

1. INTRODUCTION

1.1 ENABLING LEGISLATION

The Neighbourhood Plan has been written to meet the Basic Conditions, including:

- having regard to National Planning Policy Framework and Planning Practice Guidance,
- being in general conformity with the strategic policies in the Camden Local Plan, adopted on 3 July 2017,
- helping to achieve sustainable development
- not breaching EU obligations or human rights law.

Camden's Local Plan has proved open to interpretation by Camden officers and the Development Control Committee. Consistent with the wishes of Forum residents, the Redington Froggnal Neighbourhood Plan sets out its own interpretation of these policies, in order to ensure that development policies are applied in such a way as to preserve and / or enhance the Plan Area, which is virtually synonymous with the Redington Froggnal Conservation Area. A considerable body of evidence has been developed in support of the Neighbourhood Plan policies:

[Neighbourhood Plan Evidence Base](#)

The incorporation of a design policy aims to ensure that the Redington Froggnal Conservation Area is not blighted by, in the words of Heath and Hampstead Society, "architecturally uninspiring, corporate looking development" of "luxury flats with double basement garages....."¹.

1.2 DEVELOPMENT OF THE REDINGTON FROGNAL NEIGHBOURHOOD FORUM

Redington Froggnal Association, the umbrella group for street representatives and tenants' associations, in the Redington Froggnal Conservation Area, began to consider developing a neighbourhood plan in 2014. The Neighbourhood Area and the Redington Froggnal Neighbourhood Forum were formally designated by Camden on 5 September 2014 under the 2011 Localism Act.

1.3 DEVELOPMENT OF THE REDINGTON FROGNAL NEIGHBOURHOOD PLAN

Work commenced on Policy drafting in 2016, following the Vision and Objectives survey, which ran from April to September 2015 and attracted almost 100 responses from an Area of 2,000 households.

A first draft of the policies, informed by the Vision and Objectives survey, was presented to the Neighbourhood Forum at the June 2016 AGM. Policies were redrafted in the light of feedback generated from a public consultation in September 2016 and further revisions ensued, following advice from Camden officers and other professionals.

Policies are supported by a detailed Evidence Base, funded by Redington Froggnal Association, government grants and funding allocations from the local element of the Community Infrastructure Levy (CIL). The Evidence Base is published on the Neighbourhood Forum website.

The draft Plan underwent a Health Check and Evidence Base Review by AECOM in July and August 2018, and feedback was also obtained from the Regulation 14 public consultation (from 28.10.18 to 23.1.19). Further drafting revisions were made as a result of both exercises.

¹ This relates specifically to the New End Nurses' Home development, but may equally be applied to new developments in

Involvement of Professionals

Preparation of the neighbourhood plan would have been impossible without the involvement of professionals. We are grateful to many independent consultants but, particularly, to: Dave Chetwyn of Urban Vision Enterprise, AECOM; Create Streets; Dr. Adam Broadhead of Arup; Dr. Greg Carson of the Ecology Network; Danny Hyams of Ordnance Survey; Greenspace Information for Greater London; Hampstead Conservation Area Advisory Committee; Dr. Michael de Freitas and Dr. Christine Butenuth of First Steps; Trees Design Action Group and Paul McKenzie Studio. Very valuable assistance and advice has also been received from Frognal and Fitzjohn's ward councillors; Mr. Robin Lacey (artist and sculptor) and a large number of resident volunteers from both Hampstead and Redington Frognal Neighbourhood Forums.

The Forum wishes also to record its gratitude to Camden Council senior planners for extensive and detailed comments received on four drafts.

Community Infrastructure Levy funds were allocated by the Neighbourhood Forum to Camden at the beginning of 2018, in order for Camden to update its 2003 Redington Frognal Conservation Area Guidelines and Statement. The purpose of providing funding was to provide a current Conservation Area appraisal as evidence of need for the BD and BGI neighbourhood plan policies. By May 2019, the work had not been commissioned.

In the absence of an up-to-date Conservation Area appraisal, the Plan is reliant on the AECOM Redington Frognal Heritage and Character Assessment, dated September 2015, for much of its evidence relating to policies BD and BGI.

1.4 VISION AND OBJECTIVES

The Forum recognises that the area is likely to evolve over time as a result of changes to the climate, existing buildings, the occasional introduction of new buildings and careful and positive changes to the streetscape and public realm. However, certain aspects of the area are sensitive and successive individual changes may cumulatively erode its character.

The Neighbourhood Plan therefore aims to provide a clear framework for future development through a robust set of Policies. While being in general conformity with the strategic policies of the Local Plan, the Policies are also distinct to the Plan Area. They offer a vision of sustainable growth and development which is appropriate, strikes a balance between enabling growth to meet need, while ensuring that it takes account of the needs of future generations social, economic and environmental sustainability, and is supported by Forum residents.

We seek a future for the Neighbourhood which preserves its green character and serves as an area available to a wide range of family types and ages who live here rather than invest here. We believe that the Redington Frognal neighbourhood should celebrate its heritage and history and should continue to be a delightful area for anyone to stroll in and enjoy.

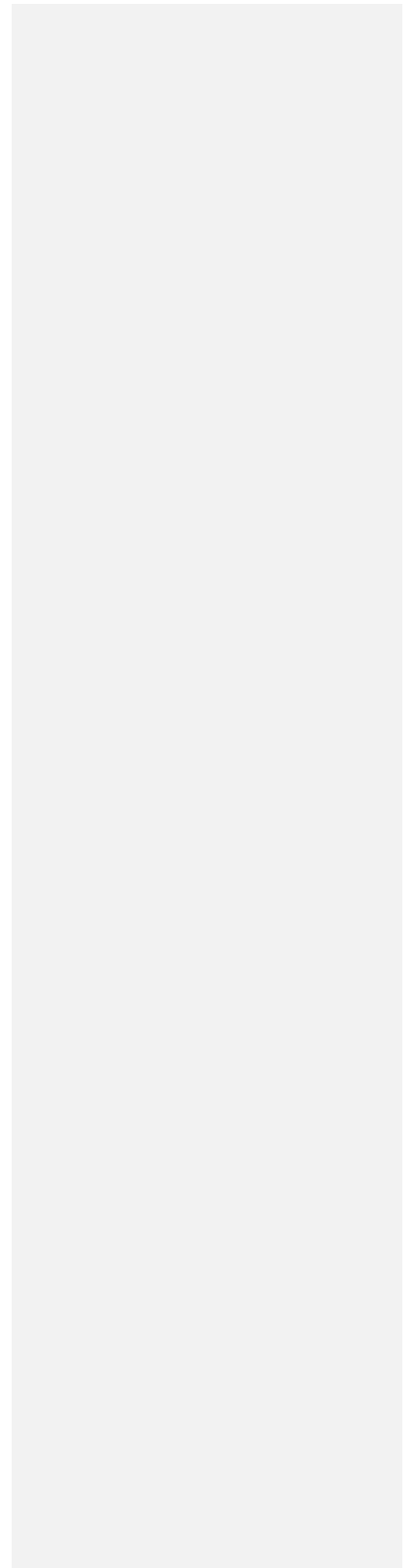
The Forum's Six Objectives

1.16 The Forum's six Objectives are:

1. to preserve and enhance Redington Frognal characteristics as a picturesque Victorian and Edwardian suburb with a diverse population;
2. protecting and improving green space and biodiversity;
3. the enhancement of the Environment of Finchley Road;
4. identifying areas for growth of new homes, with community facilities to support home working;
5. maintaining and promoting the area as Centre for Tertiary Education the Arts and Culture;

6. basement excavation: ensuring that basement development does not impact local hydrology or cause damage to neighbouring properties.

1.17 The Vision and Objectives Statement and Survey are provided at Appendix *Vision and Objectives Survey* .



2.0 SUSTAINABLE DESIGN AND CHARACTER

2.1 SD NEW DEVELOPMENTS AND REFURBISHMENT OF EXISTING HOUSING STOCK

2.1.1 INTENT

The Plan area has many development constraints, including hydrogeological, an absence of community, social and health care infrastructure and a deficiency in open green space. Private residential gardens constitute an important ecological network in which two communal private gardens are designated as Sites of Interest or Nature Conservation.

For designated heritage assets, such as the Redington Frognal Conservation Area, paragraph 185 of the NPPF requires that local planning authorities should give great weight to the asset's conservation when considering the impact of proposed development on the significance of a designated heritage asset.

The Conservation Area status of the Plan Area, mostly comprising heritage housing stock, and the scarcity of available development sites, limits opportunities for new construction. Nevertheless, the Plan aims to accommodate part of the need for housing in the Frognal and Fitzjohn's ward, as projected by the GLA over the period to 2050. Population projections for the Frognal and Fitzjohn's ward are included in the evidence base document *SD 1 Frognal and Fitzjohn's population projections*.

Accommodating population growth will be achieved through these sustainable car-free design policies which address the Plan area's green and picturesque Victorian and Edwardian suburb character, its verdant setting, hydrogeology and local amenity. Through adherence to these policies, growth will be provided for a variety of homes and jobs².

This policy additionally intends that, in accordance with the five principles of sustainable development³, to help to ensure a "strong, healthy and just society".

The Forum believe that the Plan Area has no vacant or under-used sites, other than those identified in Policy DS Aspirational Development Sites.

² Objective 4 of the Redington Frognal Vision and Objectives Brochure

³ living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly: <https://www.gov.uk/guidance/national-planning-policy-framework/achieving-sustainable-development>

2.1.2 SD 1 NEW DEVELOPMENTS AND REFURBISHMENT OF EXISTING HOUSING STOCK

- i. All developments and refurbishments are to achieve a biodiversity net gain. This is to be calculated using the GLA Urban Greening Factor for London⁴.
- ii. Developers need to assess and quantify the net increase in water and waste water demand to serve their developments and also any impact the development may have off site further down the network, in order to ensure that no / low water pressure and internal / external and internal / external sewage flooding of property does not occur.
- iii. Where single houses have been sub-divided into flats, and where units meet or exceed London Plan private internal space standards, a cumulative loss of two or more units will not be permitted. This applies to all development of a site since 2010, whether by different applicants or by the same applicant⁵.
- iv. Apartments that do not meet London Plan private internal space standards may be amalgamated to provide fewer units.
- v. The retention of existing and the creation of new development and building extensions must be in accordance **Policies SD 2 to SD 5**, and:
 - maintain the Conservation Area's green and verdant character in accordance with or, if outside the Conservation Area, contribute substantial urban greening measures and increase the green cover in the Plan Area⁶;
 - minimise losses to biodiversity and habitat capable of supporting biodiversity;
 - maximise the area of soft, natural landscaping, to act as a carbon sink and help mitigate against climate change and the urban heat island effect;
 - encourage/seek large tree and shrub planting;
 - felling of existing trees and hedges, especially large species / canopy trees and native trees which support wildlife, will not be permitted for the purpose of facilitating development.
- vi. Rear garden boundaries will be required to include trees selected from the list shown in the Guidance Notes for Developers.
- vii. Front garden boundary walls and hedges are to be preserved or reinstated for new developments and refurbishments of existing housing stock. Boundary treatments may not be breached for the purpose of facilitating off-street parking of vehicles.
- viii. The Plan strongly encourages the use of hedges (as in Guidance Notes for Developers) as front side and rear garden boundaries, to enhance amenity, biodiversity and streetscapes.

Dave Chetwyn 26/4/19 12:31

Comment [1]: It is not clear what this means in terms of requirements for development to meet.

2.1.3 APPLICATION

To comply with the requirement for landscape design to be an integral part of the design, full landscaping details should be submitted with planning applications, including landscaping of front and back garden space. Applicants should set out the intended biodiversity net gain and demonstrate how this is to be achieved, referencing the GLA Urban Greening Factor for London⁷.

The local planning authority should consider conditioning planning applications to prevent erosion of character through replacing front gardens with hard-surfaced parking space.

The impact of development on trees in the Conservation Area will be a material consideration of any

⁴ https://www.london.gov.uk/sites/default/files/urban_greening_factor_for_london_final_report.pdf

⁵ A cumulative loss was deemed acceptable in the 5 Templewood Avenue case 2017/1229/P of 14.12.17, as the cumulative loss would result from applications by different owners.

⁶ https://maps.london.gov.uk/greencover/?utm_campaign=Environment+Newsletter,+Feb+2019&utm_source=emailCampaign&utm_content=&utm_medium=email

⁷ https://www.london.gov.uk/sites/default/files/urban_greening_factor_for_london_final_report.pdf

planning application within reasonable proximity to a tree. Development including and subsidiary or enabling works that may result in damage or loss of a Preserved tree will be refused. In addition, unnecessary or excessive pruning works or root disturbance for foundation excavations that would be required to enable a development to be constructed would also be a material consideration in the assessment for planning approval or refusal⁸.

Refurbishment of the existing housing stock, which does not cause loss of soft surface or garden area will be supported, if accompanied by biodiversity enhancing measures, such as tree and hedge planting, as specified in [Policy BGI and Guidance Notes for Developers](#). Areas of soft natural surface can be increased by converting hard-surfaced garden areas to soft, natural surface.

New developments, including building extensions, are to conform to the Redington Froggnal Design policy, as set out in [Policy SD 4 and Guidance Notes for Developers](#).

Developers are encouraged to use Thames Water's free pre-planning service:

<https://www.thameswater.co.uk/preplanning>

This service can tell developers at an early stage if Thames Water will have capacity in its water and / or waste water networks to serve their development, or what Thames Water will do, if it does not. The developer can submit this as evidence to support a planning application and Thames Water can prepare to serve the new development at the point of need, helping avoid delays to housing delivery programmes.

⁸ https://democracy.islington.gov.uk/Data/Executive/200910151930/Agenda/TREE_POLICY_V12.pdf

2.2 SD 2 PROTECTION OF UNDESIGNATED HERITAGE ASSETS

2.2.1 INTENT

The NPPF requires that local planning authorities should take account of: the desirability of sustaining and enhancing heritage significance, putting assets to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and, the desirability for new development to make a positive contribution to local character and distinctiveness (paragraph 192).

The NPPF also notes in paragraphs 194-196 that planning applications causing “any harm to, or loss of the significance of a designated heritage asset”, or substantial harm, should be refused, unless all of the following tests are met:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefits of bringing the site back into use.

National Planning Practice Guidance notes, with respect to unlisted conservation area buildings that:

“If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133¹ of the National Planning Policy Framework.”

The loss of an undesignated heritage asset must be based on an assessment of harm to its significance and the contribution made to the significance of the designated heritage asset, ie the Redington Froggnal Conservation Area

The Redington Froggnal area has a rich social history and has been home to many notable residents, e.g. General de Gaulle and Tomas Mazaryk. It is also defined by fine Edwardian and Victorian architecture and notable post-War buildings by eminent architects, set in large gardens planted with mature trees and vegetation, which make a particularly strong contribution to the character of the area.

