

Fortune Green & West Hampstead Neighbourhood Plan Decision Statement

1. Summary

- 1.1 Following an independent examination of the Plan, Camden Council recommends that the Fortune Green and West Hampstead Neighbourhood Plan proceeds to referendum subject to the modifications set out in Table 1 and Table 2 of this statement.
- 1.2 The Council concur with the Examiner's recommendation that the referendum area for the Fortune Green and West Hampstead Neighbourhood Plan (as modified) should be the approved Neighbourhood Area as set out in Map 1 of the Plan.
- 1.3 The Decision Statement, Examiner's Report and other documents can be inspected on the Council's website at www.camden.gov.uk/neighbourhoodplanning. Copies are also available for inspection at the library at 5 Pancras Square, London N1C 4AG. Opening hours: Mon – Sat 8am- 8pm, Sun 11am -5pm.
- 1.4 The Neighbourhood Plan, if approved at referendum, will be used alongside Council plans when making decisions on planning applications in the Neighbourhood Area.

2. Background

- 2.1 On 9 May 2013 Fortune Green and West Hampstead Neighbourhood Forum was approved as the qualifying body for the area and the boundary of the Neighbourhood Plan Area was designated by the Council, in accordance with Section 61G of the Town & Country Planning Act 1990. The Plan Area is made up of the two wards, Fortune Green and West Hampstead, with some slight modifications, as shown on Map 1 of the Neighbourhood Plan.
- 2.2 The Neighbourhood Plan was published by Fortune Green and West Hampstead Neighbourhood Forum for Regulation 14 pre-submission consultation in January 2014.
- 2.3 Following the submission of the Fortune Green and West Hampstead Neighbourhood Plan Examination version to the Council in September 2014, the Plan was publicised and comments invited from the public and stakeholders. The consultation period ran from 18 September to 31 October 2014.
- 2.4 Camden Council, in consultation with the Fortune Green and West Hampstead Neighbourhood Forum, appointed an independent examiner, Mr John Parmiter, to review whether the Plan met the basic conditions required by legislation and should proceed to referendum.

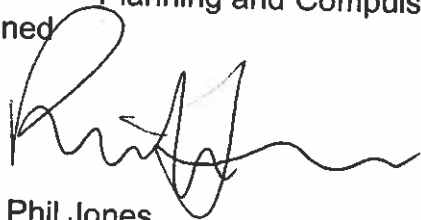
- 2.5 A public hearing was held on 11 December 2014 and the Examiner's report was received in January 2015. The Examiner's report concludes that, subject to making the modifications recommended in his report, the Plan meets the basic conditions set out in legislation and should proceed to a neighbourhood planning referendum.
- 2.6 The Examiner's report recommends that the area for the referendum should be based on the Neighbourhood Plan Area.

3. Decision

- 3.1 The Neighbourhood Planning (General) Regulation 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner.
- 3.2 Having considered each of the recommendations made by the Examiner's report, and the reasons for them, the Council has decided to make the modifications to the draft Plan set out in Table 1. These changes are considered to be necessary to ensure that the draft Plan meets the basic conditions and legal requirements. The modifications and changes set out in Table 2 are for the purposes of correcting errors and amending the layout of the Plan. They are considered to improve the usability of the document.
- 3.3 The modifications both separately and combined as set out in Tables 1 and 2 produce no significant changes to the policy and strategy of the Neighbourhood Plan overall. Therefore a review of the Sustainability Appraisal / Strategic Environmental Assessment / Habitat Regulation Assessment is not required.
- 3.4 Camden Council agree:
- A) That the recommendations of the Examiner and the subsequent amendments proposed as set out in Table 1 and Table 2 be accepted and agreed.
 - B) That the Examiner's recommendation that the Fortune Green and West Hampstead Neighbourhood Plan, as modified, proceed to referendum on the basis that the Plan meets the basic conditions, is compatible with the European Convention on Human Rights, complies with the statutory definition of a neighbourhood development plan and comprises provisions that can be made by such a document.
 - C) That, in accordance with the Examiner's recommendation, the referendum area be the Neighbourhood Area as designated by the Council on 9 May 2013.
- 3.5 Accordingly I confirm that the Fortune Green and West Hampstead Neighbourhood Plan as modified:
- i. Meets the basic conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990;

- ii. Is not considered to breach or otherwise be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998); and
- iii. Complies with the provisions made by or under 38A and 38B of the Planning and Compulsory Purchase Act 2004.

