

**Fortune Green & West Hampstead
Neighbourhood Plan**

Statement of Basic Conditions

August 2014

1. Introduction

The following pages set out the legally required additional information that accompanies the Fortune Green & West Hampstead Neighbourhood Plan.

This document sets out the Basic Conditions which the plan needs to fulfil, in order to satisfy the requirements set out in legislation and to pass independent examination.

This document should also be read in conjunction with two additional documents, which have been prepared separately. These are:

[Consultation Statement](#)

[Strategic Environmental Assessment](#)

In order to create a Plan that is not excessively long, with a long list of appendices, additional information about the Plan and its preparation can be found on the Neighbourhood Development Forum's website:

www.ndpwesthampstead.org.uk

2. Opening Statement

2.1 The Neighbourhood Development Forum (NDF, the Forum) submitting the Plan is a qualifying body to submit a Plan. The NDF meets the regulations of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

2.2 An application to recognise the Forum and Area it covers was made to the relevant local authority, the London Borough of Camden, in January 2013. A public consultation on the Forum and Area applications took place between 31 January and 15 March 2013. The London Borough of Camden formally approved the designation of the Neighbourhood Area and the Neighbourhood Forum on 9 May 2013.

2.3 The Fortune Green & West Hampstead Neighbourhood Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

2.4 The Neighbourhood Plan does not relate to more than one neighbourhood area. There are no other neighbourhood plans in place within the neighbourhood area.

2.5 The policies in the Neighbourhood Plan do not relate to excluded development, such as minerals and waste matters or Nationally Significant Infrastructure Projects.

2.6 As set out in 1.6 of the Neighbourhood Plan, the Plan covers a period starting on a date to be determined in 2014 and ending on 31 December 2031.

2.7 The Plan covers an Area which is largely the existing council wards of Fortune Green & West Hampstead (*see 2.1 of the Plan*).

2.8 The main aims of the Neighbourhood Plan are set out in its Vision and Objectives. The Vision statement for Plan states that:

Development in Fortune Green and West Hampstead will allow for a mixed, vibrant and successful local community. The Area has a distinct and widely appreciated village character with a variety of amenities and excellent transport links. This Plan seeks to retain and protect these positive features, while allowing for new housing, new jobs and sustainable growth in the years ahead.

The Plan's objectives cover six areas:

1. Housing
2. Design & Character
3. Transport
4. Public & Community Facilities
5. Economy
6. Natural Environment

The Plan contains 18 policies for the future development of Fortune Green & West Hampstead:

1. Housing
2. Design & Character
3. Safeguarding and enhancing Conservation Areas and heritage sites
4. West Hampstead Growth Area

5. Other Sites
6. Public Transport
7. Traffic & Roads
8. Cycling
9. Pavements & Pedestrians
10. Public & Community Facilities
11. Business, Commercial & Employment Sites
12. West Hampstead Town Centre
13. Mill Lane Neighbourhood Centre
14. Fortune Green Road Neighbourhood Centre
15. Local Green Space designation
16. Green/Open Space
17. Trees
18. Community Infrastructure Levy Priorities

The Plan also sets out recommendations (or projects), which ensure that Vision and Objectives of the Plan are fulfilled in a wide range of areas and with a variety of agencies.

2.9 To pass independent examination, neighbourhood plans need to meet the following basic conditions (or legal requirements):

- must have regard to national policy
- must be in general conformity with the strategic policies in the development plan of the local area
- must contribute to the achievement of sustainable development
- must be compatible with human rights requirements
- must be compatible with European Union regulations

The following text sets out how the Fortune Green & Neighbourhood Plan has met the basic conditions.

3. Must have regard to National Policy

3.1 As is clearly set out in the introduction to the Neighbourhood Plan, the Plan has been prepared with regard to the national planning policies for England as set out in the National Planning Policy Framework (NPPF). It is also prepared in accordance with the presumption in favour of sustainable development, as set out in the NPPF.

