

22.6.11. Meeting with [REDACTED], Conservation and Historic Buildings Advisor, LB Camden. Telephone: 020 7974 [REDACTED]

Present from Redington Froggnal Association: [REDACTED], Chairman, [REDACTED]  
[REDACTED]

In autumn 2011 Camden will carry out a monitoring exercise on the impact of Article 4 Directions to see if there has been an increase in number of planning applications and enforcements. Indications are that there has not been a significant increase in either planning applications or enforcement complaints.

Developers often by-pass Permitted Development and fail to observe planning conditions. Lillian and John noted that planning applications are often submitted for incremental alterations with PD added subsequently.

If properties are extended they can lose their rights to PD.

JE could see the impact of the loss of front gardens from RedFrog's presentation and considers the photographs to be very good. It is also very good that Councillors are lending their support and, other than on financial grounds, there does not appear to be a reason for Camden to object to the application for Article 4.

She considers that that this should be supplemented by a **house-by-house survey of front gardens** to note:

- loss of boundary walls (%)
- loss of trees and hedges (%)
- loss of soft landscaping (%)
- a database of wildlife species found in rear gardens
- quantify how much rear garden space has been lost cumulatively.

Red Frog will need to develop an evidence base and tabulate the losses, based on a survey of all Red Frog houses, beginning with the front gardens.

#### Camden's approach to planning applications

When looking at planning applications, officers look at PD and Red Frog Conservation Area Guidelines. If an applications would result in the loss of >50% soft landscaping, this would be a material consideration. The 50% proportion is a central government specification.

But Red Frog has many instances of such losses, eg Froggnal Lane. Lillian will check the addresses and forward the details to JE. [Also 10 Hollycroft]. Enforcement action can be taken within a 4-year period of the breach occurring. Diane Fleming is Head of Enforcement.

The Red Frog Conservation Area Statement recognises the importance of greenery to the area. But the Planning Appeals and Inspectorate decisions attach less weight to loss of rear gardens, as these are not visible and not in the public realm.

A Wildlife survey is needed to help make the case for preserving rear gardens. JE is not familiar with Camden's policies on biodiversity and will look up the value of gardens to biodiversity in the LDF.

Red Frog noted that hard landscaping generally accompanies a rear extension and that green roofs should generally be able to compensate for losses of soft landscaping. The wildlife value of green roofs has not been proven and they should not be used as a fig leaf for large rear extensions.

If Camden has granted consent for extensions then it must have considered these to be in line with Camden's policy. JE also noted that Camden [still] has tree officers on the plants which provide the greatest wildlife value for green roofs.

However, Article 4 has so far been used only to control the appearance of the fronts of properties and will need to check with a planning lawyer (e.g. [REDACTED] or Athlone House solicitor?) if the General Development Order 1995 and General Development Order Amended 2010 can be used to preserve biodiversity. This would be the key justification for seeking Article 4 Directions. What is the legal status for using loss of biodiversity to justify the introduction of Article 4 Directions.

#### Updating of Red Frog Conservation Area Statement and Guidelines

Camden has recently adopted 13 new Conservation Area Statements, which has entailed an appraisal and a management strategy for each area. Camden has no resources to continue this process. But the existing Area Statements are very good, so they could simply be updated with a management strategy added. The issue was discussed at a May 2011 meeting of HCAAC at which [REDACTED] was present. JE is due to meet HCAAC shortly and will raise the issue of updating the Conservation Area Statement and Guidelines for Red Frog.

#### Localism Bill

The potential impact of the forthcoming Localism Bill was considered. JE pointed out that it is not yet clear what powers and resources will be devolved, but the new legislation is likely to lend support to exercises such as the one carried out by Red Frog.



REDINGTON FROGNAL ASSOCIATION

Umbrella body for residents groups in the Redington Frogmal Conservation Area

[Redacted]

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24 June, 2013

Dear [Redacted],

Further to our telephone conversation and my email of today, I am pleased to enclose the house-to-house photographic survey of the Redington Frogmal Conservation Area. The photos were taken in summer 2011 (not 2012 as I stated in my email). The other CD contains the presentation which we prepared some time ago, setting out the need for Article 4 Directions here.

Thank you again for all your help.

Yours sincerely,

[Redacted]

[Redacted]

Minutes Secretary

Redington Frogmal Association

<http://www.redfroghampstead.org/redfrog-biodiversity-survey.html>