Camden’s Redington Froggnal Conservation Area Statement of 2003⁹ had already noted a number of infill developments. Since then, infill development has accelerated and many properties have been demolished. Where properties have been demolished they are replaced by much larger properties and smaller gardens (as in the photo below) and a mixed assortment of architecture. The cumulative impact of this development is to erode the unique characteristics of the Redington Froggnal Conservation Area and to harm the settings of historic buildings.

Example of Modern Architecture which Detracts from the Conservation Area



The new development above, at 38 Redington Road, lacks detailing to the façade, fenestration and roofscape. It is without a front garden, side garden, trees or hedges, and incorporates excessive hard surfacing.

Redington Froggnal strongly supports a presumption against demolition¹⁰ and this policy aims to preserve the Area’s Victorian and Edwardian buildings, in addition to post 1930 buildings of high

Dave Chetwyn 26/4/19 12:34

Comment [2]: Need to explain why. Also, is it all bad, or are there good and bad elements to the design?

⁹ Redington / Froggnal Conservation Area Statement 2003

¹⁰ Redington Froggnal Vision and Objectives questionnaire, questions 1 and 2.

architectural value, and their green settings.

2.2.2 SD 2 PROTECTION OF UNDESIGNATED HERITAGE ASSETS

i Buildings forming a positive contribution to the Conservation Area may be adapted and extended in accordance with Design Policies SD 5, SD 6 and the BGI policies. This is to ensure that the building and its setting are retained that they remain an integral part of the Area's streetscape and character.

ii Where there is evidence of deliberate neglect of, or damage to, a heritage asset (designated or non-designated), the deteriorated state of the heritage asset should not be taken into account in any decision.

iii In the event of the proposed demolition of any of the elements listed in the bullet points below, in relation to buildings:

- identified in the Redington Froggnal Conservation Area Statement as positive or neutral contributions, either on their own, or as a group of buildings; or
- included in the list of heritage assets, for which the Forum requests local listing, as shown as shown at Appendix Buildings for which Local Listing is sought; or
- identified as non-designated heritage assets

the replacement development must seek to seek to preserve and enhance the character and appearance of the Redington Froggnal Conservation Area / Neighbourhood Plan Area.

iv Where a case is made for demolition of a building considered to make a positive contribution to local character and appearance on the grounds of viability, the applicant must provide details of a meaningful marketing exercise, or offer the property on the open market at a reasonable price for a period to be agreed with the local planning authority, subject to market conditions.

2.2.3 APPLICATION

New development will be supported which seeks to appropriately conserve the following building types and their settings:

- Victorian or Edwardian buildings of significance
- buildings of architectural merit
- buildings which, on its own, or as a group, form a positive contribution to the Redington Froggnal Conservation Area
- locally listed buildings or a heritage buildings for which the Forum seeks listing as non-designated heritage assets. In the absence of a list from Camden, the Forum have drawn up a list of non-designated heritage assets (Appendix SD Buildings for Designation as Non-Designated Heritage Assets).

Where a case is made for demolition on grounds of viability, in relation to a building considered to make a positive contribution to local character and appearance, the open market price and marketing period are to be agreed with the local authority, taking account of market conditions.

Policy BGI 2 applies in respect of applications to demolish front garden boundary treatments, including walls and hedges.

2.3 SD 3 CAR-FREE DEVELOPMENT

2.3.1 INTENT

With the population of Redington Froggnal forecast to grow further during the lifetime of the Plan, the challenge is to ensure that growth is supported by healthy and sustainable transport choices, in accordance with chapter 9 of the NPPF and the new London Plan policy T6.

Camden's Local Plan, adopted in July 2017, recognises the benefits of car-free development and the need to create "more welcoming environments that increase the likelihood of people making healthier and more sustainable transport choices".

Evidence base document *SD 3 Connectivity and Air Quality*, provides details of the area's high and improving public transport accessibility levels (PTAL) and connectivity, its poor air quality and implications for the financial viability of development.

CONSERVATION AREA STATUS

The Plan Area is virtually congruent with the Redington Froggnal Conservation Area (except for a handful of properties on Finchley Road). Because of this, the Plan must give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area¹¹.

Off-street (and basement) car parking is noted as a key source of harm to the Redington Froggnal Conservation Area. For example, Camden's Redington Froggnal Conservation Area Statement and Guidelines stated¹², as long ago as January 2003, that,

"Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area." ... "Where there are low walls alongside the road and within properties they add to the attractive appearance of the front gardens and architectural setting of buildings. Proposals should respect the original style of boundary and these should generally be retained and reinstated where they have been lost. Particular care should be taken to preserve the green character of the Conservation Area by keeping hedges. The loss of front boundary walls where it has occurred detracts from the appearance of the front garden by reducing the area for soft landscaping in this urban residential area. Furthermore, the loss of front boundary walls facilitates the parking of vehicles in part of the property, which would adversely affect the setting of the building and the general street scene."

and,

"The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking area."

Similarly, Local Plan Policy T2 10.21 affirms that,

"Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden's streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden's Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hard standing. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers.

Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water".

¹¹ as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
¹² Redington Froggnal Conservation Area Guidelines RF 8 and RF 9

Despite Policy T2 and the Conservation Area appraisal, off-street parking has continued to proliferate, front gardens have been lost and street scenes have become degraded to the extent that Redington Froggnal Association had presented to Camden in 2011 a case for the imposition of an Article 4 Direction¹³. The case was accepted in June 2011 by Joanna Ecclestone, Camden's Conservation and Historic Buildings Advisor¹⁴ and further photographic evidence was compiled, as requested, and presented to Caroline Welch, Camden's Conservation and Historic Buildings Advisor¹⁵ in 2013.

An example of a planning consent granted since Policy T2 was introduced is 2017/1229/P for off-street parking in relation to new development at 5 Templewood Avenue. Officers chose to apply a very narrow interpretation of the Policy, whereby the Policy is to be applied only where a completely new building is planned. As a result of this interpretation, consent was granted for a car lift, off-street / basement parking for eight vehicles, to be shared between two flats¹⁶.

A planning inspectorate decision, APP/X5210/W/17/3178421 of 10 October 2017 in relation to 13 Fitzjohn's Avenue, further supports the need to retain front-boundary treatments. In this appeal, one of the main issues was whether the proposed development would preserve or enhance the character or appearance of the [Fitzjohn's/Netherhall] Conservation Area. The planning inspector concluded that "the partial loss of the boundary wall would unacceptably harm the character and appearance of the FNCA" (conservation area).

SD 2.3.2 CAR-FREE DEVELOPMENT

- i. The Neighbourhood Plan extends Local Plan Policy T2 Parking and Car-Free Development to apply in respect of new all development, i.e. the creation of new units, the amalgamation of units and reconfiguration of developments, (including any new development which does not involve a net gain or loss of units) and extensions to existing buildings.
- ii. The interpretation of Local Plan Policy T2 is clarified to explain that car-free development means that no parking spaces are provided within the site, including underground. The only exceptions made are for disabled users or for essential operational or servicing needs.

2.3.3 APPLICATION

The policy will enable the reinstatement of traditional front boundary treatments, including low retaining walls and front and side garden hedges and soft-surfaced front gardens.

Separate provisions apply to parking designated for disabled users or for essential operational or servicing needs (in accordance with Camden policy Parking and Car-Free Development).

Allocated spaces for shared electric vehicles are encouraged, along with on-street electric vehicle charging points.

The policy applies both to developments involving demolition and those without demolition.

This policy will encourage healthier and more sustainable transport choices, reduce private motor vehicle ownership and vehicle movements and congestion, leading to an improvement in air quality.

¹³ Redington Froggnal Article 4 Direction presentation, dated 13 April, 2011

¹⁴ Redington Froggnal Association and Camden meeting note of 22 June 2011

¹⁵ Redington Froggnal Association letter to Caroline Welch dated 24 June, 2013

¹⁶ Paras. 6.37-6.36, page 447 of Members' Briefing of 14.12.17:

[http://democracy.camden.gov.uk/documents/g7276/Agenda frontsheet 14th-Dec-2017 19.00 Planning Committee.pdf?T=0](http://democracy.camden.gov.uk/documents/g7276/Agenda%20frontsheet%2014th-Dec-2017%2019.00%20Planning%20Committee.pdf?T=0)

2.4 SD 4 REDINGTON FROGNAL SUSTAINABLE DESIGN AND CHARACTER

2.4.1 Intent

The aim of the policy is to provide clear parameters for sustainable design for the Redington Frognal Neighbourhood Plan Area, which is virtually congruent with the Redington Frognal Conservation Area. It is intended to ensure that future development proposals and change within the Plan Area will preserve and enhance the Conservation Area¹⁷, deliver growth that is sustainable and provide local amenity.

The distinctiveness of the Redington Frognal Neighbourhood Plan Area is recognised by Camden's Redington Frognal Conservation Area appraisals. The bulk of the Redington Frognal Conservation Area was originally designated in June 1985. It was described in the report to the London Borough of Camden, Planning and Communications Committee as "an exceptional example of consistently distinguished Victorian and Edwardian architecture". The report noted that the area had "already begun to lose some of its interesting buildings" and was subject to increasing pressure for unsympathetic change.

The policy aims to build on Local Plan Policies D1, which requires that high quality design "preserves and enhances the historic environment", and the requirements of D2 for conservation areas. Policy BD 4 encourages a higher standard of design for development, in order to deliver locally distinctive architecture that contributes to, and is in keeping with, the existing character of the Redington Frognal Conservation Area.

It is also intended that the policy will prevent cumulative harm to and reverse the steady erosion of the Conservation Area / Neighbourhood Plan Area and its setting, and that sustainable development will be delivered, in accordance with paragraphs 10 to 12 of the NPPF.

The policy will also provide certainty for developers and avoid situations such as the unsuccessful attempt by Linton Group to construct a very unpopular new development, which would not have conformed to the Redington Frognal Design Policy and Policy SD 2.2 Protection of Undesignated Heritage Assets¹⁸. It will additionally obviate the need for neighbours to expend vast sums in challenging inappropriate planning applications and assertions made by developers¹⁹. Other applicants similarly fail to appreciate the heritage and character of the Conservation Area, as noted by Hampstead Conservation Area Advisory Committee in its objection to the insensitive plans submitted for 38 Redington Road (2018/5694/P)²⁰

The policy therefore builds on the Local Plan policies D1 Design and D2 Heritage, providing specific local detail. This approach is supported by the National Planning Policy Framework, which states that in paragraph 125 that, "Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development".

¹⁷ Para. 200 of the NPPF.

¹⁸ 28 Redington Road planning application 2016/2997/P and appeal reference APP/X5210/W/3164577

¹⁹ Neighbours at 26 and 30 Redington Road spent £25,716 to support Camden Council's case against the development proposals. (Neighbours' costs for 28 Redington Road.xlsx)

²⁰ 36 Red Rd HCAAC objection, 5.3.19.pdf

SD 2.4.2 Redington Froggnal Sustainable Design and Character

New development, including redevelopment, must complement the distinctive character of the Redington Froggnal area and the immediate site context. This includes:

- I. The scale, massing and height of development must reflect the established characteristics of the area, responding to the prevailing 2-4 storey building height. Mid-rise development of up to six storeys will be considered for sites fronting Finchley Road, provided that it does not cause loss of light and shading to the properties and gardens behind.
- II. Setback and enclosure of street frontages created by built development must reinforce the established verdant character of streets and spaces, with front and rear gardens.
- III. The plot coverage ratio of building(s) to open space must respond to the existing character of the area, based on extensive garden areas. Garden space must be provided to reinforce the established pattern of front and back garden spaces around the site.
- IV. Redevelopment must maintain or increase, and involve no significant reduction, in the area of garden space within the site.
- V. Landscaping must be an integral part of the design and layout of development and should include trees and other planting using native species with a high value to biodiversity, as set out in the Guidance Notes to Developers.
- VI. The spacing of houses must allow for maintenance and retain the verdant, biodiverse character of the area by allowing views through the built frontages. This includes providing a minimum gap of 4 metres between the ends of terraces and a minimum gap of 2 metres between semi-detached or detached houses. Where the established character includes wider gaps, then this must be reflected in the spacing of new development.
- VII. Where traditional materials are used in new buildings, they must be authentic, traditional materials and reflect the palette of materials in the surrounding area and not comprise synthetic materials such as uPVC or materials with an imprinted or applied surface to imitate traditional materials. Where modern materials are used, they must use be durable, with a high standard of finish.
- VIII. Development must provide active frontages (with doors and windows) to streets and spaces, including at ground floor level, so as to provide overlooking and surveillance.
- IX. Development that incorporates eaves and spaces for internal bat roosts, and the use of bird bricks and other features to support wildlife will be particularly welcomed
- X. Creative, bespoke design solutions will be welcomed, especially where they complement the architectural and townscape quality, variety and diversity of the area and incorporate superior environmental performance.

2.4.3 Application

The Area has many positive aspects that contribute to the rich character of Redington Frogmal, which should be sustained, reinforced and enhanced through the application and understanding of the context surrounding each development.

The policy applies across the Conservation Area's eight sub areas and section of Finchley Road on the eastern side which, in May 2019, were not covered by conservation area status. The eight sub areas achieve homogeneity, with differences between them based largely on the density, style and scale of buildings, the period of construction, topography and density of vegetation²¹. Although there is some variation in architectural detailing, the common style and age of buildings generally results in a harmonious and unified structure. The limited palette of materials and the similar age, size and style create a high level of unity and cohesion and a strong local identity across most of the Plan Area²².

New development will be expected to preserve and enhance the Plan area and its gardens and provide a generous front garden, with rear garden space in accordance with BGI Policies. Biodiversity net gains are to be set out and quantified using the GLA Urban Greening Factor for London.

To comply with the requirement for biodiversity and landscape design to be an integral part of the design, full landscaping details should be submitted with planning applications, including landscaping of front and back garden space. Examples of planting to benefit biodiversity are provided in the *Guidance Notes for Developers*. A very high urban greening score is likely to be appropriate²³

To achieve high quality design, development proposals will be expected to demonstrate how they respond to the context and how the Redington Frogmal design policy been applied.

Pictorial guidance for development that would preserve and enhance the area is provided in the document entitled *Guidance Notes for Developers*.

Examples of recent planning consents (implemented in 2018), which would not conform to the policy, and which have compromised the streetscape of the conservation area, are shown below.

Kidderpore Avenue: excessive bulk and massing of new development opposite Grade II listed church and adjacent houses



New townhouses on Site of Interest for Nature Conservation, adjacent to Grade II listed Skeeles



²¹ Redington Fr

²² AECOM Red

²³ https://www.london.gov.uk/sites/default/files/urban_greening_factor_for_london_final_report.pdf

Library



Finchley Road: excessive bulk and massing of new development opposite Grade II listed banking hall and adjacent to Arts and Crafts houses



Kidderpore Avenue and Finchley Road: gaps between buildings devoid of trees and planting



2.5 SD 5 EXTENSIONS TO EXISTING BUILDINGS

2.5.1 INTENT

Policy SD 2.5 aims to ensure that extension development is subordinate to the use of the host building and maximises the preservation of gardens for the health and wellbeing of current and future occupiers and to increase the area’s resilience and to help provide a natural approach to flood management²⁴. Its aims are in line with paragraph 70 of the NPPF, which advises that,

“Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”

The Redington Frogal Conservation Area is unique in Camden in benefitting from properties with large gardens, generally increasing in size with proximity to Hampstead Heath.