Signed



Cllr Phil Jones
Cabinet Member for Regeneration, Transport and Planning

Date 27.03.2015

Table 1 : Examiner's recommendations and Camden Council's response and reason for change

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications			Council's response and reason for change
1.	Introduction Para 1.3	3.5	Insert the underlined text so the para reads "The Plan has also been prepared to be in general conformity with the <u>strategic policies of the development plan: the London Plan...</u> "			Agree to modify the Plan in line with the Examiner's recommendations. To provide clarity.
2	Introduction Para 1.7	3.10	Add a new sentence relocated from Section 4. "For the avoidance of doubt, it is emphasised that these are aspirations and do not constitute or suggest agreement with Camden Council or other relevant bodies to fund or act on them."			Agree to modify the Plan in line with the Examiner's recommendations. To provide clarity on the role of the 'recommendation' sections for each Policy.
3	Introduction Para 1.8	11.3 & 11.4	Modify the text to read: "It is noted that all eligible development must pay the Community Infrastructure Levy (CIL) as well as - by way of a Section 106 Agreement - contribute to the costs of any specific site requirements that are; necessary to make the development acceptable in planning terms; <u>that are directly related to the development; and which are fairly and reasonably related in scale and kind to the development.</u> The Plan highlights that development should contribute towards the positive development of the Area in different ways. Contributions may be in the form of both CIL and S106 financial contributions and/or appropriate design measures and 'in kind' improvements. The neighbourhood portion of the CIL can be spent on a wide range of items, provided that <u>they meet the requirement to support development of the Area</u> ".			Agree to modify the Plan in line with the Examiner's recommendations. To provide clarity and to include all three statutory tests for S106 agreements.

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4	<p>Introduction</p> <p>New para</p>	5.5	<p>Relocate the text relating to viability to the introduction section and add in reference to the NPPF (relocated from B4, with additional text)</p> <p>'While it is recognised that development decisions mean weighing up a number of factors in determining whether to develop sites or buildings, the Neighbourhood Plan requires the application of its Vision, Objectives and Policies in all schemes in the Area. Rather than repeating viability as a factor throughout this Plan, it is highlighted here that the viability of development is recognised as an essential element of delivery and will be taken into consideration when proposals come forward <u>as set out in para 173 of the NPPF</u>. Depending on the nature of each development, some objectives may have a higher priority in the circumstances at that particular time than others.'</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To ensure clarity that viability applies to the whole Plan and all the Policies.</p> <p>Ensuring that the NPPF is adequately referenced.</p>
5	Policy 1	4.4	<p>Modify the wording of Policy text as follows:</p> <p>" Residential developments in Fortune Green and West Hampstead shall provide a range of housing types, to meet a range of needs, <u>as appropriate, related</u> to the scale of the development.</p> <p>This shall be achieved by:</p> <ul style="list-style-type: none"> i. The provision of affordable, social, intermediate, and shared-ownership housing - in line with the 50% target as set out in the development plan Camden Core Strategy. ii. The provision of a range of different unit sizes, including three and four bedroom homes , <u>where appropriate, suitable</u> for families. iv. The provision of homes which aim to <u>meet or exceed</u> national environmental standards and meet the requirement for zero-carbon homes. 	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To improve the clarity in order to achieve effective operation of the Policy.</p>

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6	Policy 2	4.8	<p>Modify the wording of the Policy text to:</p> <p>"All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.</p> <p>This shall be achieved by:</p> <p>iv. Development which has regard to the form, function, structure and heritage of <u>its context</u> – including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces.</p> <p>v. A presumption in favour of a colour palette which reflects, or is in harmony with, <u>the materials of its context</u>. red brick and London stock brick of existing development.</p> <p>vi. New buildings and extensions that respect and are sensitive to the height of existing buildings in their vicinity and setting. Higher Tall buildings in the Growth Area will need to have regard to their impact on the setting of the two immediately adjacent Conservation Areas, in order to avoid any negative impact on them.</p> <p>vii. Extensions - and infill development - being in character and proportion with existing development and its context and setting, including the relationship to any adjoining properties.</p> <p>viii. A presumption against basement development more than one storey deep or outside the footprint of the property (excluding lightwells).</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To provide clarity and qualify aspects of the Policy and to remove elements that have no evidential support.</p>

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7	A4	4.9	<p>x. The protection of Having regard to the impact on local views across the Area and the streetscapes within the Area (as identified in A5 and Map 2).</p> <p>xii. The positive and proactive engagement with the community by these bringing forward plans for development – as plans are prepared and submitted, and as development takes place. All planning applications for development which is likely to have an impact beyond the immediate site should be accompanied by a Statement of Community Engagement.</p>	
8	A5	4.9	<p>Remove part of text that provides direct reference to six stories in height</p> <p>'It is therefore the case that development higher than six storeys risks resulting in damage – by not being sensitive to the predominant character of the Area, and its conservation areas and their settings. Existing development higher than six storeys, such as Ellerton on Mill Lane – as well as recently approved developments, such as 187-199 West End Lane – shall not be considered as a template or a guide when assessing the height of new buildings outside the West Hampstead Growth Area.'</p> <p>With regards to views, remove references in the supporting text to</p> <p>'these shall be protected and preserved in any development' and need to be protected against damage or loss to their overall character'</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To remove potential for confusion as to how the Policy should be applied.</p>
9	A9 Houses in multiple occupation	4.9	<p>Insert <u>'where planning permission is required'</u>, after the reference to new conversions to HMOs.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To reflect the changes to the Policy wording.</p> <p>Agree to modify the Plan in line with the Examiner's recommendations.</p>

