

[REDACTED]

From: Deborah Sheppard <[REDACTED]>
Sent: 06 August 2014 15:41
To: Planning
Subject: App. No: 2014/4332/P

Dear Sir/Madam,

I wish to object to this application.

Alteration of the landscape is contrary to the Hampstead Heath Act 1871, 'to preserve in its natural state and aspect'.

Proposed dams would not prevent flooding below the ponds due to inadequate drains and sewers.

The risk model of 1 in 400,000 years is unrealistic and takes no account of early warning systems and civil contingency measures by Camden and Thames Water.

City of London has ignored the results of its own limited consultation where two thirds of respondents were very dissatisfied with all the dam proposals.

Yours faithfully,

Deborah Sheppard
Sent from my iPhone

[REDACTED]

From: Deborah Sheppard [REDACTED]
Sent: 06 August 2014 16:19
To: Planning
Subject: App. No: 2014/4332/P

I object to the application.

The proposal would cause massive disruption of the Heath for at least 2 years with large areas made inaccessible and much wildlife destroyed, and it would disfigure the Heath permanently.

It is contrary to the Hampstead Heath act of 1871 which preserves the heath in its natural state.

The claimed legal obligation to rebuild the dams is questionable.

The proposal fails to consider alternatives eg. The enhancement of the heath's water retention.

The risk model of 1 in 400,000 year maximum flood is unrealistic.

Hugh Sheppard

Email: [REDACTED]

Sent from my iPhone

Threat to Biodiversity

The City of London Corporation website states “the magic of Hampstead Heath lies in its rich wildlife” and that “the biodiversity in the city is of national as well as regional importance”. Furthermore, it aims “to maintain and extend the Heath’s status as one of London’s best places for wildlife. Hampstead Heath features a number of priority species identified in the UK Biodiversity Action Plan.” The City of London Corporation’s Mission statement in the Hampstead Heath Management Plan Part 1 (2007 2017) ‘Towards a Plan for the Heath’ states that “ As the primary objective, to manage and preserve the Heath as an open space and maintain its unique and natural aspects and ecology.”

Hampstead Heath is a Site of Metropolitan Importance for Nature Conservation. Metropolitan sites are officially recognised as of importance for Nature Conservation and according to Jim Knight, former Minister for Biodiversity, they make a vital contribution to delivering the UK and local Biodiversity Action Plan. This is endorsed by www.london.gov.uk which states “sites of metropolitan importance where nature conservation is a primary objective of land management.”

Threat to Waterside & Water Birds

My principal objections are the threat to waterside and water birds, in particular the Common Kingfisher whose habitat, nesting, and feeding grounds (feeding grounds includes the Women’s Pond) would be disturbed and thus endangered by the proposed works. Seventy one different bird species have been sighted on Hampstead Heath, but the Common Kingfisher with its iridescent colouring, is above all considered a magical, iconic bird in the British Isles. They are recorded as nesting on the Bird Sanctuary Pond, adjacent to the Ladies Pond. Every day they fly rapidly, low over the Women’s Pond, typically from 7 – 10 am to hunt fish from pond side perches, occasionally hovering above the water’s surface.

Territory

Territory is extremely important for kingfishers all year round. Any bird that is unable to secure a territory with an adequate food supply is likely to perish. This is especially important before the onset of winter. They are territorial and regularly patrol their stretch of water using the same perches to observe fish. The proposed plans for works to be undertaken, including the felling of many trees at the Women's Pond would interfere and disturb the kingfishers' feeding ground and perching habitat, firstly by interference from the undoubted level of noise and secondly by the actual loss of tree and perch habitat. In addition, please note that the Common Kingfisher needs to secure a territory with an adequate food supply, denoted as one to three kilometres or 1.9 miles in length. i.e. their feeding territory extends well beyond the Bird Sanctuary and is known to extend, at least, as far as the Women's Pond.

Legal status

As a fairly rare, easily disturbed bird, the kingfisher is afforded the highest degree of legal protection under the Schedule 1 of the Wildlife and Countryside Act 1981 and is classified as Amber Listed in SPEC (Species of European Conservation Concern) In the Breeding Bird Survey UK (1995 – 2011) there was found to be a 39% decline of the Common Kingfisher over 54 plots . It is therefore of paramount importance that this officially protected species is afforded actual maximum protection in not only the Bird Sanctuary Pond, but also the Women's Pond.