A substantial cumulative area of natural soft-surfaced garden has been lost since 1948. The Forum made attempts to quantify the loss, but these proved futile, as infra-red technology is unable to detect the surface type where obscured by vegetation, while Ordnance Survey maps exclude extensions and new buildings carried out under permitted development rights (PD) and are unable to distinguish between different surface types within “gardens”. Notwithstanding these limitations, Ordnance Survey has been able to demonstrate that:

- the area of the footprint of buildings and extensions (excluding those under PD) has increased from 141,265 sq. metres in 1954-55 to 186,982 sq. metres in 2018 – an increase of 32%;
- the area of road, pavements and other grew at a compound annual rate of 0.2% between 2001 and 2018. Data are not available for 1954-55 but, if the compound average growth rate is applied over the 63-year period, it can be estimated that the area of road, pavements and other has expanded by 13% from 179,371 sq. metres to 203,431 sq. metres;
- the area of “garden” has consequently reduced by from 481,664 sq. metres to 411,886 sq. metres, a decrease of -14% (as set out in Evidence Base document *SD 5 Garden Loss*). This reduction, however, does not allow for losses due to hard surfaced off-street parking, patios, decking, swimming pools, changing rooms, tennis courts, garden buildings and outbuildings, including those constructed under permitted development rights. This is a serious and unsustainable rate of loss at a time of growing surface water flood risk.

Changes in Built and Unbuilt Areas in Redington Frogal Neighbourhood Plan Area, 1954-55 Compared with 2018

Area (square metres)

	1954-55	2001	2018	% change 2018 ÷ 1954-55
Buildings	141,265	175,729	186,982	32%
Gardens	481,664	429,960	411,886	-14%
Roads, pavements and other 1)	179,371	196,611	203,432	13%
Total Plan Area	802,300	802,300	802,300	0%

Note: 1) 1954-55 estimated from 2001 to 2018 annual growth rate

Source: RedFrog based on Ordnance Survey

A number of planning permissions have been granted for development of separate structures (beneath tree corridors) whose function is unlikely to be secondary to the use of the existing residence, notably:

- 2011/5264/P: Erection of brick outbuilding in rear garden for use as yoga studio (granted 19-12-2011)
- 2015/5681/P: Erection of single-storey outbuilding in rear garden for use as a dog grooming salon (granted 23-02-2016)

²⁴ <https://www.my5.tv/the-great-flood-of-london/season-1/sinking-cities-london>

- 2016/3691/P: Demolition and replacement rear extension and garden studio (granted 08-11-16)
- 2018/4206/P: Erection of an outbuilding spanning across two rear gardens, with washing facilities, toilet, study rooms, sitting area, plumbing, etc., following removal of a tree. A certificate of lawfulness was granted on 4.12.18.

2.5.2 SD 5 Extensions

Extensions to existing buildings, including outbuildings and swimming pools, must be designed to complement the character of the original building and context. This includes the following requirements:

- i Extensions must demonstrate how they conserve and enhance the setting of the non-designated heritage asset and the Plan Area's green space, in accordance with the BGI policies .
- ii Either matching the materials and roof-form of the existing building, including use of authentic traditional materials, or using contrasting materials, forms and construction, where this would help to maintain the original composition of the building.
- iii The massing, scale and set-back of the extension must ensure that it is subordinate to the main building.
- iv Extension into garden space must involve no significant reduction in the overall area of natural soft surface, the amenity and biodiversity value of garden space within the site and the wider ecological network.
- v. The spacing of houses including the extension must allow for maintenance and retain the character of the area by allowing views through the townscape. This includes providing a 4-metre gap between the ends of terraces and a 2-metre gap between semi-detached or detached houses. Where the established character includes wider gaps, then this must be reflected in the spacing of the housing, with the new extension.
- vi Recessed porches must not be enclosed, including by glass, where the established character is based on open porches
- vii Balconies must not be added to existing frontages where it would harm the amenity of neighbouring properties or where it would be out of character with the established character of the property and surrounding area.

The problem of "low quality additions which lack detail" is also cited under "Issues to be addressed" in the AECOM Heritage and Character Assessment" This policy, therefore, aims to guard against further erosion of the Area's total garden space and, in accordance with paragraph 175 of the NPPF, it seeks to encourage "opportunities to incorporate biodiversity improvements in and around developments especially where this can secure measurable net gains for biodiversity."

Other harm caused by over-large extensions includes loss of visual privacy, outlook, sunlight, daylight and overshadowing. Examples of these impacts are provided in Redington Froggnal Association's response to Camden's draft Planning Guidance on "*Altering and extending your home*"²⁵.

The policy establishes standards for the size and impact of extensions and development.

²⁵ dated 11 January 2019

2.5.3 APPLICATION

Rear extensions are to avoid overlooking and harm to the amenity of neighbours, including light pollution.

Matching the style of the existing building is often a good approach. However, there are circumstances where using contrasting materials and styles can be a more sensitive approach. For example, using a matching pitched roof for a rear extension may involve obliteration of more of the original elevation than if a flat or mono-pitched roof is used. The quality of design and authenticity and quality of materials are key factors.

Extensions making extensive use of glass will not be acceptable, due to their propensity to cause light pollution and harm to the amenity of neighbours and to wildlife.

The removal of streetscape features, such as front and side hedges and front boundary walls, which make a positive contribution to the character and appearance of the Conservation Area, will not be acceptable.

2.6.1 INTENT

The underlying landform of the Area is closely linked to its complex hydrology, defined by a series of rivers and streams. These run off Hampstead Heath from the north and were diverted underground before the area was developed. The action of these watercourses on the underlying geology has resulted in an undulating topography which differs across the area.

This unique topography creates many views across the Area and along valleys, where there is an increased sense of enclosure, such as Redington Road and Heath Drive, and along prominent elevated ridge lines, such as Platt's Lane. Such views are important for the widely appreciated sense of place, and views of the distant skyline. Also of particular note are the view corridors providing views along streets (often from lower ground towards higher ground) and towards a distant skyline.

Framed, glimpsed views between houses into the mature rear gardens of properties are a distinctive feature of the area and reinforce the visual link between the urban street and more natural appearance of the hinterland²⁶, while the 2003 Conservation Area Statement notes that The Redington Froggnal Conservation Area Statement notes the importance of views and vistas to the area's character:

"Of great significance to the area's character are its contours and slopes causing numerous views and vistas and giving emphasis to many of the buildings ."

Historic England advises that views into, through and from the Conservation Area and its surroundings, are to be taken account of²⁷ and several of these view corridors, numbered A to S and set out in Appendix SD Key Views.

2.6.2 SD 6 Key Views Designation

Development is encouraged to support the policy to minimise the impact on key views A to S, identified in Appendix SD Key Views, and to retain the rhythm of mature trees and hedges and picturesque roof lines.

2.6.3 Application

Key views A to S are considered to be of particular merit and worthy of special protection.

²⁶ AECOM *Redington Froggnal Heritage and Character Assessment*, page 28

²⁷ Historic England, *Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision-Taking in the Historic Environment*, 2015

2.7 SD 7 RETENTION OF ARCHITECTURAL DETAILS IN EXISTING BUILDINGS

2.7.1 INTENT

The buildings within Redington Froggnal comprise a range of high quality architecture, mostly from the late Victorian and Edwardian periods. Many of the buildings were designed and constructed by the same architects and builders working together. As a result, there is a high degree of unity within the area. It is therefore important that original buildings and their existing architectural features are retained to preserve the original design intention and style.

The Redington Froggnal Area exhibits a wide variety of period architectural detailing, such as intricate brick bonds, friezes, gothic detailing, hung tiles and parquetry.

The AECOM Heritage and Character Assessment, however, notes that “modernisation of some buildings has resulted in the loss or simplification of important architectural details, such as the smoothing over of rough render, replacement of traditional doors and windows with modern alternatives and the removal of friezes and other ornamentation.”

This policy therefore aims to preserve architectural detailing and the character appearance of the Area. It applies to all development which falls outside of the scope of the General Permitted Development Order.

2.7.2 SD 7 Retention of Architectural Details in Existing Buildings

- i. Front boundary walls, hedges and original architectural details, such as chimneys and porches etc., are to be retained – notably for non-designated heritage assets.
- ii. Developers are strongly encouraged to retain hedges or, where none exists, to plant new native hedgerow species, as in Guidance Notes for Developers

2.7.3 APPLICATION

This policy is to be applied throughout the Conservation Area. Removal of the following Redington Froggnal character features is likely to cause harm to the Conservation Area:

- arches over front doors
- intricate porches
- decorative brickwork
- door surrounds,
- windows and roof lights
- timber-framed sash windows and casement windows
- arches over windows
- tiled footpaths
- carved stone on building exteriors
- arches / green arches into gardens
- front and side boundary hedges
- low retaining front boundary walls.

In cases where planning consent is required, repair of original architectural details is to be prioritised over replacement, including of windows and doors. Where appropriate, original, traditional materials are to be retained and repaired, if necessary, and re-roofing is to be carried out in tiles matching the original.

Where architectural details have been removed in the past, replacement with suitable copies will be sought. Photographs of some original front boundary treatments and architectural features are shown in the Neighbourhood Plan Evidence Base, which is hosted on the Redington Froggnal Neighbourhood Forum website.

Materials used for the repair or alteration of buildings, and for surfacing and boundaries, shall match the existing high-quality palette of materials that typifies the character of each street. Developers are

encouraged to select materials to be use by recourse to pre-application advice and by engaging with the local community.

A variety of residential door types exist across the Conservation Area, but with a consistent style within groups of houses. Where a consistent style exists, and a replacement door is necessary, exact copies of the original doors are preferable.

Front boundary treatments, comprising brick walls and / or hedges, are to be retained. Where these have been removed, their reinstatement is encouraged. Original photographs of some front boundary treatments are available at Evidence Base documents SD 1 and SD 2.

3. BGI BIODIVERSITY AND GREEN INFRASTRUCTURE

3.1 WHY DO WE NEED A BIODIVERSITY POLICY?

Well vegetated gardens with mature (and veteran) trees and shrubs are the setting for the Conservation Area (and Neighbourhood Plan Area) and its non-designated heritage assets. Their importance to the area's character is noted in Guidelines RF 1 and RF 8 of the 2003 Redington Froggnal Conservation Area Statement and Guidelines and in the Green infrastructure and public realm section of AECOM's Heritage and Character Assessment, which emphasises the contribution of "mature established gardens."

Private gardens made up 50% of the land area of the Froggnal and Fitzjohns ward (in which Redington Froggnal is situated) in 2011²⁸, with just 8% of the land used as public green space and open water (compared with 42% for London as a whole).

Evidence outlining the importance of the Area's private gardens is set out in Evidence Base document *BGI 1 Importance of Private Gardens*.

Experience suggests that lack of clarity provides planners and developers with the opportunity to degrade the environment and dilute the aspirations of the Redington Froggnal Conservation Area Statement and Guidelines.

This Policy aims to deliver enhancements to green infrastructure, in order to improve connectivity and secure improvements to local biodiversity, through the following sub policies:

- rear gardens and ecology (BGI 1)
- front and side gardens / front boundary treatments for new developments (BGI 2)
- tree planting and preservation (BGI 3)
- light pollution (BGI 4)
- local green spaces (BGI 5)
- basements (BGI 6).

²⁸ ONS profile of Froggnal and Fitzjohns ward, Camden.pdf

3.2 BGI 1 REAR GARDENS AND ECOLOGY

3.2.1 INTENT

The London Borough of Camden is designated a lead local flood authority". In 2002, Frognal, Finchley Road, Templewood Avenue, Templewood Gardens, Chesterford Gardens, Bracknell Gardens and Platt's Lane were flooded^{29, 30}. The Chief Executive of the Environment Agency describes in his speech of 17 October 2018³¹ how "surface water flooding is a risk which is growing" and "surface water flooding is now included on the national risk register". In Hampstead in 1975, a surface water flood caused 250 people to be made homeless and the closure of four railway stations. Moreover, recommendation 9 of the Sir William Pitt review of the 2007 floods³² states that, "Householders should no longer be able to lay impermeable surfaces as of right on front gardens and the Government should consult on extending this to back gardens and business premises." Camden's Local Plan policy CC2 also notes (para 8.36) the role of green spaces / gardens in reducing surface water run-off.

Within London, gardens are vital as a priority habitat for the London Biodiversity Action Plan, and a core habitat focus for London Wildlife Trust's Living Landscapes vision in the capital³³.

With no publicly-owned green space³⁴, private gardens are critical to biodiversity and infrastructure. They are increasingly essential to wildlife³⁵ and people, providing shade, absorbing carbon, filtering air particulates soaking up flood water and helping to cool buildings.

Guideline RF 1 of the Redington Frognal Conservation Area Statement and Guidelines notes that,

"Rear gardens contribute to the townscape of the Conservation Area and provide a significant amenity to residents and a habitat for wildlife. Development within gardens is likely to be unacceptable."

However, the low status of the Conservation Area Statement in the planning hierarchy has meant that Camden has been powerless to enforce its Guidelines, with the result that gardens, and particularly larger gardens, have been dramatically eroded by building extensions, outbuildings and basements.

AECOM's March 2016 study, *The Contribution of Trees to the Townscape Character of the Redington Frognal Area*³⁶ notes the "opportunity to define policy that enforce or encourage homeowners and developers to retain existing trees within front and rear gardens to protect the garden setting of buildings, and the contribution that trees in these locations make to the verdant character of streets. This could be through specific policy that restricts tree removal, or by using policy to incorporate trees into development."

The benefits of restoring ecosystem services in urban areas are recognised in scientific research³⁷ and the London Environment Strategy (May 2018) acknowledges that "living in greener neighbourhoods can have a big impact on people's health and quality of life, and on how attractive a place London is in which to

²⁹ Map 6: Historic flooding and Local Flood Risk Zones, page 241, Camden Local Plan, 2017

³⁰ *Managing flood risk in Camden: The London Borough of Camden flood risk management strategy*
https://www.camden.gov.uk/documents/20142/1458280/Camden_Flood_Risk_Management_Strategy.pdf/9e739029-02e5-59c7-e9a4-64d3622f2475?version=1.0

³¹ Surface water: The biggest flood risk of all

³² Sir Michael Pitt, 2007 Floods Review

³³ Smith, C., Dawson, D., Archer, J., Davies, M., Frith, M., Hughes, E. and Massini, P., 2011. *London: Garden City? From green to grey; observed changes in garden vegetation structure in London, 1998-2008*, London Wildlife Trust, Greenspace Information for Greater London, and Greater London Authority
http://downloads.gjgl.org.uk/website/Garden_Research_Full_report.pdf

³⁴ See Guidance Notes for Developers

³⁵ *Scaling up from gardens/ biodiversity conservation in urban environments*, Mark A Goddard, Andrew J. Dougill, Tim G. Benton
<http://homepages.see.leeds.ac.uk/~lecajd/papers/Goddardetal.TREE.pdf>

³⁶ See Evidence Base document BGI AECOM Contribution of Trees to the Townscape FINAL 160505

³⁷ "Benefits of restoring ecosystem services in urban areas", T Emqvist, H Setälä, SN Handel, S van der Ploeg, J Aronson, JN Blignaut, E Gómez-Baggethun, DJ Nowak, J Kronenberg and R de Groot

live, visit and do business.”