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10	A14 – basement developments	4.9	Remove the last sentence referring to restricting basements to not generally deeper than one storey. 'Therefore, if planning permission is given for basements, they should not generally be deeper than one storey and should not extend beyond the footprint of the building (excluding lightwells)';	To provide clarity over usage of the Policy. Agree to modify the Plan in line with the Examiner's recommendations. To reflect the change to wording of the Policy.
11	All Recommendation text boxes	4.10	All recommendation text boxes should be referenced.	Agree to reference each text box with a letter to aid clarity as per Examiner's suggestion.
12	Recommendation	4.7	Include deleted text xii from the Policy 2 text into recommendation box 'vii. The positive and proactive engagement with the community by those bringing forward plans for development - as plans are prepared and submitted, and as development takes place. All planning applications for development which is likely to have an impact beyond the immediate site should be accompanied by a Statement of <u>Community Engagement</u> .'	Agree to modify the Plan in line with the Examiner's recommendations. To provide greater clarity that the recommendations are separate from the Policies and for ease of reference. The engagement criteria is not a land use policy but an advocacy point and so should be a recommendation only.
13	Map 2	4.9	Amend the title of the map to 'Local views' and amend legend to remove reference to 'key views'.	Agree to modify the Plan in line with the Examiner's recommendations.

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14	Policy 3	4.13	<p>Modify the title and wording of the Policy to</p> <p>Safeguarding and enhancing Conservation Areas and heritage <u>assets</u>.</p> <p><u>sites</u></p> <p>i. Development that enhances and <u>or</u> preserves Conservation Areas and heritage assets in the Area – as well as their distinct character, appearance, and setting – will be supported.</p> <p>ii. Proposals which detract from the special character, attractive and/or historic appearance, architectural and/or historic significance, and setting of Conservation Areas and heritage assets in the Area will not be supported.</p> <p>iii. In West End Lane appropriate locations, development will be expected to <u>deliver</u> contribute to improvements to the street environment and public realm of West End Lane, <u>where appropriate</u>. Such improvements shall be of a high standard and shall <u>preserve or</u> enhance the character of the West End Green Conservation Area.</p>	<p>For clarity and to improve usage of the map.</p> <p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To clarify the Policy intention and expectations in accordance with the Examiner's recommendation.</p>
15	B4	5.5	Delete paragraph relating to viability as relocated to the Introduction section (see ref 4 above).	Agree to modify the Plan in line with the Examiner's recommendations.
16	B5	5.5 & 5.8	Amend supporting text to : 'In addition to the Policies elsewhere in this Plan, due to the size and significance of the Growth Area and the sites involved, it is considered appropriate for this Plan to set out <u>additional guidance and policies</u> the	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To make clear the role of the guidance in the document for the</p>

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			<p><u>local community's aspirations for the future development of this Area.</u> Development in the Growth Area as a whole will need to <u>meet a range of strategic policy objectives, while having regard to local community aspirations needs and requirements, across a range of sites, subject to viability and deliverability, and via S106/CIL contributions as appropriate.</u></p> <ul style="list-style-type: none"> • Housing: the provision of up to 1000 homes <u>a minimum of 800 new homes</u>.... • Jobs: at least 100 new jobs / <u>7000m² of floorspace</u> 	<p>sites and expectations relating to viability.</p>
17	B6	5.7	<p>Amend the supporting text to read</p> <p><u>'The Plan does not allocate any sites for development. The following sites are allocated in Camden Council's Sites Allocation DPD: 187-199 West End Lane, 156 West End Lane and the O2 Centre car park. In addition consultations have raised concerns about developments in Blackburn Road. The following paragraphs set out the aspirations of the local community, which should be taken into account, when schemes are brought forward in the West Hampstead Growth Area.'</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To make clear the details in the Neighbourhood Plan are not site allocations and are community aspirations only.</p> <p>To improve the usability of the Plan.</p>
18	B7 – 187- 189 West End Lane	5.8	<p>Modify wording to add</p> <p><u>"Planning permission was granted in March 2012with 198 homes, planning permission is being implemented"</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To reflect current situation.</p>
19	B8 – 156 West End Lane	5.8	<p>Reword the bullet point in relation to height to state</p> <p><u>'The site shall provide an improved design relationship to the adjoining Canterbury Mansions and West End Green Conservation Area, to</u></p>	<p>Agree to modify the plan in line with the Examiner's recommendations.</p> <p>To remove reference to a specific</p>

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			<p><u>protect and enhance the character and appearance of the area. Therefore, the height of any new developing should ensure the overall design and transition in massing achieves an appropriate relationship with neighbouring properties - and it can be demonstrated that no harm is caused to the character and appearance of the Conservation Area and its setting.</u></p>	height limit.
20	B10 – Asher House	5.8	<p>Amend the text regarding height to</p> <p><u>'Any new building on this site should be lower in height than the student block to take into account the change in ground levels on Blackburn Road and respect the character of the immediate area, following the alignment of rooflines on West End Lane. Any new building should take into account the change in ground levels of Blackburn Road and respect the character of the immediate area, for example by being lower in height than the student block or by following the alignment of rooflines on West End Lane.'</u></p>	Agree to modify the Plan in line with the Examiner's recommendations.
21	B11	5.8	<p>Delete whole para relating to ' other sites'</p> <p><u>If any other sites are proposed for development in the WHGA, the principles outlined above (see B4) will also apply, as shall the policies below. Sites proposed for development outside the WHGA, but close to its boundary, will also need to demonstrate a commitment to fulfilling the aims in this section of the Plan and Policy 4.</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To ensure clarity of use.</p>
22	Policy 4 – West Hampstead Growth Area	5.6	<p>Modify the wording of the Policy to include these changes :</p> <p><u>'The West Hampstead Growth Area (WHGA), as defined on Map 4, shall be promoted for a mix of uses, including new housing, employment, town centre and public/community uses. Development in the WHGA</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To provide clarity and qualification of the Policy to enable the decision</p>