3.2 The NPPF sets out three dimensions to sustainable development - an economic role, a social role and an environmental role. The table below sets out how the Neighbourhood Plan's six objectives and 18 policies fit in with these core aims:

NPPF core planning aims	Neighbourhood Plan objectives & polices
Economic role	Objective 3 & 5 Policy 4, 5, 11, 12, 13, 14,18
Social role	Objective 1, 2 & 4 Policy 1, 2, 3, 6, 7, 8, 9,10,18
Environmental role	Objective 6 Policy 15, 16, 17,18

3.3 The Neighbourhood Plan takes the approach of regularly quoting the NPPF, and its relevant paragraphs, throughout the text of the document. It also draws on the language and terminology of the NPPF in the formation of its policies.

3.4 The table below sets out how the Neighbourhood Plan policies (in Chapter 4 of the Plan) quote the relevant sections of the NPPF:

Neighbourhood Plan policy chapter	NPPF paragraphs quoted	Other relevant NPPF paragraphs
4A Housing, Design & Character	17, 56, 58, 59, 60, 95, 137, 188, 207	47-68, 126-141
4B West Hampstead Growth Area	-	
4C Other Sites	-	
4D Transport	17	29-41
4E Public & Community Facilities	17, 72	69-72
4F Business, Employment & Economic Development	19, 23	18-27
4G Natural Environment	17, 76, 77	73-77
All policies	-	6-17, 183-185

3.5 The two tables above demonstrate that the Neighbourhood Plan has - at all times - been prepared with regard to, and in accordance with, the policies in the NPPF.

3.6 It is also noted that the Neighbourhood Plan has been prepared with regard to the policies in the relevant regional plan, the London Plan (2011). As with the NPPF, the Neighbourhood Plan takes the approach of quoting sections of the London Plan where they are relevant.

4. Must be in general conformity with the strategic policies in the development plan of the local area

4.1 The Neighbourhood Plan is in general conformity with the relevant Local Plan - Camden Council's adopted planning policies: Camden Core Strategy 2010-2025 (adopted 8 November 2010); Camden Development Policies 2010-2025 (adopted 8 November 2010); and Camden Site Allocations (adopted 9 September 2013).

4.2 Camden Council's planning officers have supported the work of drawing up this Plan. This is reflected in their comments on the previous drafts of the Plan and their comments on the proposed final draft of the Plan. They have assisted and advised the Forum in the drawing up of policies, to ensure they are compatible with the policies in the Local Plan.

4.3 In order to assess the compatibility of the Neighbourhood Plan with the strategic policies in the Local Plan, the following table has been produced:

Camden Core Strategy: policy number & title	Neighbourhood Plan: objectives & policies
CS1 Distribution of growth	Objective 1 & 5 Policy 4 & 12
CS2 Growth areas	Policy 4
CS3 Other highly accessible areas	Objective 5 Policy 12
CS4 Areas of more limited change	Objective 2, 3, 4 & 6 Policy 2, 3, 9, 10 & 16
CS5 Managing the impact of growth and development	Objective - all Policy - all
CS6 Providing quality homes	Objective 1 Policy 1
CS7 Promoting Camden's centres and shops	Objective 5 Policy 4, 11, 12, 13 & 14
CS8 Promoting a successful and inclusive Camden economy	Objective 5 Policy 11
CS9 Achieving a successful Central London	(not relevant)
CS10 Supporting community facilities and services	Objective 4 Policy 10
CS11 Promoting sustainable and efficient travel	Objective 3 Policy 6, 7, 8 & 9
CS12 Sites for gypsies and travellers	(not relevant)
CS13 Tackling climate change through promoting higher environmental standards	Policy 1
CS14 Promoting high quality places and conserving our heritage	Objective 2 Policy 2 & 3
CS15 Protecting and improving our parks and open spaces and encouraging biodiversity	Objective 6 Policy 4, 15, 16 & 17
CS16 Improving Camden's health and well-being	Objective 4 Policy 10
CS17 Making Camden a safer place	(not relevant)
CS18 Dealing with our waste and encouraging recycling	(not relevant)
CS19 Delivering and monitoring the Core Strategy	Objective - all Policy - all

4.4 Before the Neighbourhood Plan was formally submitted to Camden Council, planning officers confirmed to the NDF that they considered that the Neighbourhood Plan was in general conformity with the strategic policies in Camden Council's adopted planning policies.

