plan 1038)
- Government assesses Camden's performance through the Housing Delivery Test (HDT)
- This assesses delivery against our housing targets on a rolling three year basis
- Camden's last HDT score was 76% (2202 homes) so we require add an additional 20% on to our five year housing land supply
- NPPF presumption in favour of sustainable development
- This means applications should be granted unless contrary to NPPF policies or where adverse impact would "significantly and demonstrably" outweigh the benefits

# Local Plan - Delivery and location of growth

- Local Plan directs the most significant growth to the growth areas including West Hampstead Interchange
- It encourages high quality developments in Growth Areas which makes the most efficient use of land and buildings. It lists the priorities for delivering growth and harnessing its benefits.
  - securing self-contained housing as the priority use of the Local Plan, including sufficient affordable housing to meet the needs of our residents and to ensure that Camden remains a place accessible for all people to live in.
  - supporting businesses and job provision by providing or retaining suitable premises to support businesses staying or expanding within Camden. Alongside this we will seek to deliver training, apprenticeships or qualification opportunities for our residents to allow them to be able to benefit from these jobs.
  - securing the infrastructure and services to meet the needs of our growing number of residents, workers and visitors.
  - ensuring that growth is delivered in a way that protects amenity.

# The site allocations

- Current version adopted 2013 includes an allocation for 02 site but restricted to the car park. Does not include 02 centre or Homebase.
- New site allocations document currently being prepared
  - Current stage - Regulation 18 consultation on draft plan
  - Next stages
    - Regulation 19 consultation on publication draft summer 2022
    - Submit plan to Secretary of State autumn/winter 2022 for examination
- Draft version includes indicative housing capacity of 950 homes but does not include 02 Centre or Builders Depot.
- Planning application based on more detailed design work
- Draft version carries limited weight, as it advances through the stages it will gain more weight.

# What the Neighbourhood Plan say about 02 site

- Considerable opportunity for significant redevelopment (of the car park)
- Expansion of 02 centre to include retail, commercial and business use
- Possibility of moving the Homebase store
- Incorporate the two neighbouring car show rooms into future redevelopment
- Investigate possibility of building over the railway lines for business/retail space
- Primary use should be for additional housing including affordable housing to meet targets in London Plan and Camden Core Strategy (both documents updated since NP adopted)
- New development should respect and be sensitive to height of existing buildings in their vicinity and setting and be of highest quality design...

# Cont...

- Contribute to improvements to public transport infrastructure of immediate area including to underground stations
- Accommodate new green/open space which could include a linear park and or new streetscape, childrens playground, new trees etc
- Space for community facilities including possibly a primary health care facility
- Improvements to unattractive public realm around site
- Improved pedestrian and cycle links between West and Lane and Finchley Road
- Opportunity for new north south pedestrian links including over railway lines
- All new housing should be car free

# Material considerations

Many issues are capable of being material considerations, but in broad terms should relate to the use and development of land. As a general principle, the planning system works in the public interest and matters that affect solely private interests are not usually material considerations in planning decisions. However, each application is considered on its merits.

# What can be taken into account

- Government policy – National Planning Policy Framework and Guidance
- West End Lane to Finchley Road Planning Framework
- Camden Planning Guidance
- Conservation Area Appraisals
- Design Review Panel Advice
- Views of the public where they relate to planning matters
- Impact on amenity – loss of sunlight/privacy/outlook
- Environment affects - noise/smells/fumes
- Transport issues – car and cycle parking/road safety/impact on transport network
- Public benefits provided they have a planning purpose and are fairly and reasonably related to the development e.g.– new homes including affordable homes, jobs, skills and training, community uses, environmental improvements, transport improvements etc

# What can't be taken into account

- Who the applicant is
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded upon valid planning reasons
- Private issues between neighbours such as damage to property, covenants, rights to light etc

# What you've told us

- A lot of feedback has been received from
  - Engagement on the West End Lane to Finchley Road Planning Framework
  - Consultation on the draft Site Allocations Local Plan
  - Land Securities own consultation

# Some of the main issues

- Future of O2 centre facilities particularly the supermarket, gym and cinema
- Environmental impact of demolition of O2 centre
- Impact new residents will place on local infrastructure and how this will be addressed
- Amount of affordable housing
- Loss of car parking
- Amount and quality of publicly accessible new green space
- Scale and massing of the development and impact on views
- How development will be built and what will happen to future phases

# To assess impacts applicant must submit a range of studies for the Council to scrutinise. For some we commission independent advice.

- Daylight, sunlight and overshadowing
- Transport
- Townscape, heritage and visual impact
- Air quality
- Energy
- Ecology
- Equalities Impact Assessment
- Construction Management Plan
- Sustainability
- Circular economy
- Whole life carbon assessment
- Noise and vibration
- Flood risk
- Regeneration and town centre
- Fire Safety
- Health Impact

**The Council consults service providers to ensure that the impacts of schemes are properly understood and where appropriate, planning obligations will be secured to mitigate a scheme's impact on the local area. These include:**

- Greater London Authority
- Transport for London
- Thames Water
- NHS
- Natural England
- Network Rail
- Historic England
- Environment Agency
- London Fire Brigade
- Metropolitan Police
- Health and Safety Executive
- Relevant Council services

# Overview of main issues

- Future of O2 Centre and town centre uses
- Affordable housing
- Transport
- Design including heritage and conservation
- Sustainability
- Green space

# Phasing and land ownership

- Our planning guidance supports a comprehensive development to make most effective use of the land and to secure maximum benefits for the local area
- The site is under three different ownerships
- Most of the site is owned by Land Securities
- Land Securities do not own the car showrooms or the builders depot and will need to try and acquire them to implement the masterplan
- If they are not able to do so the option exists for the Council to assist using its Compulsory Purchase Powers if this were to deliver more publicly beneficial development
- The site would be delivered in three phases over 10-15 years
- The first phase is on the car park and is for 608 homes
- The second phase would be the car showroom and builders depot
- The final phase would be the 02 centre

# Planning Obligations

- Planning obligations are legal obligations entered into to mitigate the impact of a development proposal. They can secure items such as affordable housing, transport improvements, community facilities, carbon offset payment, employment and training initiatives, highway improvements and construction management plan.
- They are included in a planning agreement (called a S106) which is attached to the planning permission.

# Cont...

- Planning law sets out that a planning obligation must be:
  - Necessary to make the development acceptable in planning terms
  - Directly related to the development
  - Fairly and reasonable related in scale and kind to the development
- The agreement runs with the land, so even if the site is sold, the agreement must still be complied with.
- When the application is reported to planning committee it will clearly list the obligations which will go into the S106 agreement.
- The development will also generate around £30m in CIL of which 25% would be for the Local Area.

# What happens after decision is made

- If the application is approved
  - Only route for third parties is Judicial Review
  - This is not second bite of the cherry but consideration of whether decision making process legally correct and fair
- If the application is refused
  - Applicant (but not third parties) can appeal to the Planning Inspectorate and an Inspector appointed by the Government will re-determine the planning application