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			<p>shall <u>where appropriate and viable</u>:</p> <p>ii. Enhance and safeguard existing <u>Have regard to local views of and across the Area (as identified in A5 and Map 2).</u></p> <p>vii. Provide or contribute to improvements to the <u>Growth Area's public transport, especially the Underground and Overground stations.</u></p> <p>x. Incorporate climate change mitigation measures in all schemes, with the aim of setting a precedent for the wider area.</p>	<p>maker to determine which elements are appropriate to any particular development.</p>
23	4C – Other Sites	6.2	<p>Amend the opening paragraph to :</p> <p>“A number of sites and areas outside the West Hampstead Growth Area are proposed for development or may be developed in future. This Plan does not seek to allocate these sites for development; this section merely outlines the factors <u>and aspirations</u> that <u>the local community believes</u> should be considered if proposals are brought forward for development during the lifetime of this Plan. Any development of the sites and areas listed below are considered to have wider implications for the Area as a whole. This Plan therefore seeks to provide detailed <u>guidance suggestions</u> for how these locations <u>are</u> could be developed. <u>The policies aspirations</u> in this section should also be read in conjunction with the policies elsewhere in this Plan –as well as the statement about and are all subject to the proviso that development of sites must be viable. #11y-11-B4””</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To provide clarity over the status of the guidance for the sites listed.</p> <p>Recognising the importance of viability.</p>
24	Policy 5 –Other sites	6.4	<p>Delete the whole of Policy 5 and convert to a recommendation.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To clarify that the sites listed under</p>

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25	New Recommendation	6.4	Add new RECOMMENDATION D: Other Sites 'While the Policies elsewhere in the Plan should be applied to the sites listed in this section of the Plan, the text C1-12 sets out the community's priorities and aspirations for these significant sites and areas, for when schemes are brought forward.'	'other sites' are not site allocations but community aspirations. There is a lack of viability evidence for site requirements. Agree to modify the Plan in line with the Examiner's recommendations. To replace Policy 5 and reflect the status of the text.
26	Map 5	10.8	Enlarge Gondar Garden C2 site to include the footprint of the reservoir. See Map 2 .	Agree to modify the map as per Examiner's recommendation. To accord with the planning permission approved for the site and to dovetail with changes to Map 8 – Local Green Space
27	D13	7.9	Add text at end of para ' <u>Contributions to improve cycling opportunities will be sought where appropriate and may be in the form of financial and/or appropriate design measures or in kind improvement.</u> '	Agree to modify the Plan in line with the Examiner's recommendations. To clarify the full range of 'contributions' that could be expected .
28	D14 Pavement and pedestrian supporting text	7.11	Amend last para to read	Agree to modify the Plan in line with the Examiner's recommendations.

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29	Policy 6 – Transport	7.3 & 7.4	<p>There is scope to improve the safety of the pedestrian crossings to give more space for pedestrians, including wheelchair users and those with pushchairs on the following roads in the area:</p> <ul style="list-style-type: none"> • <u>West End Lane</u> • <u>Mill Lane</u> • <u>Fortune Green Road</u> • <u>Finchley Road</u> • <u>Shoot-up-Hill</u> 	<p>To provide clarity for the user.</p>
30	Policy 7	7.6	<p>Split the one Policy into two with new titles (new) POLICY 5: <u>Public Transport</u> Amend the text to read: 'Development shall make appropriate provision for, and/or contribute towards, improvements to the public <u>transport</u> infrastructure of the Area – particularly in and around the West Hampstead Growth Area.' New title for POLICY 6: <u>Public Transport Facilities</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To distinguish between the objective to encourage new developments to make appropriate improvements to public transport and the objective to support capacity, quality and accessibility proposals.</p>
			<p>Amend the title, layout and content of the Policy POLICY 7: <u>Sustainable Transport</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To accord with the template of other Policies.</p> <p>To ensure the Policy is qualified to enable effective application of the Policy.</p>
			<p>'In order to encourage the safe movement of traffic on roads in the Area, and to promote a reduction in car use, development will be supported <u>which includes the appropriate provision of:</u></p>	