5. Must contribute to the achievement of sustainable development

5.1 This section sets out a Sustainability Appraisal (SA) of the Fortune Green & West Hampstead Neighbourhood Plan. It appraises whether the Plan contains policies likely to contribute to the delivery of sustainable development. Although there is no statutory requirement for Neighbourhood Plans to be accompanied by a SA, it was decided to outline briefly how the principles of sustainable development (as defined by the National Planning Policy Framework) have been taken into account in the preparation of the Plan.

5.2 The NPPF says (paragraph 6) that "the purpose of the planning system is to contribute to the achievement of sustainable development". It then (7) defines three dimensions to sustainable development: economic, social and environmental:

- *an Economic role*: contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support economic growth and innovation, and by identifying and co-ordinating development requirements, including the provision of infrastructure.
- *a Social role*: supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- *an Environmental role*: contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve bio-diversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF goes on to state (8) that "these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions".

It adds (9) that "pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure
- widening the choice of high-quality homes."

5.3 The principles of sustainable development are at the heart of this Neighbourhood Plan and have been followed at all times during the process of drawing up and writing this Plan.

5.4 As this Plan has been written with regard to the policies in Camden Council's Core Strategy, this SA takes the approach of demonstrating how its policies align with the principles set out in the Camden Core Strategy Sustainability Appraisal (January 2010). The Camden SA provides extensive detail about how sustainable development is a key part of the borough's planning policies. The Council considers that these sustainability objectives (see below) remain relevant. As a statutory planning document that must be compliant with the strategic planning policies of Camden Council, this Neighbourhood Plan must also contribute to the delivery of

Camden Council's sustainability objectives. The Neighbourhood Plan has therefore been assessed against these objectives.

5.5 The 16 sustainability objectives set out in the Camden Core Strategy Sustainability Appraisal are:

- i. To promote the provision of a range of high quality and affordable housing to meet local needs
- ii. To promote a healthy and safe community
- iii. To ensure access to local shopping, community, leisure facilities and open space
- iv. To tackle poverty, social exclusion and promote equal opportunities
- v. To encourage and accommodate sustainable economic growth and employment opportunities
- vi. To maximise the benefits of regeneration and development to promote sustainable communities
- vii. To promote high quality & sustainable urban design which protects and enhances the historic environment
- viii. To ensure new development makes efficient use of land, buildings and infrastructure
- ix. To reduce reliance on private motorised transport
- x. To improve amenity by minimising the impacts associated with noise
- xi. To protect and manage water resources and reduced flood risk
- xii. To protect & enhance existing habitats and biodiversity and to seek to increase these where possible
- xiii. To reduce the amount of waste requiring final disposal
- xiv. To improve air quality
- xv. To provide for the efficient use of energy
- xvi. To minimise the use of non-renewable resources

5.6 In order to show how the objectives of the Camden Council SA accord with the Neighbourhood Plan, the following table has been drawn up to reference each objective in the Neighbourhood Plan against the 16 objectives listed above. The six objectives in the Neighbourhood Plan cover: Housing, Design & Character, Transport, Public & Community Facilities, Economy, and Natural Environment. Each objective has been tested and scored as follows:

- ✓ = Compatible
 ✗ = Incompatible
 - = No links

Sustainability Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Objective 1	✓	✓	-	✓	-	✓	-	✓	-	-	-	-	-	-	-	-
Objective 2	✓	✓	-	-	-	✓	✓	-	-	✓	-	-	-	-	✓	-
Objective 3	-	✓	✓	✓	-	✓	✓	✓	✓	✓	-	-	-	✓	✓	✓
Objective 4	-	✓	✓	✓	✓	✓	-	✓	-	-	-	-	-	-	-	-
Objective 5	-	-	✓	✓	✓	✓	-	✓	-	✓	-	-	-	✓	-	✓
Objective 6	-	✓	✓	✓	-	✓	✓	-	-	✓	✓	✓	-	✓	-	-

This exercise demonstrates the Neighbourhood Plan's objectives are generally compatible with the sustainability objectives as set out in Camden's SA. None of the objectives was found to be incompatible with any of the SA objectives.