Adjoining rear gardens with trees and hedges form particularly diverse and important habitat network, both at ground level and above, enabling wildlife in the Redington Froggnal Area to circulate and providing a refuge. Together, they form Core Sustenance Zones³⁸ for bats, birds and other wildlife species. The presence of bats throughout the area is confirmed by a number of bat surveys conducted by The Ecology Network³⁹, The Ecology Consultancy⁴⁰, ⁴¹, Furesfen⁴² and John Cromar’s arboricultural report⁴³.

Three planning consents at Sarum Chase, 23 West Heath Road (2005/3118/T, 2006/0371/T and 2006/2143/T) saw the felling of some 41 trees, including 7 Lombardy Poplars, 3 Scots Pines, an Oak and numerous other native species, for the purpose of various building extensions. Although Camden had imposed a requirement for some replanting, this was never enforced and was unenforceable⁴⁴. As a result, another formerly wooded site has been lost.

Policy BGI 1 therefore addresses the need to restore ecological networks and to provide potential foraging, roosting and nesting sites. New development in gardens must take the opportunity to strengthen existing green infrastructure and wildlife habitat, and reinforce the protection of gardens and green spaces, above and beyond that afforded by Camden Local Plan policies.

3.2.2 Rear Gardens and Ecology

Open / unbuilt areas within development sites must be designed to enhance their ecological, wildlife and residential amenity values. This includes:

- i. Retaining, providing and reinstating trees, hedgerows and other planting using native species, especially those of high value to biodiversity, as set out in the *Guidance Notes to Developers*;
- ii. maximising the area of soft landscaping and using planting with high value to pollinators and insects, as set out in the *Guidance Notes to Developers*;
- iii. minimising hard surface areas to those necessary for the functioning of the site, such as footpaths to doors, and ensuring they are permeable to allow drainage of surface water.

³⁸ *Spaces Wild*, London Wildlife Trust, October 2015
<http://www.wildlondon.org.uk/sites/default/files/spaces-wild-london-wildlife-trust-oct2015.pdf>

³⁹ Ecology Network Bat Activity Survey, September 2016

⁴⁰ Ecology Consultancy *Kidderpore Avenue Bat Surveys*, December 2012

⁴¹ Ecology Consultancy *Kidderpore Avenue King’s College Halls, Bat Presence or Likely Absence Surveys*, September 2014

⁴² Furesfen *25B Froggnal Bat Survey*, July 2012

⁴³ Arboricultural report for 5 Templewood Avenue, 24.1.17

⁴⁴ Enforcement notice EN16/0144 and emails from James Remington, Tree and Landscape Officer, dated 6.9.16 and 7.9.16

iv taking opportunities to use hedges as boundary treatments, instead of or in addition to walls and fences.

v where tree removal is unavoidable, such as removal of dead, dying, unsafe trees or invasive species, they must be replaced within the site by a similar or other native species.

3.2.3 APPLICATION

Development applications are to map and quantify the existing and proposed areas of soft natural surface. Decking, patios, lightwells and artificial grass are deemed to be hard surface .

The location of all extensions or new development should be carefully situated to sustain and enhance existing connectivity for wildlife. Opportunities should be taken to restore and intensify any areas of the ecological network that have become degraded or where connectivity has been compromised.

Hedgerow species should include native evergreen and thorny plants for winter shelter and protection from predators.

It is also recommended that fences and garden walls should incorporate small gaps to ensure connectivity between gardens for small mammals such as hedgehogs.

Recommendations to create areas with high biodiversity value are:

- I. structure planting with high biodiversity value to provide nest sites, winter shelter and food for birds
- II. wild flower or ornamental meadows with an abundance of flowers to encourage pollinators
- III. natural ponds
- IV. undisturbed wild patches.

Where practicable, ponds should be re-instated and underground rivers "daylighted" (i.e. uncovered and exposed). Reference may be made to the Arup Red Frog Sub Surface Water Features Mapping Report (latest edition).

Guidance for the planting of native hedges, trees and plants with a high biodiversity value is set out in the separate document, entitled *Guidance Notes for Developers*, which cover

- I. How to Plant a Mixed Hedgerow
- II. Relative Importance of Trees Found in the London Survey for Supporting Insects
- III. **The Ecology Consultancy: Recommended Planting List**
- IV. Living Roof Design Guidance
- V. Living Walls Design Guidance

From the numerous bat surveys commissioned, it can be concluded that all gardens within the Plan Area lie on bat foraging and commuting routes, and many hedges and trees support nesting birds. A bat and bird survey screening assessment should therefore be undertaken in line with *Camden Planning Guidance – Biodiversity* to be conducted by a company which is a member of the Chartered Institute of Ecology and Environmental Management for all planning applications involving the loss of gardens, which provide wildlife foraging and / or commuting habitat.

3.3 BGI 2 FRONT AND SIDE GARDENS; FRONT BOUNDARY TREATMENTS FOR NEW DEVELOPMENTS

3.3.1 INTENT

Where formal hedges are used for boundaries in gardens, they create a physical and visual barrier between the buildings and the street. This is recognised in Camden's Redington Froggnal Conservation Area appraisal, AECOM's Redington Froggnal Heritage and Character Assessment and in the Redington Froggnal BD policies.

The traditional front boundary treatment in the Forum area typically comprises retaining walls in combination with hedges (Camden Local Plan policy T2 para. 10.21 and Redington Froggnal Conservation Area Statement and Guidelines, 2003 RF 8)). In many streets, gardens have been converted to hard-surfaced car parks and boundary treatments removed, causing the street scenes to become degraded.

Soil types are predominantly clay, and the removal of front gardens exacerbates water run-off and flood risk. Camden's Local Plan Policy T2 10.20 notes that,

"Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water. Developments seeking to replace garden areas and/or boundary treatments for the purposes of providing on-site parking will therefore be resisted."

Front gardens additionally provide important public amenity value, their trees and hedges contributing positively to the streetscape and to biodiversity.

Side gardens

The Area is characterised by significant and well-preserved gaps between buildings, providing views through to rear gardens. These gaps contribute greatly to the verdant streetscapes (as noted in Camden's Local Plan Policy A2 6.38). Sometimes, these views are the only views onto green space that is available.⁴⁵ However, despite the apparent support for maintaining such gaps, gaps have continued to be closed, and it is therefore the intention of this policy to strengthen the protection afforded to their preservation.

BGI 2 seeks to re-green streets, to preserve traditional front boundary treatments and to enhance the street scenes.

Photo BGI 2: Front Garden Hedge and Retaining Wall, Bracknell Gardens, Sub Area 6



⁴⁵ AECOM Redington Froggnal Heritage and Character Assessment, page 28

Photo BGI 3: Front Garden Hedge and Retaining Wall, Platts Lane, Sub Area Two



3.3.2 BGI 2 Front and Side Gardens / Front Boundary Treatments

- i. Existing front boundary treatments, including hedges and walls, should be retained.
- ii. If Camden determines that bats and / or birds could be present, an initial appraisal must be undertaken by a qualified ecologist.
- iii. The Plan encourages front gardens which provide for retention or reinstatement of :
 - a) natural soft surface
 - b) front and side hedges
 - c) original boundary treatments
- iv. Breaks in the existing front boundary treatment should be reduced, wherever possible
- v. Where front gardens have been lost to car parking, applications involving developments causing any loss of garden (front side and / or rear) space will be strongly encouraged to allocate at least 50% of the plot frontage to soft-surfaced front garden, with a traditional boundary treatment and hedge.
- vi. Where hard surfaces are desired, the materials should be permeable and allow water to percolate into the soil to filter out pollutants and recharge the water table

3.3.3 APPLICATION

All hedges and vegetated boundaries are to be mapped as part of planning applications for development affecting front and / or side gardens.

Applications should demonstrate their compliance with this policy through design plans for planting, hedging and soft surfaces for front gardens and materials for boundary treatments.

Where side extensions would not result in the loss of an existing gap between buildings, they should be single storey and set back from the front building line.

Planting and native hedges should be used to screen parking, refuse, recycling bins and other facilities, in order not to negatively affect the streetscape and to provide visual privacy for neighbours.

3.4 BGI 3 TREE PLANTING AND PRESERVATION

3.4.1 INTENT

The Redington Frogna! Area was developed as a verdant Victorian and Edwardian suburb, whose character is strongly determined by the presence of many trees lining pavements and adorning the front and back gardens of private properties.

The prominence given to tree planting is apparent from the 1866 Ordnance Survey Map. Forum members, together with Heath and Hampstead Society, have surveyed the remaining veteran trees and trees with developing veteran features and have identified more than 40 remaining within the Plan area. The coordinates of those identified are provided in Evidence Base document *BGI Importance of Private Gardens*, although it is likely that many others exist. Veteran trees provide a unique, high-value contribution to the area's biodiversity, as well as to its character and heritage. It is particularly important to protect these veteran trees and trees with developing veteran features from avoidable felling: it would take many decades before trees planted to replace them could provide a similar contribution.

Data provided by ProximiTREE indicated that there were 6,866 trees in the neighbourhood plan area in 2010, with a canopy cover of 30%, considerably higher than elsewhere in London and demonstrating the contribution of trees to the character and sense of place.

As noted in the AECOM report, *Contribution of Trees to Townscape Character*, trees in front gardens contribute greatly to the setting of streets and buildings, while trees in rear gardens are often visible from the street through gaps between buildings.

The aesthetic value of trees substantially enhances the townscape, while shade and shelter provided by their canopies helps to cool urban areas in summer and prevent heat loss, by buffering the impact of cooling winds, in winter. They are important, also, for reducing the risk of flooding by reducing surface water run-off and Improving water quality by filtering out pollutants⁴⁶.

Trees contribute to ecosystems by providing food and habitat for birds, pollinators, and other animals, and improve air quality by absorbing a range of toxic gases and particulates. Larger, native trees, in particular, provide valuable foraging and potential roosting or nesting sites for a range of bird, bat, insect and lichen species. Building on the "right tree in the right place" approach, the right trees within the context of this ecological network are those with a high biodiversity value and a generous leaf canopy. This approach is also adopted in Policy G7 of the draft London Plan.

With trees making such a large contribution to the Area's character and providing multiple benefits to ecological and human health, it is of great importance that the Area's tree canopy is maintained.

As a result of development, and the conversion of front gardens to car parks, the tree canopy has been considerably eroded, with widespread loss of trees, notably:

- to the east of Finchley Road, at the former King's College Hampstead Campus in Kidderpore Avenue
- to the south east of the Forum area, from University College School to Netherhall Gardens
- the eastern end of Redington Road and in the south west from Arkwright Road up to and including at the Hampstead Gate office development
- over the underground River Westbourne at University College School, Frogna!.

The felling of trees with a high water consumption, such as poplar and weeping willow, which were historically planted in close proximity to underground rivers, has caused basements to flood and has created many soggy gardens⁴⁷, even requiring the installation of pumps (e.g. University College School and 262 Finchley Road). The location of soggy gardens and underground rivers has been researched and mapped by Arup in association with the Neighbourhood Forum (Arup Red Frog Sub-Surface Water Features Mapping Report, April 2016).

⁴⁶ Woodland Trust: <https://www.woodlandtrust.org.uk/mediafile/100115676/help-reduce-flooding.pdf>

⁴⁷ These are gardens where wet ground conditions are observed, at least on a seasonal basis.

Evidence Base document, BGI Importance of Trees to private Gardens provides an indication of their high and unsustainable level of tree fellings to facilitate development.

Through careful planting of tree and shrub species, it is envisaged that the Area will regain some of the wildlife species, which have been lost and or become depleted, and that Redington Froggal gardens will once more become home to sparrows, starlings, thrushes, bats and butterflies.

Policy BGI 3 seeks to close gaps in the tree canopy and to provide a healthy mix of tree species to support health and well-being, to benefit biodiversity and to maintain and improve the Area's heritage character.

3.4.2 BGI 3 TREE PLANTING AND PRESERVATION

- i. Trees are to be retained and incorporated as part of any development, where possible. Where felling is required, eg on grounds of safety, or because it is an invasive species, one or more trees are to be planted in replacement.
- ii. Tree planting is expected at all developments sites, wherever possible, with species selected on the basis of the trees' high biodiversity value. Where space permits, they should be trees which will ultimately have large canopies.
- iii. Trees selected for planting should have a high value to insects, as in the list provided in Guidance Notes to Developers, arranged in order of the number of species supported.
- iv. Development will protect trees that are important to biodiversity, rear garden tree corridors, local character and / or the Conservation Area.
 - a). Development proposals, are to seek opportunities to create, strengthen and restore tree lines and biodiversity corridors, reducing the incidents of breaks and the length of gaps.
 - b). Any development application that proposes tree removal(s) must justify the proposed tree removal(s) and provide details of replacement tree planting. Any trees removed to facilitate development are to be replaced with one or more trees with a high value to insects, from the list at Appendix BGI 4, arranged in order of the number of species supported. If none of these are judged appropriate by a Camden tree officer, the tree is to be replaced with the species being removed;
 - c). notifications of intent to fell are requested to be accompanied by plans for replacement planting of trees with a high value to insects, from the list at Appendix BGI 4, arranged in order of the number of species supported. If Camden's tree officers should deem none of these to be appropriate, the felled tree should be replaced with the species removed.
- v. Planning proposals are required to ensure that veteran trees are fully and strictly protected in Natural England's "Standing Advice for Ancient Woodland and Veteran Trees". The required minimum buffer zone for veteran trees is 15 times larger than the stem diameter of a veteran tree when measured 1.5 metres above ground level, or 5m from the edge of its canopy, if that's greater. Deadwood is to be retained where possible. Canopy reduction to will only be acceptable if the root system of a large maturing tree has substantial decay, making it potentially hazardous, or if it proven to be causing subsidence.
- vi. Tree root protection zone radius required for non-veteran trees is 12 times the stem diameter measured at breast height and capped at a radius of 15 metres.

Note: a tree corridor is a line of trees along or close to the boundary of one or more adjoining gardens.

3.4.3 APPLICATION

All trees (and any structures) in garden spaces and / or vegetated boundaries proposed to be removed and / or altered are to be mapped as part of planning applications for development, particularly any notable / large / old trees which could contain bat roosts. Their value is to be assessed, using a recognised tree valuation method such as CAVAT or i-Tree Eco with substitute planting to replace the losses also set out.