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31	Policy 8	7.8	<p>Amend the title, layout and content of the Policy</p> <p>POLICY 8: Cycling</p> <p>Development shall promote improved provision for cycling throughout the Area and encourage cycling in the wider area.</p> <p>This shall be achieved, where <u>appropriate</u>, by:</p> <p>v. The provision of appropriate bicycle storage in all residential and commercial developments</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To accord with the template of other Policies.</p> <p>To ensure the Policy is qualified to enable effective application of the Policy.</p>
32	Policy 9 – Pavement and pedestrians	7.10	<p>Modify the wording of the Policy</p> <p>Pedestrian access in the Area - particularly in and around the West Hampstead Growth Area - shall be maximised improved by development that <u>takes into account the following</u>:</p> <p>i. Provides safe and wide pavements, giving the maximum possible space to pedestrians.</p> <p>ii. Is set well back from the pavement, <u>where appropriate</u>, with the aim of giving additional pavement space.</p> <p>iii. Improves accessibility for disabled people and those with pushchairs.</p> <p>iv. Contributes to improved and safer pedestrian crossings – particularly on the roads listed in D14.</p> <p>v. Increases the amount of space for pedestrians around all public transport facilities.</p> <p>vi. Improves the existing network of paths in the Area.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To improve clarity and to qualify the Policy.</p>

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33	E2 Primary and secondary schools	8.8	<p>vii. Contributes to the provision of new paths and, where viable, new crossings over the railway lines.</p> <p>Amend 2nd and 3rd para of supporting text 'Given the rising demand for primary school places, <u>the community anticipate that this will lead to an increased demand for years to come....</u> It is therefore possible that an additional secondary school may need to be...'</p> <p>'In considering sites for new schools, <u>the community would like the following principles to be considered:</u>'</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>Due to lack of evidence this is to reflect that this is a community aspiration only.</p> <p>In line with the Examiner's recommendation to modify the Policy.</p>
34	E5	8.4, 8.8	<p>Modify the wording of the supporting text to Policy and the reference to one site</p> <p>'The Area has a number of community facilities that are widely used, appreciated and which support the community's needs. These facilities, listed below, should be supported and their sites protected from any change which threatens their community use:</p> <ul style="list-style-type: none"> • West Hampstead Library, Dennington Park Road • West Hampstead Community Centre, Broomsleigh Street • Sidings Community Centre, Brassey Road • Jewish Community Centre, Finchley Road • People's Centre for Change, Shoot-up Hill • 96-98 Shoot-up Hill • Sherriff Centre, St James' Church, Sherriff Road • Emmanuel Church, community rooms (proposed) 	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To avoid unqualified protection of facilities.</p> <p>To recognise that the People Centre for Change are a particular community group and to amend the reference to the address of the community facility.</p>

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35	E6 - Places of worship	8.8	<ul style="list-style-type: none"> • Tenants' halls: Templar House & Lymlington Estate' <p>Modify the text to read:</p> <p>The Area's places of worship are also important to the community and their sites should be protected from damage or less</p> <p>Modify the start of both para's to include:</p> <p>"The local community considers that it is important..."</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To provide clarity.</p> <p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To clarify that this is a community aspiration and aid the clarity of the Plan.</p>
36	E7 Metropolitan Police and E8 West Hampstead Fire Station	8.9	<p>Modify the existing Policy into two, separating the aspects of new and improved facilities and protecting community facilities. Modify the text to read:</p> <p>POLICY 10: Public and New and Improved Community Facilities</p> <p>Development that increases the demand for community facilities and <u>services shall make provision where appropriate - or contribute towards</u> a wide range of public, social and appropriate community facilities to meet the needs of a diverse and growing population. This shall be achieved by the provision of <u>relevant facilities, such as:</u></p> <p>i. New school places, particularly for primary pupils.</p> <p>ii. A new secondary school or a significantly expanded existing secondary school in or near the Area within the lifetime of this Plan, to</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To better recognise the objectives of securing improvement to facilities as part of the growth of the Area and to protect listed community facilities.</p> <p>The Policy should be qualified and changes reflect lack of robust evidence to support need.</p> <p>To ensure conformity with the strategic Policies of the Plan.</p> <p>No evidence is provided of the need</p>
37	Policy 10 – Public and community facilities	8.6		