5.7 The table below sets out how the Neighbourhood Plan meets the 16 sustainability objectives listed above. The Plan is appraised to test whether it adequately addresses each of the objectives with the minimum of harm to others. It uses the grading system outlined below:

- Excellent - the Neighbourhood Plan makes a close to optimal contribution to the objective
- Good - the Neighbourhood Plan makes a significant positive contribution
- Fair - the Neighbourhood Plan makes some direct or significant indirect contribution
- Neutral - the Neighbourhood Plan does not contribute to the objective
- Poor - the Neighbourhood Plan does not fully explore the potential to contribute to the objective
- Undermining - the Neighbourhood Plan significantly undermines the objective
- Not relevant - the Neighbourhood Plan does not cover this objective

5.8 The appraisal demonstrates that the Fortune Green & West Hampstead Neighbourhood Plan addresses social, economic and environmental objectives in an integrated way. It also demonstrates that Plan's vision, objectives and policies for the future development of the Area are fully consistent with:

- the sustainability objectives and targets which form the basis of Camden Council's SA
- all relevant policies, plans and programmes set at the international, national, regional and local level
- meeting the needs of the local community for housing, employment, retail, leisure and other uses

Sustainability Objective	How the Plan contributes	Assessment	Explanation
1. To promote the provision of a range of high quality and affordable housing to meet local needs	Objectives 1 & 2 Policies 1 & 2	Excellent	The Plan calls for new housing, meeting a range of needs, and including adequate provision of affordable housing. It sets out how development shall be of high quality design and fitting of the character of the Area.
2. To promote a healthy and safe community	Objectives 2, 3 & 4 Policies 7, 8, 9 & 10	Good	The Plan promotes high quality design, which reduces social exclusion. It calls for new primary care facilities in the area. It seeks to minimise local sources of pollution. It promotes cycling and walking.
3. To ensure access to local shopping, community, leisure facilities and open space	Objectives 5 & 6 Policies 12, 13, 14, 15 & 16	Good	The Plan contains policies for the protection and enhancement of town and neighbourhood centres in the Area. It calls for the protection of existing open space and creation of new open space.
4. To tackle poverty, social exclusion and promote equal opportunities	Objectives 1 & 4 Policies 1 & 10	Good	The Plan calls for mixed use developments and affordable housing. It calls for a wide range of public and community facilities for the benefit of all sections of the community.
5. To encourage and accommodate sustainable economic growth and employment opportunities	Objective 6 Policy 11	Excellent	The Plan seeks to promote economic growth, employment, and a vibrant local economy. It gives protection to existing businesses and employment, and sets the conditions for new investment, businesses and employment.
6. To maximise the benefits of regeneration and development to promote sustainable communities	Objectives 4 & 5 Policies 4, 10 & 11	Good	The Plan encourages investment, regeneration and local employment - particularly in the West Hampstead Growth Area. It seeks adequate local provision of education, health and community facilities.
7. To promote high quality and sustainable urban design which protects and enhances	Objective 2 Policies 2 & 3	Excellent	The Plan provides strong protection for the distinct character and heritage of the Area, including in conservation areas. The Plan promotes high quality design, attractive streets and public spaces, and

the historic environment			protects historic buildings and monuments.
8. To ensure new development makes efficient use of land, buildings and infrastructure	Objectives 1, 3 & 4 Policies 1, 4, 5, 6, 10	Good	The Plan seeks to provide development throughout the Area - particularly in the West Hampstead Growth Area - that meets a range of needs. It promotes mixed use developments, and facilities and infrastructure for the benefit all sections of the community.
9. To reduce reliance on private motorised transport	Objective 3 Policies 6, 7, 8 & 9	Excellent	The Plan sets out a range of measures to improve the scope and capacity of public transport in and through the Area. It calls for a reduction in car use, as well as better provision for pedestrians and cyclists.
10. To improve amenity by minimising the impacts associated with noise	Objectives 3, 4, 5 & 6 Policies 7, 10 & 11	Fair	The Plan seeks a reduction in traffic levels, the use of local services, and an expansion of green/open space
11. To protect and manage water resources and reduce flood risk	Objective 6 Policies 15, 16 & 17	Fair	The Plan seeks the protection of existing green/open spaces and trees - and promotes new ones - as important water absorbing sites. As parts of the Area have been flooded before, the Plan seeks to restrict development which could have a negative impact on flood risk, such as new basements.
12. To protect & enhance existing habitats and biodiversity and to seek to increase these where possible	Objective 6 Policies 15, 16 & 17	Good	The Plan promotes a range of measures to protect and enhance the Area's natural environment and biodiversity. It calls for new green spaces and nature reserves.
13. To reduce the amount of waste requiring disposal		Not relevant	
14. To improve air quality	Objectives 3, 5 & 6 Policies 7, 11, 16 & 17	Good	The Plan seeks a reduction in motor vehicle use. It promotes low-carbon homes and low-impact small and micro-businesses. It calls for additional green spaces and new trees.
15. To provide for the efficient use of energy	Objective 3 Policies 2 & 7	Fair	The Plan supports low-carbon homes and high environmental standards in all development. It seeks a reduction in the use of petrol and diesel vehicles, and promotes electric vehicles - as well as walking and cycling.
16. To minimise the use of non-renewable resources	Objectives 3, 4 & 5 Policies 2, 7, 8, 9, 10, 12, 13 & 14	Fair	The Plan promotes local services, facilities and employment - reducing the need to travel. It promotes low-carbon homes and buildings; cycling and walking; and sustainable growth.