Should the need for a bat and / or bird survey be determined by Camden Council, an initial appraisal of the trees / structures must be undertaken by a qualified ecologist. Any intrusive work (for example use of an endoscope) would require that the surveyor has an appropriate bat license.

A list of trees with high biodiversity value, in terms of the number of insect species supported, is provided in Guidance Notes to Developers. A majority of the trees selected should have a long life expectancy, ie. over 100 years, to ensure a diverse tree canopy

For soggy garden sites within 30 metres of an underground stream, as indicated in the Arup *Red Frog Sub-Surface Water Features Mapping Report*, April 2016, it is advisable to plant trees with a high water demand, such as willow, poplar, elm and oak⁴⁸.

To protect their provenance, native trees should be UK sourced and grown, in compliance with the Woodland Trust's UK Sourced and Grown (UKSG) Assurance initiative.

Crown reduction, pollarding and over pruning causes stress to a tree, introducing deep cuts and an increased susceptibility for decay to spread quickly inside cut branches. Crown thinning is the preferred method to minimise storm damage for an otherwise structurally sound tree⁴⁹.

Where trees are scheduled for felling, coronet cutting is recommended in order that a part of the trunk may be safely retained as dead wood habitat, following the removal of the scaffold branches. It is also recommended following branch reduction – usually of second or third-order limbs.

⁴⁸ This practice is noted, for example, in the Arup *Redington Frogna Sub Surface Water Features Mapping Report*

⁴⁹ <https://www.heritagearboriculture.co.uk/tree-pruning/crown-reduction/>

3.5 BGI 4 LIGHTING

3.5.1 INTENT

Insect-eating bats have long been part of the Area's wildlife. Common pipistrelle, soprano pipistrelle and serotine bats commute, forage and roost throughout the Area, wherever there are mature trees and associated shrubbery.

Mature trees and shrubbery provide roosting, shelter and safety and attract a wide variety of insects which bats prey on (such as midges, mosquitoes, moths and gnats).

The presence of bats throughout the Area is confirmed by a number of bat surveys conducted by The Ecology Network⁵⁰, The Ecology Consultancy^{51, 52}, Furesfen⁵³ and John Cromar's arboricultural report⁵⁴. Rear garden tree corridors are vital to their survival.

Artificial night lighting has been shown to have an adverse effect on wildlife, particularly on nocturnal species, such as bats, moths and owls, while the impact on song birds and robins of night-time singing and the continual lack of sleep is likely to be detrimental to the birds' survival⁵⁵.

As well as disrupting the biological rhythms of wildlife, badly-aimed artificial lights are a nuisance to residents in neighbouring properties, by forcing levels of artificial lighting upon the residents that they may not desire and are unable to control.

Policy BGI 4 seeks to limit harm to the environment and nuisance to residents by reducing the level of light pollution, notably in rear gardens.

⁵⁰ Ecology Network Bat Activity Survey, September 2016

⁵¹ Ecology Consultancy *Kidderpore Avenue, Hampstead Bat Surveys*, December 2012

⁵² Ecology Consultancy *Kidderpore Avenue King's College Halls, Bat Presence or Likely Absence Surveys*, September 2014

⁵³ Furesfen *25B Frognal Bat Survey*, July 2012

⁵⁴ Arboricultural report for 5 Templewood Avenue, 24.1.17

⁵⁵ Pollard A. (2009) *Visual constraints on bird behaviour*. University of Cardiff

3.5.2 BGI 4 LIGHTING

External lighting within development sites must have no significant impact on wildlife. This means:

- i avoiding short wavelength (cool white / blue spectrum) lighting⁵⁶;
- ii the avoidance of large expanses of glazing at the rear of properties, such as conservatories at first-floor level and above and glazed summerhouses sited in rear garden tree corridors;
- iii providing focused lighting and avoiding wide or dispersed floodlighting;
- iv. avoiding lighting of trees, hedges and other areas of high potential for biodiversity;

3.5.3 APPLICATION

For security lighting a low-power light emitting 600-900 lumens can offer a suitable solution. Security lights should be adjusted to pick up only movement of people in the area intended, not beyond, and should be fitted with a solar time clock to ensure it is not activated during times of daylight⁵⁷.

Solar-powered lights emit a dim light that is less likely to harm wildlife.

Photo BGI 5: Motion Sensor Lighting, Illuminating Specific Areas Only When Needed



⁵⁶ International working group, "Declaration on the use of blue-rich white light sources for night time lighting". http://www.iac.es/adjuntos/otpc/International_Declaration_on_Blue-Rich_Light.pdf

⁵⁷ Letter from Caroline Nash of The Ecology Consultancy to Seonaid Carr, Principal Planning Officer, London Borough of Camden

3.6 BGI 5 LOCAL GREEN SPACES

3.6.1 INTENT

Research affirms the importance of access to green space and it is one of the indicators used in British Standard *ISO 37120 Sustainable Cities*. As noted in the September 2014 report by Public Health England and UCL Institute of Health Equity, “*Local action on health inequalities: Improving access to green spaces*” proximity to plentiful, good quality green space has an important influence on the health of local populations⁵⁸.

The Plan Area does not meet Natural England Accessible Green Space Standards (ANGSt)⁵⁹, which stipulate that:

- no person is to be located more than 300 metres from the nearest natural green space of at least 2 hectares (ha) in size; and
- the provision of at least 1 ha of Local Nature reserve per 1,000 population.

This contrasts with a provision per 1,000 population for the Frognal and Fitzjohn's ward of just 0.029 ha of publicly available Site of Interest for Nature Conservation per 1,000 population in 2019 (assuming that CaB1109 is restored as a Site of Interest for Nature Conservation), declining to a projected 0.026 ha per 1,000 population in 2050.

With no new open space likely to become available, it is essential to protect those that already exist (London Plan Policy G4). By designating land as a Local Green Space, local communities will be able to protect these spaces from future development, other than in “very special circumstances”.

The following areas have been identified as Local Green Space and fulfil the criteria outlined in NPPF (99) and (100). The table below evaluates the sites to be designated against these criteria.

Support for these designations is indicated in Evidence Base document *BGI: Support for Local Green Space Designations*.

⁵⁸ Mitchell R, Popham F. *Effect of exposure to natural environment on health inequalities: an observational population study*. *Lancet*. 2008;372(9650):1655-60; Toftager M, Ekholm O, Schipperijn J, Stigsdotter U, Bensten P, Gronbaek M, et al. *Distance to green space and physical activity: a Danish national representative survey*. *J Phys Act Health*. 2011;8(6):741-9; Maas J, Verheij RA, de Vries S, Spreeuwenberg P, Schellevis FG, Groenewegen PP. *Morbidity is related to a green living environment*. *Journal of Epidemiology and Community Health*. 2009;63(12):967-73; Maas J, Verheij RA, Groenewegen PP, de Vries S, Spreeuwenberg P. *Green space, urbanity, and health: how strong is the relation?* *Journal of Epidemiology and Community Health*. 2006;60(7):587-92.

⁵⁹ Natural England: *Nature Nearby Accessible Natural Greenspace Guidance*

Compliance with NPPF Paragraph 100 Tests

	Is it in close proximity to the RF NP Area?	Is the space demonstrably special to a local community and hold particular local significance?	Is it local in character and is not an extensive tract of land?
LGS 1 West Heath Lawn Tennis Club	Yes	Provides the opportunity for outdoors exercise, a social meeting place, with club tournaments, suppers, picnics etc.	In use since 1912. The green, wooded site is used by local residents and from further afield. Important for older residents and children.
LGS 2 Tennis courts to rear of Windsor Court, Platts Lane	Yes	Enjoyed by Windsor Court residents.	Part of the Kidderpore Reservoir.
LGS 3 SINC CaL07 Frognal Lane Gardens, bounded by Langland Gardens, Finchley Road and Frognal Lane.	Yes	The garden is a valuable amenity for residents in a green space deprived area. It is also used by many birds and invertebrates.	First notified as a SINC in 1993. Contains a pond and many mature trees, beneath which grow a good selection of wild flowers.
LGS 4 Embankment between Platt's Lane and Telegraph Hill;	Yes	Visual amenity for residents and passers by. The site acts as an important green corridor linking to Hampstead Heath (West Heath). It provides a screen from traffic and its trees filter particulates.	Originally part of West Heath, with several veteran oaks and oaks with developing veteran features.
LGS 5 The entire lawned and planted area of Studholme Court	Yes	Valued by residents for relaxation, socialising, exercising, picnics, children's birthday parties, nature and biodiversity.	The musical comedy actress and picture postcard beauty, Marie Studholme, lived and died at Croft Way.
LGS 6 Rear Garden at Camden Arts Centre, Arkwright Road, NW3 6DG	Yes	Used by visitors as a quiet retreat and a lush green space in which to picnic, read and observe the wildlife. It is additionally used by CAC for events, artists' residencies, performances, art exhibitions and for education, including courses, schools projects (eg for local disadvantaged and disabled young people), families and youth programmes. It is maintained to incorporate a wild area, and has been used for projects that have engaged with this habitat.	This has been a public space since 1897, when the premises opened as the Central Public Library.
LGS 7 Copse to the rear of 17 Frognal, NW3 6AR	Yes	Attractive visual amenity, preserved trees and biodiverse commuting, foraging and nesting habitat.	The last remaining woodland behind Finchley Road and critical to the Area's verdant townscape and character.
LGS 8 SINC CaB1109, Kidderpore Avenue	Yes	Female students used the grounds for relaxation and study, away from the public gaze. It was notified as a SINC in 2003. A pond is being added and SINC status is to be retained for this important bat-foraging and commuting area. The development site was being marketed in 2017 for its biodiversity and contribution to local nature conservation.	From 1882, the grounds formed part of Westfield College, dedicated to women's education. The campus became co-educational in 1964.

Public green space within the study area is very limited. The West Heath Lawn Tennis Club (WHLTC) and Frognal Lane Gardens constitute the most substantial areas of open space.

3.6.2 BGI 5: LOCAL GREEN SPACES

The following spaces are designated as Local Green Spaces:

LGS 1: West Heath Lawn Tennis Club

WHLTC has operated on the Croft Way site since at least 1912. It offers low-cost memberships and provides the opportunity for outdoors exercise for residents in the area and from elsewhere. WHLTC also provides a social meeting place, with club tournaments, suppers, picnics etc.

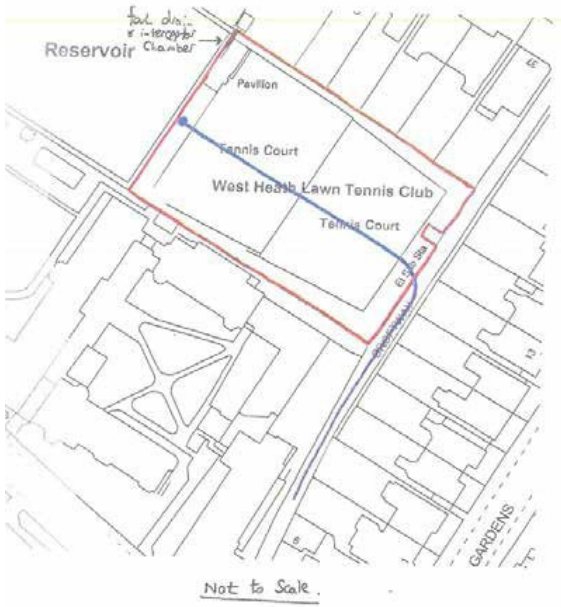
It is acknowledged by the freeholder of the site that its use meets the definition of an Asset of Community Value. However, an attempt by the Forum to designate the site as an Asset of Community Value failed⁶⁰ because the land is "operational land" as defined in section 263 of the Town and Country Planning Act 1990.

The lease term granted on 1 October 2001 to the West Heath Lawn Tennis Club Ltd by Thames Water Utilities Ltd is due to expire on 30 September 2022. The Plan therefore wishes to designate the site as Local Green Space, notwithstanding its existing designation by Camden as private open space.

60

Letter from Ashfords LLP to the London Borough of Camden, dated 24 August 2016

West Heath Lawn Tennis Club (Outlined in Red) to be Designated Local Green Space



LGS 2: Tennis Courts to the Rear of Windsor Court, Platts Lane

The tennis courts behind Windsor Court on the south side of Platts Lane and to the north west of Kidderpore Reservoir, similarly do not enjoy any protection. Currently, they are enjoyed by residents of Windsor Court, on a lease from Thames Water.

The Plan additionally seeks to designate this site as Local Green Space.

Windsor Court Tennis Courts to be Designated Local Green Space



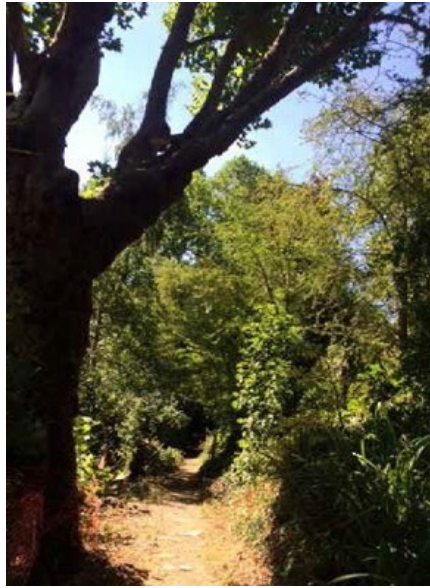
SGS 3. SINC CaL07, Frogna Lane Gardens

This is a small private communal garden bounded by Langland Gardens, Finchley Road and Frogna Lane, owned by Frogna Lane Gardens Ltd. It is estimated that the gardens can be seen from 170 flats/dwellings, while another 25-40 which have view of the trees, but probably not the ground. The garden incorporates an attractive pond (temporarily filled in), and has many mature trees, beneath which grow a good selection of wild flowers. Trees include large London planes, ash, oak, Norway maple, holm oak and silver birch. Ornamental shrub beds around the perimeter are planted with both native and exotic species, which include hazel, yew, cherry plum, lilac, spotted laurel and oleaster.

The western end of the site contains numerous trees and shrubs/scrub and is less intensively managed. It, thus, has a wilder appearance with a greater number of tall herb species including meadow buttercup, wood dock, teasel, herb-Robert, red campion, greater periwinkle and enchanter's nightshade.

The site is used by numerous birds including blue tit, jay, blackbird, magpie, robin, thrush, starling and great-spotted woodpecker. Nest boxes have been put up and the site management is focused on creating a more invertebrate-friendly habitat.

