



The Heath & Hampstead Society

The Society examines all Planning Applications relating to Hampstead and Hampstead Heath Fringes, and assesses them for their impact on conservation and on the local environment.

To London Borough of Camden, Development Control Team

Planning Ref: 2024/1274/P
Address: Lower Ground Floor Flat, 73 South End Road
Case Officer: Brendan Versluys
Date: 22 Jan 2025

We note that the application was submitted on 29/03/2024 and the Biodiversity Net Gain (BNG) requirements (Environment Act 2023) came into effect for small sites on the 02/04/2024.

However, policy NE4 of the Hampstead Neighbourhood Plan (2017) should still be considered. This requires:

- 1c. Increase where feasible the area of permeable surfaces, particularly those that incorporate biodiversity-enhancing features such as gravel turf (eg. Schotterrasen), having regard for ground conditions, effectiveness and viability.
2. Development proposals should seek to protect or enhance the status or population of priority habitats, species and wildlife movement.

The Committee Report indicates that there is *no undertaking* that the area beneath the building *will* be on piles or point supports allowing the movement of wildlife beneath the building and maintaining its current permeability (as required by the Emerging HNP). If this application is granted, this should be with a condition requiring that the building is supported on point supports and not reinforced concrete slab foundations – which would also make it more sustainable.

Equally, while stating in paragraph 10.15 that the footprint of the outbuilding has been slightly reduced with a setback from the boundary with 12A Keats Grove, this reduction for wildlife, the key entry and exit point for wildlife to Camden's immediately adjacent Private Open Space #217 'Keats & Downshire Gardens', is a mere 3.25 m² – that is a 5 metre length of wildlife corridor 650mm wide, as shown in the Landscaping Plan, compared to the 17 metre length of boundary that the building juxtaposes where a width of 1 metre would be more appropriate = 17 m², as required by the draft Hampstead Neighbourhood Plan. We dispute that this means that the passage of wildlife (11.9) 'is not unduly obstructed by the outbuilding' or that (11.10) 'the proposed scheme is considered to have an acceptable impact on the biodiversity of the site'. We consider it far from acceptable for wildlife that requires a sense of security while negotiating itself past this large building, both into and out of the Private Open Space. This is a key spot.

We also note that the area of impermeable surface has been reduced despite:

- The NPPF of December 2023 (but this wording has been retained in the NPPF from its first edition in 2012 to that of December 2024) stating:

165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime *without increasing flood risk elsewhere*.

170. b) the development will be safe for its lifetime taking account of the vulnerability of its users, *without increasing flood risk elsewhere*, and, where possible, will *reduce flood risk overall*.

- The Camden Local Plan (2017) Policy CC2 'Adapting to climate change' states:
 - b. not increasing, and wherever possible reducing, surface water run-off through increasing permeable surfaces and use of Sustainable Drainage Systems;
- All the numerous governmental standards on SUDs.

Green roofs are known to have poor impact on the greenfield run-off rate and flooding, as well as little impact on biodiversity unless appropriately planted and maintained – which they rarely are – but this is still inadequate for a site such as this, bounded by Camden's Private Open Space 217. While the Tree Officer reports that the 5 new trees will eventually replace the biodiversity value of the lost poorer quality trees, the reliance here on a green roof to mitigate for flooding and other biodiversity loss is inadequate. We do not agree that 'the proposal would not exacerbate flooding.' It is adjacent to the South End Flood Zone to which its surface run-off is sent and believe that neither this applicant nor Camden have taken this into reasonable account.

Finally, the Environmental Protection Policies Statement of September 2023 applies not only to future governmental laws and Local and Neighbourhood policies, but also in the *interpretation* of existing such documents when making decisions, since September 2023. The EPPS specifically mentions the NPPF. We can see little evidence of the EPPS being applied when interpreting the factors in this application for the arguments supporting Camden's Recommendation to grant permission. If Camden are willing to approve this application, we request that they include conditions along the lines we have proposed in order to more realistically support the national and local planning policies.

Dr Vicki Harding, Society Tree Officer and member of the Planning Sub-Committee,
Heath & Hampstead Society