Since kingfishers are high up in the food chain, they are extremely vulnerable to build-up of chemicals, and river pollution by industrial and agricultural products and contamination by agricultural or industrial run-off kills the fish which kingfishers rely on. It is almost inconceivable that there would not be some contamination of the Women's Pond grounds that would then run off into stretches of water, both at the Women's Pond and the Bird Sanctuary Pond, both of which are frequented by kingfishers and would affect them adversely. They are vulnerable to habitat degradation through pollution as well as unsympathetic management of

watercourses.

Human Disturbance affects nesting of Kingfishers

Human disturbance of nesting birds is a potential serious problem, since the broods fail if something upsets the feeding routine. If human presence close to a nest prevents these shy birds from entering the nest for too long, the chicks may weaken enough (either from cold or hunger) to stop calling. This makes the parents wrongly assume that they are well fed and will not feed them. As a result, the chicks will perish.

Only a quarter of the young survive to breed the following year, but this is enough to maintain the population. Likewise, only a quarter of adult birds survive from one breeding season to the next. Very few birds live longer than one breeding season.

Human disturbance of nesting birds, includes riverbank works with heavy machinery.

The proposed works at the Women's Pond will necessitate work with heavy machinery and therefore threaten the security of the kingfishers nesting sites: the Women's Pond is located so close to the Kingfishers' nesting habitat.

Measures to improve water flow can disrupt this habitat, and in particular, the replacement of natural banks by artificial confinement greatly reduces the populations of fish, amphibians and aquatic reptiles, and waterside birds are lost.^[10]
(Wikipedia)

Nesting Periods

The Common Kingfisher can have up to three broods each year from 1st March up until the end of August, or even October.

It is also an offence to intentionally or recklessly disturb the birds close to their nest during the breeding season. I believe that the noise and disturbance incurred by any heavy machinery being brought on site would disturb the kingfishers, particularly during nesting times.

I, Lorna Tanya Mikhelson, a swimmer and conservationist for London Wildlife and EcoActive (London) and the Bumblebee Conservation Trust, object to these unacceptable and legally unnecessary sets of works and call upon Camden Planning to reject these plans. Furthermore, I petition Camden Planning to enact their duty to hereby ensure that the wider habitat and nesting grounds and feeding habitat of all wildlife, in particular that of the Common Kingfisher on Hampstead Heath is maintained and protected in its current state. I call upon Camden to enact its commitment in Camden Biodiversity Action Plan to "integrate wildlife into our decision making and site management" and thus endorse the fact that Biodiversity plays an integral role in defining Camden's character.

[REDACTED]

From: Rosalind Beeton <[REDACTED]>
Sent: 06 August 2014 17:02
To: Planning
Subject: Propsed Works on Hampstead Heath

I am writing to strongly object to the Dam Proposals on Hampstead Heath. These plans have been modelled around a hypothetical flooding scenario that is unlikely to occur. The scale of the proposals are disproportionate in relation to the problem. The huge amount of money, £17 million could be better spent on proportionate water management plans and used for environmental conservation and not destruction. Works could take at least 2 years and would be a great disruption to the Heath. There would be permanent disfigurement and large areas of the Heath would be inaccessible during the work.

The impact on the environment and the wildlife will be seriously damaging. It will take many years to recover from this work. 160 trees will be felled. This would be a catastrophe and to fell these trees would be an unforgivable act.

These works would have an impact on all users of the Heath. Being out on the Heath has benefits to all the users for their physical and mental health. I have lived near the Heath for 43 years and have always enjoyed walking amongst the natural beauty and the wildness of the Heath. After a walk there or a swim in the pond I feel so much better in myself. The wildness of the nature there has a hugely restorative affect on my physical and mental well-being. I am also a lover of the Ladies Pond and swim there in the natural water during the year. Hundreds of people enjoy swimming in the natural water of the ponds. If the proposed work goes ahead we won't be able to swim in the ponds for at least 2 years. Hampstead Heath is known by people all over the world and is used daily by families with children, walkers, runners and swimmers. The Heath is a place to be in order to recover from the stress of London life, also the pollution of the city. Hampstead Heath is an important 'lung' for our city.

I ask you to please not destroy this wonderful, beautiful and healing space and listen to the many thousands of us that object to the proposed plans.