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			<p>meet the growing demand for places:</p> <p>ii. Additional nursery places in the Area.</p> <p>iii. New Primary care health facilities, particularly in or near the West Hampstead Growth Area.</p> <p>iv. Improvements to existing community centres and the range of services they provide.</p> <p>v. New community facilities, where appropriate and where there is an identified need.</p> <p>vii. Protection for the facilities and sites listed in E5 and E6 from damage or loss.</p> <p>viii. Protection for the building and facilities provided by West Hampstead Library.</p> <p>POLICY 11: Protecting Community Facilities</p> <p>The Plan supports the retention and enhancement of existing community facilities. This will be achieved by:</p> <p><u>i. Resisting the loss of the facilities and sites listed in E5 and E6, unless a replacement facility is provided.</u></p> <p><u>ii. Improvements to existing facilities will be supported.</u></p>	<p>for a secondary school in the Area. The library is removed as already listed in supporting text.</p>
38	Add new Policy	8.8	<p>POLICY 11: Protecting Community Facilities</p> <p>The Plan supports the retention and enhancement of existing community facilities. This will be achieved by:</p> <p><u>i. Resisting the loss of the facilities and sites listed in E5 and E6, unless a replacement facility is provided.</u></p> <p><u>ii. Improvements to existing facilities will be supported.</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p>
39	Policy 11	9.3	<p>To amend the Policy number and proposed text. Renumber and reword (new) Policy 12: Business, Commercial and Employment Premises and Sites</p>	<p>Agree to modify in line with the Examiner's recommendation except in relation to sub clause ii). The council suggest amending the</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
			<p>Development in Fortune Green and West Hampstead shall promote economic growth and employment. <u>Development that by providing sites and premises for business, commercial and employment use will be supported. This shall be achieved in the Development of commercial and mixed use premises and sites shall promote economic growth and employment by, where viable and appropriate:</u></p> <ul style="list-style-type: none"> i. A presumption in favour of <u>protecting and retaining existing employment sites unless there is no reasonable prospect of the site being used for that purpose.</u> ii. Ensuring that where the redevelopment of existing employment sites <u>takes place is proposed</u>, the level of employment <u>or floorspace</u> is maintained or increased. iii. The provision of additional and/or <u>new</u> business space. iv. The provision of space for light industrial uses in appropriate locations, <u>particularly next to railway lines.</u> v. The provision of flexible business and commercial space suited to a range of uses. vi. The provision of a range of different sized units, particularly smaller spaces for micro-businesses and studio space. vii. The provision of affordable or subsidised business space, where appropriate. viii. <u>The provision of space for markets and short-term pop-up shops and services, where appropriate.</u> 	<p>wording to</p> <p>“ ensuring where the redevelopment of existing employment sites <u>takes place</u> is proposed, the level of employment or floor space is maintained or increased.”</p> <p>This is considered to better align with the strategic objectives of the development plan to maintain employment floor space and reflects the wording of the Neighbourhood Forum.</p> <p>Removing this word is not considered to affect meeting the basic conditions.</p> <p>The other changes are to provide qualified criteria, greater clarity and for elements without evidential support to be removed or be better located in other Policies.</p>
40	Policy 12 – West Hampstead Town Centre	9.6	<p>Renumber Policy and modify the wording to read :</p> <p>Policy 13: West Hampstead Town Centre</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
41	Policy 13 – Mill Lane Neighbourhood Centre	9.7	<p>Development shall protect and shall preserve or enhance the village character of the Town Centre as a mixed retail area with a diverse range of shops and businesses. This shall be achieved by, <u>where appropriate</u>:</p> <ul style="list-style-type: none"> i. A presumption in favour of protecting and preserving or enhancing the character of the Town Centre - especially the large parts of which are also in <u>the West End Green Conservation Area</u>. ii. The control of signage, adverts, and forecourt developments in keeping with the surrounding development site context and Conservation Areas, <u>where applicable</u>. iii. Increasing the range of retail outlets, food/drink outlets and commercial premises. iv. The Support of for development proposals for of small/independent shops and businesses, including <u>affordable space rents and business rates</u>. v. Contributions to public realm improvements - which enhance the character of the Town Centre and which are in keeping with the Conservation Area – <u>where applicable</u>. <p>Renumber and reword the Policy</p> <p>Policy 14: Mill Lane Neighbourhood Centre</p> <p>Development (including changes of use) shall protect and <u>preserve or</u> enhance the character of the Neighbourhood Centre and provide for promote a diverse range of shops, businesses and economic activity. This shall be achieved, <u>where appropriate</u>, by:</p> <ul style="list-style-type: none"> i. The Support of for proposals to improve and restore the original 	<p>To provide clarity and qualification.</p> <p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To provide clarity, qualification and remove elements with insufficient evidence.</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
			<p>historical look and character of shop-fronts, including windows, signs and external fittings.</p> <p>ii. Proposals to convert ground floor retail/business space into residential use will not be supported.</p> <p>iii. Contributions to public realm improvements to improve the look and character of the Neighbourhood Centre, <u>where applicable</u>.</p>	
42	Policy 14 – Fortune Green Neighbourhood Centre	9.8	<p>Renumber Policy and modify to read:</p> <p>Policy 15: Fortune Green Road Neighbourhood Centre</p> <p>Development (including change of use) shall protect and preserve or enhance the character of the Neighbourhood Centre and provide for a diverse range of shops, businesses and economic activity.</p>	Agree to modify the Plan in line with the Examiner's recommendations.
43	F15	9.4	<p>Add new sentence,</p> <p>'The provision of space for markets and short term 'pop-up' shops is welcomed in appropriate locations.'</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>Relocated from business Policy as more of an aspiration.</p>
44	Policy 15	10.3	<p>Renumber, rename & reword the Policy to include the site names only and no additional commentary on the sites within the Policy. This would remain in the following text.</p> <p>Policy 16: Local Green Space-designation</p> <p>The sites in the Area listed below (a-o) and identified on <u>Map 8</u> are all designated as Local Green Space:</p> <p>a) Fortune Green, b) Hampstead Cemetery,</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>To cross reference the sites to the relevant map and clearly identify the sites.</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
45	Above sites a) to o) of Local Green Space Policy	10.4	<p>Insert an additional sentence</p> <p><u>Details of the spaces and importance to the community are listed below:</u></p> <p>b) Hampstead Cemetery is a Site of Importance to<u>for</u> Nature Conservation (SINC)</p> <p>A number of changes to the map including the title, legend and site boundaries of certain sites.</p> <p>Rename map: "<u>Local Green Space</u>"</p> <p>Remove 'Natural Areas' from legend and from the map, together with all other non local green space names.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>As a consequence of amending the Policy and factual correction.</p>
46	Map 8	10.5, 10.9	<p>A number of changes to the map including the title, legend and site boundaries of certain sites.</p> <p>Rename map: "<u>Local Green Space</u>"</p> <p>Remove 'Natural Areas' from legend and from the map, together with all other non local green space names.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>For clarity and consistency with Proposals Map.</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
47	Local Green Space Map Gondar Garden reservoir site Map 5	10.8	<p>Ensure that the whole of the Local Green Space is one colour and the boundaries are marked with a red line</p> <p>Amend boundaries, to reflect the Proposals Map of :</p> <ul style="list-style-type: none"> • Gondar Gardens Reservoir (D) (see below) • Maygrove Peace Park (H) • 1 Mill Lane (G) • Mill Lane Open Space (E) • Iverson Road Open Space (K) <p>Ensure that the railway embankments are clearly labelled</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>The amended boundary is consistent with the extant planning permission and dovetails with the designated sites for potential development as shown on Map 5 in relation to this site.</p>
48	Policy 16 – Green Open Space	10.12	<p>Renumber the Policy and reword as detailed</p> <p>Policy 17: Green/Open Space</p> <p>Development shall protect and improve, where appropriate, existing green/open space. <u>Development that increases the demand for recreation or amenity and shall provide for new green/open space. This shall be achieved by, where appropriate:</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>The Policy needs to be qualified and to remove elements where there is insufficient evidence to support the need.</p>