CaLOT SINC Comprised of Area of Communal Garden Bounded by Finghal Lane, Langdon Gardens and Fleckney Road, to be Designated Local Green Space



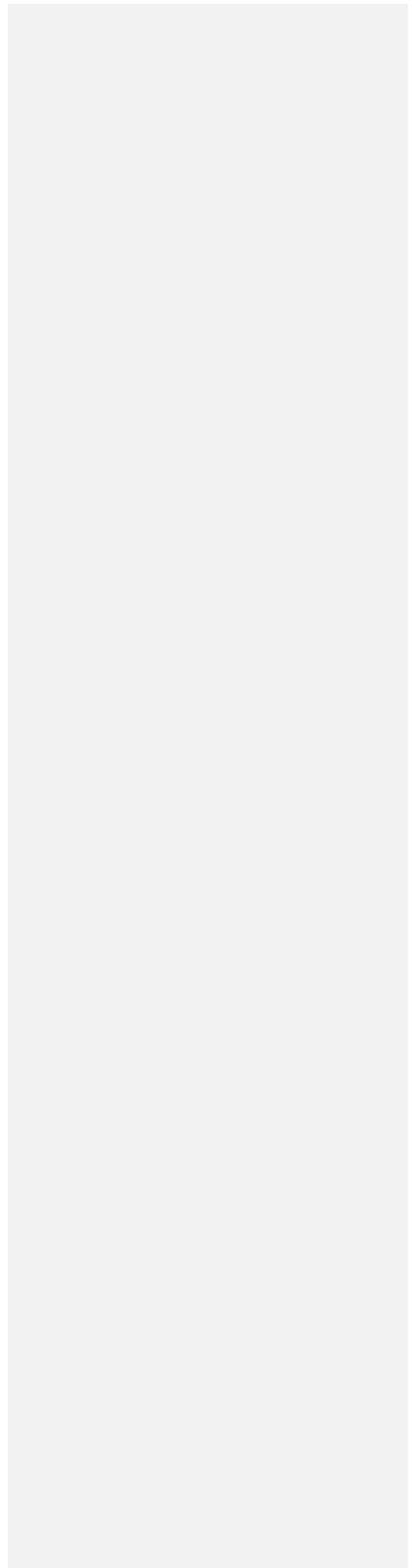
SS 4 Embankment between Platt's Lane and Telegraph Hill

The embankment between Platt's Lane and Telegraph Hill was originally part of West Heath⁶¹ and is also to be protected. Here there are several veteran oaks and oaks with developing veteran features, acting as an important green corridor linking to Hampstead Heath (West Heath). It contributes to the biodiversity of the area, fulfils criteria 99 and 100 of the NPPF outlined above and is to be designated as Local Green Space. Telegraph Hill is additionally of historic importance, having marked the Anglo-Saxon boundary between Hampstead and Hendon. It was also the site of an optical telegraph station constructed by the Admiralty during the Napoleonic wars as a means of communication with the fleet where the beacon was lit to carry the tidings of the Spanish Armada⁶².

⁶¹ <http://www.hampsteadheath.net/west-heath-details.html>

⁶² Hendon and District Archaeological Society newsletter 518, May 2014, volume 9, 2010-2014
<http://www.hadas.org.uk/category/volume-9-2010-2014/>

Embankment Between Platt's Lane and Telegraph Hill to be Designated Local Creek Area



LGS 2 Open space at Studholme Court, Finchley Road, NW3 7AE

Studholme Court was constructed within an orchard on part of the garden of Marie Studholme's former Hampstead home⁶³. The site retains many trees, including fruit trees. The verdant setting, its trees and green space are highly valued by residents in the 53 family flats at Studholme Court, for their health and wellbeing⁶⁴. It is noted that Studholme Court is situated within a green space deficient area, yet consideration has already been given to developing the parcel of garden space fronting onto Finchley Road. To ensure the protection of the green space and verdant setting, the Plan seeks to designate the entire lawned and planted land as Local Green Space.



Open Space at Studholme Court, Finchley Road, NW3 7AE, to be Designated Local Green Space

LGS 3 Rear garden at Camden Arts Centre, Arkwright Road, NW1 8DC

This much-valued green oasis, with many mature trees and natural landscaping, offers visitors a quiet retreat and a lush green space in which to picnic, read and observe the wildlife. It is to be preserved as unbuilt, natural green space through designation as Local Green Space.

63 Marie Studholme [https://www.revolvy.com/main/index.php?s=Marie Studholme](https://www.revolvy.com/main/index.php?s=Marie+Studholme)

64 Email from Mr. Eddie Hanson, Chair of Studholme Court, Tenants and Residents Association, 3 July 2017



LGS 7: Copse to rear of 17 Frognal NW3 BAN

This site⁶⁵ is approximately 3,900 sq. ft. and the last remaining area of undeveloped woodland behind Finchley Road within the Plan area. It serves as an important ecological stepping stone between Frognal Lane Gardens (to the north) and Frognal Court Wood (to the south). The site lies in close proximity to the underground river, flowing from Maresfield Gardens to Finchley Road.

The site has no direct access from the street (albeit there is a pedestrian right of way across neighbouring land to Frognal) and seven main trees are subject to Tree Protection Orders⁶⁶.

The trees and other growth provide a green outlook to residents in the 55 apartments on Frognal that look out onto the woods, to ten hotel rooms at the Quality Inn and to office users in Hampstead Gate and Meridien House. It is also valued for its peaceful backdrop to nearby gardens and for shielding views of buildings on Finchley Road. The trees additionally help to filter noise and air pollution from Finchley Road, thus increasing the sense of tranquility in Frognal gardens.

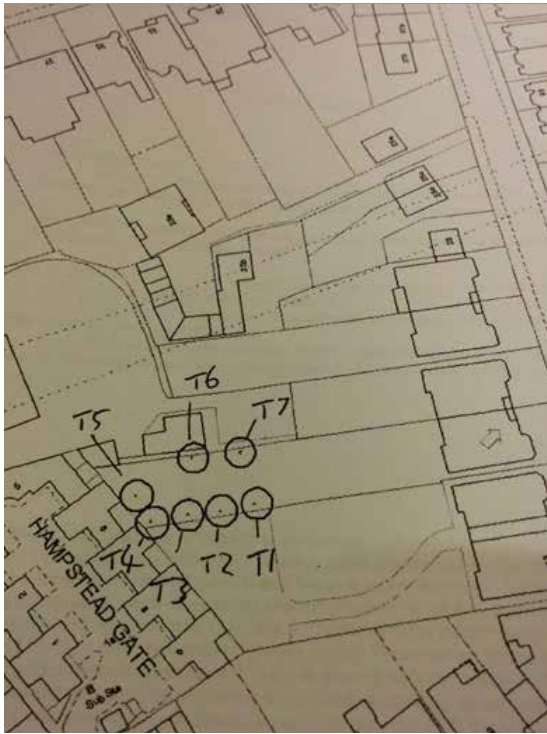
The copse is used by bats for foraging and commuting, as documented by Fursefen⁶⁷ and is home to nesting birds, black squirrels and other wildlife.

Approximate Site Plan



65 Land Registry Title NGL633051
66 TPO dated 10.7.08
67 Furesfen 25B Frognal Bat Survey, July 2012

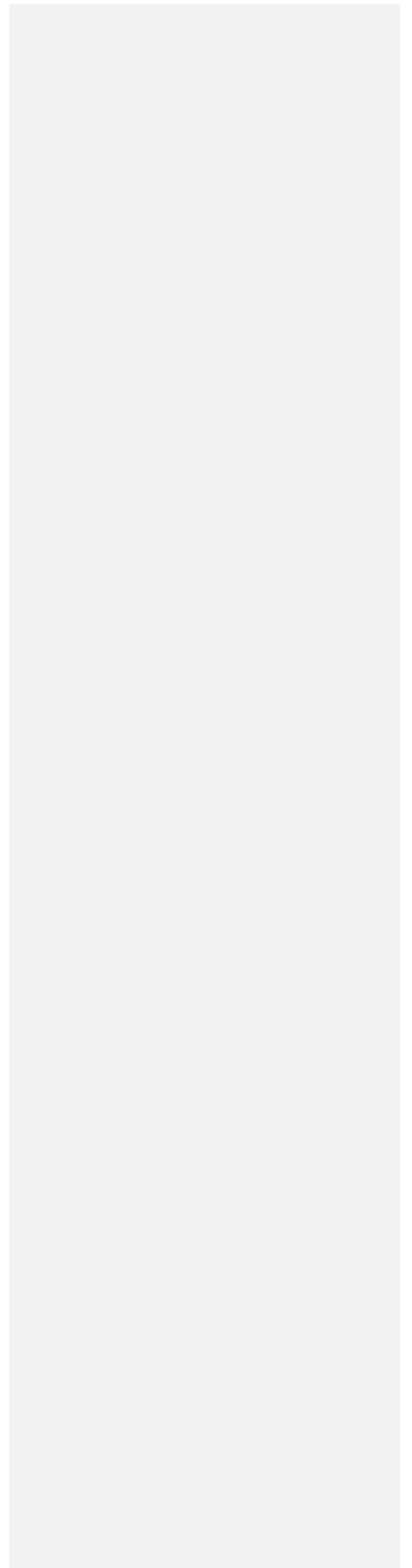
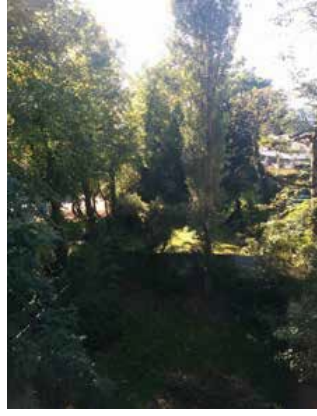
Tree Preservation Orders in Place



H.M. LAND REGISTRY		TITLE NUMBER	
		NGL633051	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY GREATER LONDON	SHEET TQ 2685	SECTION Z
Scale: 1/1250		© Crown Copyright 1985	



View of Copse from Meridien House Car Park



LGS 8: Borough Grade II Site of Interest for Nature Conservation CaB1109 in Kidderpore Gardens

In 2016 the sale of this site was completed, following the grant of planning consent to use the site for housing development. This Borough Grade II Site of Interest for Nature Conservation (SINC) has been highly valued by students at King's College, who enjoyed relaxing there and the green and natural outlook provided.

In its marketing, the new site owner states that, "we are thrilled to be working in Hampstead, to be conserving the rich heritage of the historical Kidderpore Avenue site and to be overseeing a programme of landscaping and biodiversity across the site that will contribute greatly to local nature conservation"⁶⁸. This marketing theme suggests that Mount Anvil expects the gardens to be highly valued by residents.

In the s.106 agreement, it is stipulated that the SINC is to be "properly maintained and opened for controlled public access" (paragraph 24.1 g) and that the Open Space Management Plan will include "measures governing the use of the Open Space by the public and to secure public access to the Open Space from dawn to dusk subject to Clause 21.4.2 or as otherwise agreed by the Council in writing" (paragraph 21.2.1).

It is likely, therefore, that the SINC will be similarly valued by non-residents, including residents at the Barratt site opposite, where green space is more limited. The Plan therefore wishes to designate the gardens as Local Green Space. The natural pond, planned for the north-western corner of the SINC (adjacent to the Vicarage garden), is expressly included within this designation, on account of its high value to biodiversity.

Borough Grade II SINC CaB1109, Kidderpore Avenue (shaded green) to be Designated Local Green Space



Source: Camden planning consent 2015/3936/P, section 106 agreement

3.6.3 APPLICATION

The policy designates small green spaces with community value as Local Green Space. This provides a level of protection similar to Green Belt land.

It is recommended, in respect of LGS 7, that the ivy, which was cleared from trees, along with ground cover and other wildlife habitat, during spring 2018, should be replanted, in order to reinstate the site's high biodiversity value.

68 <http://hampsteadproject.mountanvil.com/>

4. CF Community Facilities

4.1 CULTURAL, LEISURE, TERTIARY EDUCATION AND COMMUNITY FACILITIES

4.1.1 BACKGROUND

The Plan area has a rich history as a cultural and tertiary education hub, as summarised in Evidence Base document CF1 *Role of Tertiary Education and Cultural Facilities in Redington Frognal*.

Cultural, leisure and tertiary education facilities are vulnerable to pressure from uses which attract higher land values and, once they are lost, cannot easily be replaced. The Neighbourhood Plan seeks to help sustain and protect existing cultural, leisure, community and tertiary education facilities, especially those aimed at the elderly and very young. Such facilities are essential both to social cohesion and to the health and well being of residents and people working in the area.

The Area lacks many such essential facilities, including a Post Office and a community space. In this context the Plan will seek to assist and promote the establishment of new facilities within the Plan Area. Support for such provision is set out in Evidence Base document *CF 2 Cultural, Leisure, Tertiary Education and Community Facilities Need*.

Community facilities are defined as those facilities which help meet the varied needs of the residents of the Plan Area for tertiary education, social, cultural and sporting activities, as well as health and public services.

The Neighbourhood Plan wishes to be able to provide accommodation for The University of the Third Age (U3A) and The Youth Music Centre (YMC), a Saturday morning music school, should suitable premises become available. This would also contribute to the health and well being of residents. This use of a community facility is supported by 79% of those responding to the Vision and Objectives Survey and confirmed in writing by U3A and YMC⁶⁹.

Although recognised that a Post Office does not fall into use class D1, it is nevertheless an important community facility, and the establishment of such a facility is therefore promoted by this policy. Research by Royal Society for the encouragement of Arts, Manufactures and Commerce (RSA) notes that “the growth of microbusinesses, self-employment and homeworking presents Post Offices with an opportunity to make themselves indispensable hubs for local business communities”⁷⁰. The Post Office similarly acknowledges its role in providing support for community and outreach branches⁷¹, observing that,

“A growing microbusiness community, an ageing population, isolation among older people as well as young people in rural areas, and the development of community-based approaches to public service reform are among the trends creating the need for ‘Community Enterprise Hubs’ across the country.....”

This Policy applies aims to protect community use of the remaining cultural, leisure and tertiary education facilities and will support the development of new facilities.

4.1.2 COMMUNITY FACILITIES

Applications for change of use, adaptation or extension of community facilities, including facilities to support home working, will be considered for approval, providing:

- i. there is no loss in the community value of the site to the Plan area’s population; or

⁶⁹ David Bramson, U3A email of 13.2.15 and Marina Solarnek, YMC email of 20.8.15

⁷⁰ “Making the Connection”, 1 February 2014, RSA: <https://www.thersa.org/discover/publications-and-articles/reports/making-the-connection>

⁷¹ <https://postofficecommunityfund.co.uk>

ii. an alternative and comparable facility is provided in a suitable, nearby location within walkable distance from the centre of the Plan area.

Applications for new community facilities will be considered for approval, where they are accessible by public transport.

Community and home worker facilities include uses for: culture, leisure, arts, tertiary education, studios, music, sport, meeting rooms, hot desks and other facilities.

Car parking provision is discouraged but, if any, must cater only for people of limited mobility and essential operational requirements.

4.1.3 APPLICATION

The policy protects against the loss of existing community facilities and enables new community facilities in sustainable locations.

The Neighbourhood Plan will support development which provides cultural, leisure and tertiary education facilities to cater for the growing population and, particularly, among older age groups.

A walkable distance is defined as 0.5 miles, based on a ten-minute walk at an average walking speed of three miles per hour.