Rosalind Beeton

[REDACTED]

From: PERHAM HARDING <[REDACTED]>
Sent: 06 August 2014 17:03
To: Planning
Subject: Heath Ponds Stabilisation Proposal

Dear Camden Planning,

Given the temporary and and longer-lasting negative visual and environmental impact of work to the dam chain (not to mention the cash cost of the work which ultimately comes out of the public's pockets), Camden Council should only be prepared to approve a plan that does the MINIMUM necessary to meet the legal requirement to 'virtually eliminate" the risk to life from a dam failure. This may require a judicial review to clarify the obligation, a revision of the parameters of the scheme and, ultimately, a new scheme, consultation and approval process.

The plan of the Corporation of London goes beyond this minimum, and therefore should be refused on planning grounds.

Kind Regards

Perham Harding
London N6

[REDACTED]

From: [REDACTED]
Sent: 06 August 2014 17:24
To: Planning
Subject: Dams

I BELIEVE DAMS ARE NOT NEEDED

JOHN FOX
NW3 7QB

[REDACTED]

From: Barney Larkin [REDACTED]
Sent: 06 August 2014 17:44
To: Planning
Subject: Objection to the Hampstead Heath Dams project
Importance: High

To whom it may concern,

I wanted to register my strong objection to the ridiculous planning application (Hampstead Heath Dams and Ponds Project Ref 2014/4332/P). The shortlisted options for this project beggar belief, and I'm staggered that the City of London are considering this work with any seriousness at all.

I strongly object to the plans for the following reasons:

- The data is based on modelling and in no way reflects the true risk
- The risk to life is actually multiplied by the fact that earth movers and heavy machinery will be involved in a public space and the surrounding areas
- The disruption and loss of utility to heath users BY FAR outweighs the notional risk
- The cost benefits of the project are completely unclear and can't be substantiated at this time

Your Sincerely,

Barney Larkin
[REDACTED]

[REDACTED]

From: Gilly Duff <[REDACTED]>
Sent: 06 August 2014 18:12
To: Planning
Subject: Hampstead Heath Dams Proposal

Dear Camden Planning,

Planning Application - 2014/4332/P

I am writing to object, in the strongest possible terms, to the Dam proposals on Hampstead Heath. I think their impact on the Heath will be damaging and destructive - in the short and in the long term. Importantly, I consider the proposals do not take into consideration the reality that the assumed floods are *highly* unlikely to happen. I believe the proposed scheme is a *seriously bad idea* for all of the reasons below:

1. The plans have been modelled on hypothetical flooding - highly unlikely to occur - *even with changing weather patterns*. The scale of the proposals are therefore:

- both disproportionate and environmentally damaging in relation to the problem
- *extremely poor use of public funds* for which Camden is accountable - a massive £17 million which could be far better spent, and used for environmental conservation not destruction
- lacking any serious consideration of alternatives that are less costly, in true proportion to needs, and less environmentally damaging

2. The impact on the whole Heath environment and its wild-life will be seriously damaging: It will take many many years to 'recover' from the works - and I do not believe it will fully, because so much of the Heath's valuable *natural* resources will be lost, such as around 150 mature trees - an irreversible and totally indefensible loss - and replaced with artificial constructions.

3. The impact of the works, on all users of the Heath and on those living / working nearby, will be seriously compromising and detrimental. There will be massively reduced access for all Heath users for two years, with noise pollution, diesel pollution, disruption and noisy, unsightly destruction. The Heath is an extremely important 'fresh air space' - not only for north Londoners to use and enjoy, but for many, many more people who find its natural setting invaluable - this means that health and well-being will be adversely effected during works. And this is not to mention the impact on local traffic of a huge number of trucks and plant exiting and arriving at the Heath daily.

4. The wider impact on health and well being includes the many pond swimmers who will not be able to access the ponds - notably the Ladies pond for at least nine months - and when they can, it will be very limited, increasing health and safety risks.

5. And the effect on *morale* must not be left unconsidered - the Heath is a *lifeline* for many, many people who depend on its uplifting environment to keep them feeling well on all levels, in a city and in a world where too much is being ravaged and destroyed.

In the light of the *unlikelihood* of a major flooding ever happening, I do wonder for whom and for what the massive and detrimental scale of these works is proposed.

For all the reasons above, I object to the proposal in the strongest possible terms.

I ask you not to destroy this wonderful natural space, and to reconsider the proposal on all levels.

Yours sincerely

G Duff



[REDACTED]

From: Judith Nesbit [REDACTED]
Sent: 06 August 2014 18:23
To: Planning
Subject: Hampstead Heath!