6. Must be compatible with human rights requirements

6.1 The Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. It also complies with the Human Rights Act 1998.

6.2 The NDF has been advised by Camden Council that it does not need to produce an Equalities Impact Assessment. The Council will perform this Assessment if the Plan is approved in a referendum.

6.3. The NDF has, at all times, sought to ensure that all sections of the community have been given the opportunity to get involved in making the Plan and have had the opportunity to express their views on the Plan. The process of drawing up the Plan, and the work of the Forum since its inception, is set out in the ***Consultation Statement*** (see separate document). This details the extensive consultation and engagement on which the Plan has been based.

7. Must be compatible with European Union regulations

7.1 Following a scoping exercise carried out by Camden Council on an earlier draft of the Plan in September 2013 (updated in December 2013), it was determined that the Neighbourhood Plan needed a **Strategic Environmental Assessment**. This is set out in a separate document.

7.2 Neighbourhood plan areas that are in close proximity of, or may lead to adverse effects on a wildlife site that has been designated under the EU Habitats Directive, may have to undertake a Habitats Regulation Assessment (HRA).

In London, the following sites are recognised in the EU Habitats Directive:

- Epping Forest
- Lee Valley
- Richmond Park
- Wimbledon Common

An HRA was undertaken for Camden Council's Local Development Framework documents and concluded that they would be unlikely to have significant effects on relevant wildlife sites. Given this, Camden Council have confirmed that the Fortune Green & West Hampstead Neighbourhood Plan should refer to the Council's HRA.

8. Evidence Base

8.1 The Evidence Base for the Fortune Green & West Hampstead Neighbourhood Plan is set out in a wide variety of documents.

8.2 These documents - which are all available on the NDF's website - include those listed below:

- The National Planning Policy Framework (March 2012)
- The London Plan (July 2011)
- Camden Council's adopted planning policies: Camden Core Strategy 2010-2025 (adopted 8 November 2010); Camden Development Policies 2010-2025 (adopted 8 November 2010); and Camden Site Allocations (adopted 9 September 2013)
- The West Hampstead Place Plan (March 2012) & the consultation document on which it was based (May 2011)
- West End Green Conservation Area Management Strategy (February 2011)
- South Hampstead Conservation Area Management Strategy (February 2011)
- Census data for Fortune Green & West Hampstead wards, 2001 & 2011
- West Hampstead Retail Units Profile (2011)
- West Hampstead Town Centre retail floorspace (2010)
- West Hampstead ward health profile (2011)
- Planning Framework for West Hampstead Interchange Area (March 2004, not adopted)
- Camden Streetscapes Design Manual (2nd edition)
- The Camden Plan, 2012-17

The drafts of the Neighbourhood Plan prepared in advance of the final draft also form an important part of the evidence base and reflect how the Plan emerged:

- Draft 1 (July 2012)
- Draft 2 (November 2012)
- Draft 3 (February 2013)
- Draft 4 (May 2013)
- Draft 5 (June 2013)
- Draft 6 (October 2013)
- Draft 7/Proposed final draft for pre-submission consultation (January 2014)

The NDF website also has the minutes of all the NDF meetings since the group was formed in January 2012; as well as copies of the presentations given at NDF meetings and workshops; and the results of the surveys carried out by the NDF. For more detail, please see the *Consultation Statement*.