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
49	G10	10.13	<p>i. The protection of existing green/open space including private gardens and railway corridors/embankments from significant damage or loss, through development.</p> <p>ii. The appropriate provision (relative to the size of the development) of new green/open space, <u>or</u> contributing towards addressing the open space deficiencies in the Area as identified in the <u>development plan</u> CGS.</p> <p>iii. Appropriate contributions to the maintenance and enhancement of existing and new green/open space, <u>where applicable</u>.</p> <p>vii. The use of Sustainable Drainage Systems in all development, unless there are practical <u>or viability</u> reasons for not doing so.</p> <p>viii. The appropriate provision of outdoor leisure facilities - such as playgrounds, gyms and recreational spaces - and their maintenance, <u>where applicable</u>.</p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p> <p>Insufficient evidence provided.</p>
50	G11	10.13	<p><u>"including a full sized sports pitch"</u></p>	<p>Agree to modify the Plan in line with the Examiner's recommendations.</p>
51	Policy 17 - Trees	10.14	<p>Modify the supporting text</p> <p><u>"Any new green space shall <u>should</u>, where possible provide public access"</u></p> <p>Renumber and amend Policy text</p>	<p>To provide flexibility.</p> <p>Agree to modify the Plan in line with the Examiner's recommendations.</p>

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			<p>Policy 18: Trees</p> <p>"Development shall give the highest levels of protection to protect trees in good health,..."</p> <p>Amend iv) to reference ... "identified in G11 G12".</p> <p>Amend numbering in third paragraph "Policy 18 19"</p>	Due to lack of evidence and correcting cross referencing error.
52	5.1		Amend responsibilities in Table to fully reflect those responsible for delivery.	Consequential change.
53	Delivery Plan Table 1 – Objectives & Policies	11.5	Amend Table to include all recommendations for previous sections and responsibilities for delivering	Agree to modify the Plan in line with the Examiner's recommendations. For clarity.
54	Table 2 - Recommendations	11.6	Amend Policy number and wording	Agree to modify the Plan in line with the Examiner's recommendations. For clarity.
55	Policy 18 Community Infrastructure Levy Priorities	Renumber & amend	<p>"POLICY 18 19: Community Infrastructure Levy Priorities</p> <p>Table 3 sets out the projects and schemes which are the Neighbourhood Plan's priorities for the use of Community Infrastructure Levy, or, if applicable, S106 funding, and/or other such schemes, in the Neighbourhood Area."</p>	Agree to modify the Plan in line with the Examiner's recommendations. For clarity.
56	Table 3 – Priorities for CIL spending	11.9	Amend the Table to be more specific and update referencing to Policies and Objectives.	Agree to modify the Plan in line with the Examiner's recommendations. For clarity and consequential

No	Section / Policy / paragraph in the Neighbourhood Plan Examination version	Examiner's report para	Examiner's recommended modifications	Council's response and reason for change
				changes.