For heavens sake! There have been no problems all these years! Please leave the Ponds and the drainage alone, and register my oplanning objection.

Best,

Judith Nesbit

6 August 2014

By email

Mr Jonathan Markwell
London Borough of Camden
Regeneration & Planning (Development Management)
6th Floor, Camden Town Hall Extension
Argyle Street
London WC1H 8EQ

Dear Mr Markwell

Planning Reference 2014/4332/P: Hampstead and Highgate chains of ponds, Hampstead Heath, London N6 and NW3

I wish to object most strongly to these damaging and unnecessary proposals.

It is not a matter of dispute that the City of London, as the responsible land owner, needs to carry out some overdue work in strengthening the dams that support those ponds that fall within the scope of the Reservoirs Act 1975. But the scale and extent of the proposed works is grossly disproportionate in relation to the risks and are based on incorrect interpretation of the legal requirements.

My objections to the proposals fall under five headings:

1. Incorrect interpretation of the law

The City have refused to consider arguments that the 1975 legislation does not impose on them a duty to carry out works on anything like the scale proposed. As a result they now face a legal challenge from the Heath & Hampstead Society, with the support of other interested parties.

2. The proposals are based on unrealistic modelling

The arguments here are highly technical and I would urge the Council to pay particular attention to the submission of 23 July 2014 by Mr Jeremy Wright MICE, in which he concludes – on the basis of detailed study of all technical aspects of the dams project for over three years – that the proposals, being derived from a flawed interpretation of risk, safety and the law, have led to grossly excessive designs that do not in themselves provide the required level of safety for residents downstream of the ponds.

Specifically, a model based on a giant storm with a probability of 1 in 400,000 years simply strains credulity on any reasonable view. Moreover it assumes (quite unrealistically) the absence of any practical and commonsense measures to mitigate the impact of downstream flooding such as water level gauges, early warning systems, increased sewer capacity and the availability of appropriate emergency services.

3. Environmental damage and despoliation of the landscape of Hampstead Heath

In seeking approval for these proposals the City is acting in direct contravention of its duties under the Hampstead Heath Act 1871, which *inter alia* require the body in whom at the relevant time the Heath is invested to (in perpetuity) 'keep the Heath open, unenclosed and unbuilt on, and shall ... prevent, resist and abate all encroachments ... on the Heath, and protect the Heath and preserve it as an open space ...' (Section 12); it must also 'at all times preserve, as far as may be, the natural aspect and state of the Heath and to that end shall protect the turf, gorse, heather, timber and other trees ... thereon' (Section 16).

There is no question that the ponds are part of the 'natural aspect and state of the Heath'. The proposals would involve material encroachments in the form of huge new and unnatural earthworks and excavations at the so-called catchpit (upstream of the mixed bathing pond in the Hampstead chain) and at the Model Boating Pond in the Highgate chain; in addition there would be visually intrusive concrete walls at the Men's Bathing Pond and at the bottom pond in the Highgate chain.

4. Loss of Trees

The proposals would require over 160 mature trees to be felled, with particularly disfiguring effects at the Stock Pond (Highgate chain), where it is claimed to be necessary for creation of a giant spillway – the need for which has been questioned on engineering grounds. This would be an egregious failure on the part of the City to comply with its duty under Section 16 of the 1975 Act.

5. Prolonged closure and disruption of parts of the Heath

For over two years the public would be denied access to popular parts of the Heath, contrary to the City's duty under Section 12 of the 1975 Act to preserve it as a public open space; these would variously include lengthy closures of bathing ponds. In addition, peaceful enjoyment of the Heath both by visitors and people living in adjacent residential areas would be disrupted by the presence of heavy engineering plant and by thousands of heavy goods vehicle movements on to and off the Heath.

The works are likely to damage or endanger fauna and flora of the

Heath, thereby putting the City potentially in breach of its obligations under legislation concerned with the protection of wildlife and conservation of nature.

In conclusion I urge the Council to refuse the present application unconditionally and in any event not to determine it until the current legal challenge to the proposals has run its course.

Yours sincerely

THOMAS RADICE

Member, Heath & Hampstead Society (HHS) and Highgate Society
Member of the HHS Heath Sub-Committee
Organiser, HHS monthly walks on Hampstead Heath
Head of Heritage Division, Department of the Environment, 1986-91