4.2 CF 4 COMMUNITY INFRASTRUCTURE PRIORITIES

4.2.1 INTENT

The NPPF (175) states that the Community Infrastructure Levy (CIL) should

“Place control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place”.

In areas with approved Neighbourhood Plans, the government has resolved that a minimum of 25% of CIL money is to be spent within the Area. In accordance with this, the Forum strongly encourages Camden Council to use this Plan as the basis for allocating CIL money in this Area.

The availability of CIL revenues present an opportunity for the Neighbourhood Forum to implement community infrastructure facilities in fulfilment of Redington Frognal's Vision and Objectives. The 2015 Vision and Objectives Survey is included within Appendix Vision and Objectives Statement and Survey.

4.2.2 CF 2 COMMUNITY INFRASTRUCTURE PRIORITIES

A survey of residents found the highest level of support for community infrastructure projects that support:

- i. Greening the area, including tree planting and landscaping;
- ii Installing high quality street furniture and signage and reduction of street clutter;
- iii Development of small 'pocket' parks;
- iv Improvement of footpaths;
- v Upgrading ground surfaces with high quality paving and wide footways.

The chart setting out Forum residents' priorities for infrastructure spending is set out in Evidence Base document *CF 3 Community Infrastructure Priorities*.

4.2.3 APPLICATION

The policy sets out preferences for use of Community Infrastructure Levy money and should be taken into account by the local planning authority in deciding how to allocate such funds.

5. DS: ASPIRATIONAL DEVELOPMENT SITES

5.1 INTENT

The Plan does not allocate any sites for development and Camden does not have any sites allocated in its Camden Site Allocations Plan.

However, Locality's Site Assessment for Neighbourhood Plans Guidance states:

"Where you cannot demonstrate that a site is deliverable, for example it may be in a good location but there is no evidence that it could become available, your plan can identify 'aspirations' for sites you would like to see developed, and set out principles for each site linked to plan policies."

"In order to demonstrate that there is a good prospect the site will be delivered, there should be evidence that it is suitable, available and economically viable."

As part of the preparation of this Plan, therefore, potential sites for development were sought. A call for sites was put out amongst the Forum and its networks. Several sites were proposed and are indicated below.

If the sites, described briefly below, were to become available, the Forum would resist development unless it accords with the Redington Froggnal design policy and BGI policies and aspirations for the sites, as set out below.

Proposed densities for the assessments carried out below mostly match or exceed existing densities or are based on the hypothetical density of a medium density London location of 122 units/hectare. It would appear this is an appropriate density for these sites⁷².

Camden's July 2017 Local Plan seeks to provide: 16,800 additional homes; 695,000 sq.m. of office floorspace and c.30,000 sq.m. of retail floorspace within the Borough of Camden, by 2031.

The primary aim for Redington Froggnal development sites is for new housing and supporting infrastructure to contribute to the Local Plan aims, and also to preserve local employment. The Plan supports a mixed community, in terms of building use classes and age demographics and socio-economic groups, while retaining the Arcadian and sylvan characteristics, and a variety of open spaces in terms of size and biodiversity.

5.2 ASPIRATIONAL DEVELOPMENT SITES

5.2.1 INTENT

Development, redevelopment or improvement of the following key sites is encouraged. This must take account of the development principles set out below.

⁷² As at 28.2.18, 20% of the units reserved at the Hampstead Manor development in Kidderpore Avenue were for larger units of three bedroom and 4% for four bedrooms (sales data from Lewis Assim, Mount Anvil). Planning application 2017/5835/P (granted 27.3.18) reduced the number of units from 156 to 150.

5.2.2 ASPIRATIONAL DEVELOPMENT SITES

For each of the sites below, other factors to be considered, in addition to the BD and BGI policies, are set out in the short site briefs in the separate document entitled Aspirational Development Site Briefs .

The list of aspirational development sites, with site references, is comprised of:

- RF 1 Meridian House: a new development set back from the building line to enable the creation of a pocket park and contribute greening to the streetscape. This would change the character of the area but could also enhance it by creating an attractive new green space.
- RF 2 Conrad Court: studio flats, including a contribution to daylighting the small section of the underground stream between the entrance to Branch Hill Woods and Templewood Gardens
- RF 3 1 Platt's Lane: community use and / or upgraded studio flats.
- RF 4 Garages on south side of Frognal Lane: a low-level residential development.
- RF 5 Garages to the rear of 23 to 27A Frognal: a low-level residential development within a biodiverse, green setting.
- RF 6 Hampstead Gate: a car-free development of workshops and co-working facilities, within a setting of, predominantly, natural soft surface and with native trees.
- RF 7 Rear of 166 to 200A Finchley Road: comprehensive rear extensions with active rear frontages, to improve the quality of the environment. An active frontage would include windows, doors and/or balconies.
- RF 8 282-284 Finchley Road: a mid-rise mansion block of up to five storeys in accordance with policies SD and BGI.
- RF 9 Studholme Court Garages: redevelopment as a community facility for use by Studholme Court residents.

Specific requirements to be achieved, in addition to the SD and BGI policies, are set out in further detail in the separate document entitled Aspirational Development Site Briefs.

5.2.3 APPLICATION

The nine aspirational development sites identified by the Plan would help to meet GLA population growth projections for the Frognal and Fitzjohn's ward to 2050 and, where possible, to provide the community facilities needed to support a growing population.

The capacities identified for each site are indicative and subject to further assessment.

Table DS 1 Redington Frogna! Aspirational Development Sites, 2019 - 2050							
Site no.	Site address	Current residential units		NP residential units		Net loss or gain	
		Number	Persons	Number	Persons	Units	Persons
RF 1	Meridian House	8	32	10-15	40-140	10 - +15	+40 - +140
RF 2	27 Redington Gardens	41	41	40	40	-1	-1
RF 3	1 Platt's Lane	22	22	0-21	0-21	<i>change of use</i>	
RF 4	opposite 3 Frogna! Lane	0	0	6	12-24	+6	+12 - +24
RF 5	rear of 23-27A Frogna!	0	0	2-3	4-12	+2 - +3	+4 - +12
RF 6	Hampstead Gate	1	6	0	0	<i>change of use</i>	
RF 7	rear of 166-200A Finchley Rd	30 (e)	30-60	30	30-60	+6 (e)	+12 - +114
RF 8	282-284 Finchley Road	2	2-4	12	36	+10	+28 - +34
RF 9	Studholme Court garages	0		0		<i>change of use</i>	
Total		104	133-165	100-127	162-323	+35 - +39	+95 - +323
(e) estimate							
Source: RedFrog							

6. FR FINCHLEY ROAD: SHOPFRONTS

6.1 INTENT

The carriageway and footway of Finchley Road are both managed by Transport for London (TfL). It is governed by the Highways Act and planning consent for works to the carriageway and footway are not subject to the Town and Country Planning Act.

Finchley Road forms the western boundary of the Redington Frogna Conservation Area and is lined by Edwardian mansion blocks and other architecture of high merit. It is home to thousands of residents: large stretches are exclusively residential and other parts comprise residential accommodation over shops or offices. Details of the road's heritage and character are provided in Evidence Base document *FR Heritage and Character of Finchley Road*.

Its footways have high pedestrian counts, generated by residents accessing schools, community facilities, shops, other businesses and public transport.

Formerly an elegant tree-lined boulevard, trees, hedges and gardens have been lost due to the road widening programme of the mid 1960s, which necessitated the appropriation of front gardens⁷³. Its appearance has been further degraded by the lack of a succession planting programme to replace felled trees, leaving gaps in the tree canopy.

6.2 FINCHLEY ROAD: SHOPFRONTS

- i. Historic shopfronts in Finchley Road must be retained.
- ii. New shopfronts must complement the Victorian character of the street and must include a shop window, doorway, stallriser, fascia, corbels and pilasters.
- iii. Shopfronts must use a palette of materials similar to the original Victorian frontages, including:
 - timber frames, glazing bars and fascias;
 - part-glazed timber doors;
 - timber or render stallrisers;
 - timber, stone or render pilasters;
 - paint finishes.
- iv. Where the shopfront incorporates paneling, it must comprise constructional timber panels and not be created through the application of timber beading to a flat timber surface.
- v. Reinstatement of shop fronts based on evidence of the original design will be welcomed.
- vi. Shopfronts must be retained where shops change to alternative uses, such as offices.

⁷³ At Arkwright Mansions, the original road edge was 30 feet (9.2 metres) from the building main wall. The new garden walls were set back some 15 feet (4.5 metres) from their original alignment, with the necessity to create new retaining walls and to alter the access steps: <http://freepages.family.rootsweb.ancestry.com/~treevecwll/arkwright.htm>

6.3 APPLICATION

The policy sets out the essential components of shop fronts to complement the Victorian character of the street, whilst avoiding being prescriptive on stylistic details.

The Forum encourages Camden to work with TfL, the Mayor of London and Historic England to revitalise the retail section and generate increased pedestrian flows, through the restoration of heritage features to improve the streetscape.

Planning applications relating to commercial and retail premises should seize the opportunity to restore and reinstate heritage features that have been lost, such as unpainted surfaces, pilasters, corbels, glazing bars, stall risers, part-glazed doors and fascias.

Where development opportunities allow, provision should be made for consolidated areas of green space to achieve a wider range of green space benefits and provide flexibility of use. Where possible, planning consents should also provide contributions for other significant greening measures, such as the creation of pocket parks.

Planning consents should aim to ensure planting of trees and hedges within the site boundaries, where this is feasible or possible.

Where a Victorian or Edwardian shopfront survives, in whole or in part, there will be a presumption in favour of its retention. Where a new shopfront forms part of a group where Victorian or Edwardian shop fronts survive, its design should replicate the original. An example of an original Finchley Road shopfront is provided below⁷⁴.

Active frontages are desirable for premises with non-residential use classes.

⁷⁴ Victorian / Edwardian Shopfront at 483-485 Finchley Road



The original fascia at no. 485 has been obscured by the *Chessams* sign, detracting from overall appearance and the window frames and doors painted in an inappropriate colour.

7. UD: UNDERGROUND DEVELOPMENT

7.1 BACKGROUND

7.1.1 UNDERGROUND WATER FEATURES

The Plan Area borders a Regionally Important Geological and Geomorphological Site (GLA 42)⁷⁵, which the London Plan seeks to protect and promote. It is also situated on unstable soils (London clay, Claygate Member and Bagshot Formation)⁷⁶ above a large body of underground water, including the underground River Westbourne (also known as the Cannon) and its tributaries, and the local authority is designated as a "Lead Local Flood Authority".

Arup was engaged to map the lost streams and natural springs of the Redington and Frognal Plan Area. A method was developed for the community to co-create and maintain a live online map, by combining local community-sourced knowledge collected by the Forum with a range of analyses undertaken by Arup. These desk-based analyses included topographic flowpath modelling, review of historical maps and records, and a review of hydrogeology to indicate the location of spring lines. Local knowledge from residents, such as the discovery of culverted watercourses beneath properties, or boggy patches in gardens, was reviewed and mapped, and this often supported other lines of evidence.

The study identified that the neighbourhood was once home to the headwaters of London's most famous lost rivers: the Westbourne, Tyburn and Fleet. The study also demonstrated how the history of the area is intrinsically linked with the wells and springs that were exploited by Victorians for the perceived health benefits of the groundwater. While there are few visible clues to the public at street-level, the analysis indicates that the water is likely to still be flowing beneath the surface, including in pipes or sewers.

The map is presented in Evidence Base document *UD 1 Hydrogeology, Ground and Groundwater Movement* and hosted on the Redington Frognal Neighbourhood Forum website. However, it is important to point out, as noted by First Steps chartered engineering geologists, that the map will be liable to misinterpretation "by those unfamiliar with the subject as indicating that water does not exist other than where shown. Groundwater is everywhere and the Arup map simply records its manifestation at or near ground level."

The policy seeks to ensure that potential problems arising from basement excavation are addressed at application stage. It also aims to prevent water damage to nearby properties arising from the diversion of underground water features and incorporates guidance in Supplementary Planning Document adopted by the Royal Borough of Kensington and Chelsea. The policy applies to all applications involving excavation for underground development. Basement development is defined as the construction or extension of one or more storeys of accommodation below the prevailing ground level of a site or property.

7.1.2 GARDEN VIABILITY

Paragraph 170 of the NPPF requires that development contributes to and enhances the natural and local environment, including, "(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

There is an increasing trend for domestic basement extensions in the Plan Area (as noted in Evidence Base document *UD 2 Soil Depths*). Although basement extensions can provide an opportunity to add habitable space to homes, in the neighbourhood plan Area, they are frequently utilised to provide basement car parking and car lifts⁷⁷. This is, arguably, at variance with Camden's Local Plan Policy T2 for car-free new development. In a test case of the application of Camden's new car-free development policy⁷⁸, Camden officers successfully argued that the requirement for car-free development applies only to cases involving demolition, paving the way for a development of two flats with eight off-street parking spaces (including four spaces within a new basement) and a car lift.

The use of basement space for car parking and / or car lifts additionally causes harm to the amenity of neighbours. The noise and vibration impacts resulting from such a use is contrary to Local Plan Policies

⁷⁵ London Plan Supplementary Planning Guidance *London's Foundations*, map 7.4:

⁷⁶ "London's foundations. Protecting the geodiversity of the capital" The London Plan (Spatial Development Strategy for Greater London) London Plan Implementation Report (March 2009)

⁷⁷ Examples are the Mount Anvil, Barratt and Westfield developments in Kidderpore Avenue, 5 Templewood Avenue (2017/1229/P) and 28 Redington Road (2016/2997/P)

⁷⁸ 5 Templewood Avenue: 2017/1229/P

A1 paragraphs 6.19 and 6.20 and A4 paragraphs 6.89 and 6.91.

Generous land plots with well-vegetated gardens are intrinsic to the setting of the Redington Froggnal Conservation Area. However, basement development continues to further erode front, side and rear gardens, with attendant losses to the soil, or garden substrate, and the vegetation. Soil and garden substrate play a crucial role in supporting and providing a number of ecosystem functions, including the provision of habitat (shelter and forage) for a range of wildlife.

The Underground Development policy seeks to ensure that full consideration is given to the potential biodiversity and green infrastructure impacts of basement developments at application stage. This policy applies to all new basement development.

7.1.3 BASEMENT IMPACT ASSESSMENTS

Camden's Local Plan Policy A5 has a clear requirement to demonstrate that basement development "does not cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the character of areas or the natural environment".

Camden currently requires a staged approach to screening and scoping. However, the process assumes that the excavation and construction work will proceed according to plan. But, works have not always proceeded according to plan, and there have been examples of harm which has been caused to properties in Redington Froggnal, as a result of nearby basement excavation⁷⁹. Moreover, the independent assessor does not always meticulously scrutinise the basement impact assessments^{80, 81}.