Table 2 - other changes to correct errors, amend the layout or to make updates including those as a consequence of the Examiner's suggestions

Section of Plan	Changes	Reason
Cover	Amend date to "March 2015 (with post Examination modifications)"	For clarity.
Contents page	Update with amended Policy names and include updated page numbers. List all Policies and Recommendations.	To assist in use of the document as per Examiner's suggestions in annex
Section A - Housing, Design, Character	Insert sub heading of 'Housing' under main title	To clarify separate section.
Under new Housing sub heading	Move Policy 1 text box Followed by paras A1, A6 to A10 and A15	To group all housing related para's together under relevant Policy.
Section A - Housing, Design, Character	Insert Design sub heading.	To clarify separate section.
Section A - Housing, Design, Character	Move Policy 2 text box to under new subheading Followed by para's A2 to A5, A11 to A14, A16 to A20 and Recommendation Box A.	To group all design related para's together under relevant Policy.
Old para A5	Add (see map 2).	To aid clarity.
Section A - Housing, Design, Character	Insert new sub heading – Character.	To clarify separate section.

Section of Plan	Changes	Reason
Section A - Housing, Design, Character	Move Policy 3 text box to under new sub heading Followed by paras A21 to A26 and Recommendation B box.	To group all character related para's together under relevant Policy.
Map 3	Amend the legend of map to 'main listed buildings'.	To match the supporting text language and to identify that not all listed buildings in the Area are being shown on the map. To improve usage of the Plan for the user.
Para B1 Growth Area Section	Amend reference to read – Map 4.	Correction of error.
Map 4 Growth Area Section	Add dotted line showing Growth Area to legend. Amend the titles of sites in legend to more clearly reflect their status.	To aid clarity.
Section D - Transport	Insert new sub heading Public Transport. Move Policy 5 to under sub heading	To group all public transport related para's together under relevant Policy.
Section D - Transport	Followed by para's D1, D2 and Transport Table. Move Policy 6 text box to under the Transport Table Followed by para's D3 to D8 and Recommendation E box.	To group all public transport facilities related para's together under relevant Policy.
Section D - Transport	Insert new sub heading 'Sustainable Transport' Move Policy 7 text box to under new sub heading Followed by para's D10 to D12 and D9 and Recommendation F box.	To group all sustainable transport related para's together under relevant Policy.

Section of Plan	Changes	Reason
Section D - Transport	Move Policy 8 text box Followed by para D13 and Recommendation G text box.	To group all sustainable transport related para's together under relevant Policy.
Section D - Transport	Move Policy 9 text box Followed by para's D14 to D16 and Recommendation H text box.	To group all sustainable transport related para's together under relevant Policy.
Section E Public and Community Facilities	Move Policy 10 text box to under the section heading followed by para's E1 to E4 and E9 to E10.	To group all new community facilities related para's together under relevant Policy.
Section E Public and Community Facilities	Move Policy 11 text box Followed by E5 – E8 and E11, E12.	To group all community facilities related para's together under relevant Policy.
Section F Business, Employment & Economic Development	Insert new sub heading Business under section heading.	To clarify separate section.
Section F Business, Employment & Economic Development	Move Policy 12 text box to under new sub heading Followed by para's F1 to F8.	To group all business related para's together under relevant Policy
Section F Business, Employment & Economic Development	Insert new sub heading Commercial Centres.	To clarify separate section.
Section F Business, Employment & Economic Development	Move Policy 13 text box under new sub heading Followed by para F10.	To group all commercial centre related para's together under relevant Policy.
New policy 13	Add in South Hampstead Conservation Area as West Hampstead Town Centre falls into both	For accuracy to reflect both Conservation Areas

Section of Plan	Changes	Reason
	<p>areas to point i)</p> <p>i. A presumption in favour of protecting <u>preserving or enhancing</u> the character of the Town Centre - especially the large parts of which are also in the <u>West End Green</u> and South Hampstead Conservation Areas.</p> <p>v) Contributions to public realm improvements - which enhance the character of the Town Centre and which are in keeping with the Conservation Areas – <u>where applicable</u>.</p>	<p>relevant to West Hampstead Town Centre.</p>
<p>Map 7</p> <p>Section F Business, Employment & Economic Development</p>	<p>Amend legend</p> <p>Move Policy 15 text box</p> <p>Followed by para F12 to F15 Followed by Recommendation text box I.</p>	<p>“Town and Neighbourhood Centres”</p> <p>To group all commercial centre related para’s together under relevant Policy.</p>
<p>Recommendation text box I</p>	<p>Amend text to:</p> <p>‘ in support of Policies <u>14</u> ‘</p>	<p>Consequential change</p>
<p>Section G Natural Environment</p>	<p>Move Policy 17 text box to under subsection o)</p> <p>Followed by para’s G3 to G11 and Recommendation J text box</p>	<p>To group all natural environment related para’s together under relevant Policy.</p>
<p>Recommendation J box</p>	<p>Amend the reference to read</p> <p>In support of policy 16 and <u>17</u></p>	<p>Consequential change</p>

Section of Plan	Changes	Reason
Section G Natural Environment	Move Policy Text box 18 followed by para G12 and recommendation K text box	Consequential change
Whole Plan	Update all paragraph numbers, Policy numbers and cross reference details due to amended layout.	For consistency, correctness and ease of use of the document and as required due to changes in layout.

