

Dear GARA members and supporters,

Fantastic news, at least temporarily ... the 'frontage' appeal is dismissed for reasons of poor detailed design. But the impact on Open Space, SNCI, views, parking etc are all considered acceptable.

As you know, having won one appeal, the developer appealed against refusal of its second planning application for this site. The first scheme allows destruction of a large part of the protected Open Space and Site of Nature Conservation Interest. The second scheme – refused on appeal – would block the Open Space aspect from the street, including views across the site towards Hampstead.

Here is what the inspector says in dismissing the second appeal:

Conclusion [from Inspector's report, 3-Jun-13]

The development has been designed to minimise the impact on the POS [private open space] and SNCI [site of nature conservation interest] and I have concluded that the benefits of the scheme outweigh any small harm in this regard. While many other aspects of the scheme are acceptable including the siting and size of the proposed buildings, the scheme fails on the detailed design as outlined above [in the report]. For this reason, it would be contrary to National and Local Plan policy and the appeal is dismissed.

You can read the inspector's report at

<http://www.pcs.planningportal.gov.uk/pcsportal/fscdav/READONLY?OBJ=COO.2036.300.12.5454769&NAME=/DECISION.pdf>.

It's fairly brief and to the point.

As one resident said, "It makes last year's report on the centre scheme seem even more odd and I think we were incredibly unlucky that we did not win that appeal. I welcome the fact that she says the site is of high ecological value and re-emphasised the public asset and green lung."

So, what does this mean? Well, the developer can ...

- a) Build the first scheme, for which permission was granted at appeal last year
- b) Improve the design of the second scheme within the same envelope and re-submit
- c) Prepare another scheme combining elements of #1 and #2, and addressing points on design
- d) Sell the site

Of course, all these options would also have been available to the developer if they had won this appeal, so the inspector has at least removed the option to build a poorly designed scheme #2.

A quick reminder:

Scheme #1: 16 large houses in the middle of the to-be-excavated reservoir space, mostly below ground level; major loss of open space and major impact on wildlife; low impact on

street frontage; and a large contribution to Camden in lieu of affordable housing ... refused by Camden but allowed on appeal (which we still struggle to comprehend!).

Scheme #2: 28 units filling-in the street frontage between existing mansion blocks; lower impact on wildlife but significant impact on openness from the street and houses opposite; affordable housing included within the scheme ... refused at Camden planning committee and also dismissed on appeal (as described above).

Well done to everyone involved (we represented ourselves at this public inquiry, against the developer's expensive legal team and raft of experts) and thank you to everyone for your great support. Thanks also to Camden for defending the council's position and to the inspector for her decision. Let's enjoy this moment, at least for now.

Yours,
David Yass
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