The requirements adopted by the Royal Borough of Kensington and Chelsea, as set out in its Basement Supplementary Planning Document, are appropriate, as a minimum, for the substantially more complex hydrogeological structure of the north west slopes of Hampstead. This policy, therefore, requires rigorous site investigations and seeks to ensure that potential problems arising from basement excavation are addressed at or before application stage. It also aims to prevent water damage to nearby properties arising from the diversion of underground water features

7.2 UD UNDERGROUND DEVELOPMENT AND BASEMENTS

Residential basements and other underground development, including car parking and swimming pools, must have no adverse impact on:

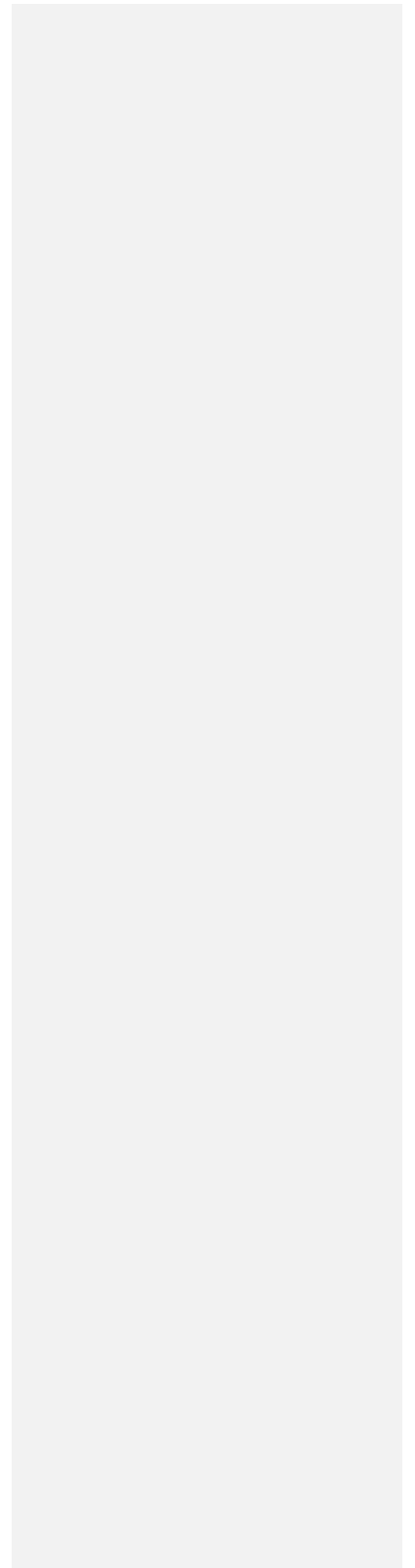
- i. The viability of garden spaces. This requires maintaining 3 metres of depth for roots of large trees and 2 metres of depth for roots of medium trees. Large and medium trees are defined as:
 - a. large trees (ultimate height of 15m+): a minimum of 30 m³
 - b. medium trees (ultimate height of 8 -15m): a minimum of 20 m³.
- ii. The character and verdant amenity of garden spaces, including through the impact of light wells, car lifts and other surface features.
- iii. The viability of trees with ecological or amenity value and potential for future tree planting. This requires maintaining 3-metres of depth for roots of large trees and 2-metres of depth for roots of medium trees.
- iv. Underground streams or spring lines, including through cumulative impact. This includes ensuring that an underground stream or spring line is not diverted or concealed.
- v. Neighbouring properties, through impacts, and cumulative impacts, on ground water and land stability.
- vi. Proposals for basement development will be required to demonstrate how they will not cause cumulative erosion of garden space
- vii. Proposals for basement development will be required to demonstrate that they will not contribute to localised groundwater flooding.

⁷⁹ notably at properties in Redington Road and Templewood Avenue

⁸⁰ Email of 15.1.18 from I. Yass to Cllr Spinella

⁸¹ Emails from Dr. Michael de Freitas re Hall School basement, 28.1.18, and re 28 Redington Road and Grove House, 4.3.19

Where planning applications include insufficient technical information to allow proper assessment of impacts, development proposals will be refused.



7.3 APPLICATION

Demonstrating compliance with the policy may be achieved through the steps set out under Application headings 7.3.1, 7.3.2 and 7.3.3.

7.3.1 SCREENING AND INFORMATION TO ACCOMPANY PLANNING APPLICATIONS

Developers are encouraged to also provide detailed calculations of the design, based on site-specific facts, i.e. not merely the preliminary design calculations, to neighbours within 20 metres or four times the basement depth, according to which ever measure is greater. The calculations must include contours of predicted vertical settlement and the predicted impacts on neighbours.

The cumulative effect of several underground developments in proximity can be more significant than the impact of a single basement. Applicants must provide a map showing all existing and proposed basements within a distance which is determined at the scoping stage of the Basement Impact Assessment. The distance to be considered will depend on the site's geology, topography, the basement proposals, the nature and density of surrounding structures and infrastructure etc. including the basement's extent and ground conditions, in order to assess the cumulative basement impact. The map must also show all known sub surface water features, as identified by Arup in the "Arup Fig 7 – Results Map" (latest version).

Differing soil types, e.g. Claygate Member beds, Bagshot sands, gravel and band D of the London Clay Formation must also be mapped, indicating the site of the proposed basement and existing and other proposed basements around all surrounding properties, and further afield, if the circumstances warrant this.

Burland Scale tests and a ground movement assessment will be required from the applicant, prior to the determination of the planning application. Applicants must understand that the Burland calculations relate to walls with no windows or doors, and judge accordingly when assessing the relevance of their calculations to nearby structures.

Justification for the assessment of the Burland Scale damage level assessment is also to be provided.

Applications are to be accompanied by a report prepared by the engineer detailing how the assessments and design will be executed, cross-referenced to established industry practice, to allow planning approval with conditions. The Planning Officer should then review this at the appropriate time after design has been fully completed, to check if the conditions have been met.

Screening measures to be undertaken, at the earliest possible stage in the planning application process, include review of the map developed for Redington Froggnal Neighbourhood Forum, Arup Fig 7 – Results Map - latest version. The map is hosted on the Redington Froggnal Neighbourhood Forum website at: <http://www.RedingtonFroggnalforum.org/underground-rivers/>

A copy of the map is to be marked with all existing and proposed basements and sub surface water features within the zone of influence, as determined by the scoping exercise, to help assess the cumulative impact.

These maps are to form part of a the BIA, alongside the documents cited in the latest Camden Planning Guidance for Basements and are to be submitted in the BIA report.

iv Contours of predicted vertical settlement and predicted impacts, including cumulative impacts, on neighbours, both upstream and downstream, must accompany all planning applications, at the earliest possible stage. This relates to both ground-water induced and excavation-induced movement.

Evidence must be provided, at the earliest possible stage, that damage to neighbouring properties will be less than or equal to 1 ("very slight") on the Burland Scale.

vi It is encouraged that the number, type and expected position of cracks to neighbouring

properties are indicated, at the earliest possible stage.

An assessment of current ground and geology conditions, topography and groundwater levels will be required. This should include details of the structure and foundations of the existing building and neighbouring properties.

7.3.2 GREEN INFRASTRUCTURE CONSIDERATIONS

An application for basement development must demonstrate that it is able to safeguard the amenity of the existing garden space by ensuring that it:

- a) does not encroach upon the root protection areas of nearby trees
- b) maintains a minimum depth of 2 to 3 metres of permeable soil above the basement, to sustain large trees to become veterans and to allow planting; and
- c) does not conceal or divert an underground stream or spring line; and
- d) does not require the felling of trees with an ecological or amenity value, especially mature trees, forming part of a rear garden tree corridor; and
- e) does not introduce light pollution into a rear garden tree corridor; and
- f) does not harm the appearance or character of the host building or its setting; and
- g) that the space is to not to be used for car parking and / or car lift(s).

Trees should be considered at the earliest design stage to allow them to be successfully integrated into new development. A survey of trees on and adjacent to the site should be the first step in the design process.

For rear boundaries where there are visually important, mature or veteran trees, historic tree lines or trees forming part of a green corridor, a minimum boundary of 12 times the stem diameter is to be provided between the basement perimeter and the trees' root protection zones⁸².

To integrate existing trees into a proposed development successfully, it will be a planning requirement to allow enough space to enable trees to mature and flourish, in accordance with the latest British Standard covering root protection areas. Protection measures during the entire construction phase, including demolition, will also be required.

7.3.3 BASEMENT IMPACT ASSESSMENTS

Due to the potential damage from basement development, all issues related to the BIA, or raised by the Independent Assessor appointed by Camden, must be resolved to the fullest extent possible prior to the determination of the planning application, rather than being deferred as a requirement of the Section 106 agreement. The purpose of this policy is to promote sustainability in development.

The sequencing of the basement excavation and construction, and how the work affects ground movements, are of utmost importance, and this must be set out in the BIA. Planning consent is to be linked to geotechnical instrumentation, if the results of the screening and analysis show this to be advisable.

For the BIA, it will be necessary to dig holes in the soil, inspect the soil below ground and identify the different soil layers. The soil must be inspected and the sides of the holes checked for signs of caving in during different weather conditions, including how the sides of the holes respond to rain.

The BIA is to include estimations of ground and underground water movements, including cumulative impacts, by a qualified structural engineer, to be prepared in accordance with Camden's latest Basements Planning Guidance and based on ground characterisation provided by a qualified geologist. Both the engineer and the geologist should be chartered. Ground movements and ground water flow calculations will be required for different soil types and conditions, taking account of the differing rates at which water travels through differing soil types.

⁸² 61 This is in accordance with BS 5837: 2012 ("Trees in relation to design construction and demolition"
 Section of Full Title Here

The requirements below are additional to those set out in the latest Camden Planning Guidance for Basements and apply to both excavation and basement construction.

The following information must be provided as a minimum and provide evidence that the ground will withstand underground development without causing any adverse impacts.

- i. All engineering calculations and specifications that can be provided before commissioning a building contractor should be made public at the earliest possible stage.
- ii. Engineering design should be advanced to Detailed Proposals Stage (equivalent to RIBA Stage 3), as set out in the Services of ACE (Association of Consultancy and Engineering) Agreement 1: Design, 2009 Edition).
- iii. As a minimum, BIAs must incorporate the following information and data:
 - a) The sequencing of the basement excavation and construction.
 - b) Soil samples, including those near boundaries with neighbours must be taken to a depth below the footing of the proposed base of the basement. The boreholes measurements may need to be conducted in periods of contrasting rainfall and over a period of several months covering wet and dry seasons. In some cases, when boreholes measurements show a groundwater risk, an automatic log water measurements recorder may need to be left activated in the boreholes over a sustained period of contrasting rain cycles to demonstrate local groundwater and water table levels and the local extent of groundwater surges during and immediately following storms.
 - c) In some cases, when boreholes measurements show a groundwater risk, an automatic log water measurements recorder may need to be left activated in the boreholes over a sustained period of contrasting rain cycles to demonstrate local groundwater and water table levels and the local extent of groundwater surges during and immediately following storms.
 - d) Bore holes data, ground movement and ground water flow calculations must be included as part of a factual report. An interpretative report alone will generally not be sufficient.
 - e) Hydrological modelling, to show whether it will be possible through the inclusion of drainage systems to prevent any significant harm from changes to groundwater levels or flow. Hydrological modelling only needs to be done if it cannot be demonstrated through screening and scoping that there is no risk.
- iv. The BIA must include appropriate drawings that describe the detail of the engineering designs and illustrate how the construction addresses the following:
 - a) Groundwater
 - b) Drainage
 - c) SuDS
 - d) Flooding
 - e) Vertical loads
 - f) Lateral loads
 - g) Cumulative impacts on ground stability and underground water movements
 - h) Ground conditions
 - i) Trees and planting
 - j) Infrastructure
 - k) Vaults
 - l) Existing structures
 - m) Adjoining buildings and structures
 - n) Overall stability (permanent and temporary works)
 - o) Underpinning (if proposed)
 - p) Piling (if proposed)

- q) Special considerations e.g. cantilevered stone stairs and landings, balconies or other important functions or features in an existing building which need special consideration.
- v. The BIA must also demonstrate that trees will not be felled or liable to die.
- vi. Where a BCP is requested (as set out in CPG: Basements), the BCP should be written by a structural engineer, and submitted alongside the BIA at the time of applying for planning consent. The BCP should set out ways in which potential problems arising from cumulative impacts on ground stability and underground water movements will be resolved.
- vii. In order to protect against sewer flooding, Thames Water recommends the installation of a positive pumping device. This should be installed in each new basement development, unless a strong case for alternative measures can be made.
- viii. Basement applications should not be determined until all technical outstanding issues are resolved to the largest extent possible, prior to the commissioning of a building contractor.
- ix. Where the independent assessor is to be present at a planning meeting, it should be represented by an engineer of at least Specialist or, preferably, Advisor grade in the UK Register of Ground Engineering Professionals (RoGEP). The register is held by the Institution of Civil Engineers.

7.4 UD 3:BASEMENT CONSTRUCTION MANAGEMENT PLANS

7.4.1 INTENT

Basement Construction Management Plans should include limits on hours of construction as set out in the policy text box below.

The Plan recommends that work on basements should be limited to 8am-6pm on Mondays to Fridays only.

7.4.2 BASEMENT CONSTRUCTION MANAGEMENT PLANS

High impact activities will be restricted to 9 am till noon and 2 pm till 5.30 pm on weekdays. At no time should there be any works on Saturdays, Sundays or public holidays.

High impact activities include:

- a. Demolition, ground breaking and excavation works using percussive equipment.
- b. Percussive piling operations and percussive pile reduction and pile break-out works.
- c. Percussive and grinding power tools on party walls/floors of adjoining occupied properties.
- d. Removal of clay and sub soil during excavation by means of conveyor belts, lorries, etc.

7. KR: KIDDERPORE RESERVOIR

7.1 INTENT

Kidderpore Reservoir was constructed in 1867 to store treated water extracted from the Thames at Hampton. It is an important open space in the north west of the Plan Area.

In the event that the reservoir, and the land on which it is sited, becomes surplus to water supply operations (as with the nearby Gondar Gardens reservoir) the Plan seeks to preserve the site for the community.

Kidderpore Reservoir Site Plan



Victorian Engineering Beneath Covered Water Reservoir



7.2 KIDDERPORE RESERVOIR

Development proposals affecting Kidderpore Reservoir must have no significant adverse impact on its architectural or historic interest or on the contribution it makes to the special architectural or historic interest of the Redington Froggnal Conservation Area.

Creative and sensitive adaptation of the reservoir is encouraged, in particular where it would create public access to the structure.

At ground level, use as a community-designated nature reserve will achieve this Vision and Objectives supported aim and help to meet the Natural England Accessible Green Space Standards (ANGSt).

7.3 APPLICATION

This policy recognises the heritage significance of the reservoir to the special interest of the Redington Froggnal Conservation Area and protects that significance, whilst allowing for appropriate and biodiverse development.

GLOSSARY

APPENDICES

- Vision and Objectives Statement and Survey
- Design Briefs for Aspirational Development Sites
- Evidence Base Documents