

From: Valerie Dunn [REDACTED]
Sent: 21 July 2014 12:22
To: Planning
Subject: Planning App 2014/4332

Dear Jonathan Markwell

RE PLANNING APPLICATION 2014/4332

I write to oppose this planning application by the City of London. I am not convinced that the works proposed to enlarge the dams on Hampstead Heath are necessary. There has been some extreme weather in recent years but no problems from flooding from the ponds. As long as the existing dams are properly maintained there should be no problem. I have been swimming in the ponds for many years, both summer and winter on most days. The exercise and the feeling of peacefulness this resource offers is vital to my well-being, both physically and mentally. If the work goes ahead there will be heavy construction lorries criss-crossing the heath, long-established trees will be felled and the nature of the heath changed completely. These proposed works would go against any previous careful management of this well-loved natural escape from a frequently stressful life in London. This for at least two years.

Please give careful consideration to this matter.

Yours sincerely

Valerie Dunn
202 Weedington Road
London NW5 4QQ

[REDACTED]

Dear Sir or Madam

Application No 2014/4332/P - Proposed engineering works to the Hampstead and Highgate chains of ponds

I am writing to object to the Corporation of London's proposals. There are good reasons why the scheme should not be allowed.

The significance and value of the ponds

The major argument against any change to this landscape has already been made by The City of London Corporation in a published "Statement of Significance" (2009). As custodian, The City listed the Heath's key features - and explained why they must be conserved.

The Statement of Significance (<http://bit.ly/1mqLTLR>) says:

"the Heath has retained its 'natural' character and rare sense of 'ruralness', a unique find just four miles from the centre of London; a piece of encapsulated countryside in the city. The Heath's distinctive landscape has become nationally renowned, immortalised in the paintings of Constable and instantly recognised as one of the principal open spaces in London"

Regarding The Statement's purpose:

"This Statement sets out what makes the Heath significant and lays down the baseline upon which conservation and management objectives can be developed to ensure that its historic landscape character and component buildings and features are conserved and enhanced for future generations... the local and regional importance of the Heath as a public open space is recognised through its designation as Metropolitan Open Land"

The City acknowledges that the ponds are a surviving landscape feature forming a vital part of the Heath's character and heritage:

"The Heath landscape is the outcome of changes in ownership and management, both agriculture and landscape design and survival against the pressures of development and industry particularly through the 19th and 20th centuries. The impacts of these phases of the Heath's history remain evident today illustrated by over 55 principal artefacts, monuments and archaeological sites which together with surviving landscape features, including the remarkable population of veteran trees, ancient hedgerow boundaries and strings of ponds, form a vital part of the Heath's character and heritage"

The City adds that the ponds - as they (still) are - collectively form an **essential part** of the character of the Heath:

*"The strings of ponds are a significant hydrological resource and collectively form an **essential part of the character of the Heath**"*

The City notes that:

"The ponds are also importantly valued for their visual amenity"

The City's proposed plan for the ponds is inconsistent with everything previously said and done about the Heath. The protected landscape would obviously be radically changed in perpetuity by the plan, with vital features spoilt.

The London Plan and other considerations

This planning application concerns Metropolitan Open Land. Permission cannot be granted solely by Camden Council. The City planning application requires the concurrence of the Mayor of London and of the Secretary of State.

Under Policy 3D.10 of the London Plan, the Mayor and the boroughs *"should maintain the protection of Metropolitan Open Land from inappropriate development"*. The proposed development is inappropriate given the existing ponds' importance as vital features of a landscape with unique historic, recreational and nature conservation value.

The Heath also has protection under the Hampstead Heath Act. The City has inherited a duty to maintain "its natural aspect and state being as far as may be preserved". The application contravenes this requirement.

It has not been proved that engineering works are essential. In any case under London Plan 3D.10 *"Essential facilities... will only be acceptable where they do not have an adverse impact on the openness of MOL"*.

The proposals would curtail the openness of the aspects towards and from the ponds. These vital elements of the Heath's character, which the City accepts are importantly valued for their unique visual amenity, would be lost if the plan goes ahead.

Since fear of flooding lies behind this application, it is worth noting that the London Plan highlights vast swathes of London carrying a hugely greater risk of flooding than the Heath or anywhere else in North London. The London Plan map based on Environment Agency data can be viewed at <http://bit.ly/1qokrqg>. Much of the City appears to be at a far greater risk than anywhere in Camden.

The London-wide regional flood risk appraisal (2009) makes no mention of any risk from the ponds <http://bit.ly/1p5C6PY>. Those parts of London at most risk from flooding are protected by the Barrier said to be designed to withstand up to a one in 1,000 year event.

Camden Council's Flood Risk Management strategy <http://bit.ly/1zUkFaJ> says:

"Camden is not at risk from flooding from the sea or rivers. It is primarily at risk from surface water runoff (i.e. rainwater that is on the surface of the ground and has not entered a watercourse, drainage system or public sewer), groundwater or flooding from sewers which have either burst or gone beyond capacity due to heavy rainfall."

"While there is no flood risk from rivers or the sea, Camden does have a number of water bodies which pose a very low risk. Work by the City of London Corporation has identified that there is the potential for significant loss of life in the highly unlikely event (0.01% chance/1 in 10,000 year return period) that one of the major dams on either of the chains were to be breached."

Compared to the flood risks accepted by the rest of Greater London, the City's present proposals represent a disproportionate (10x) response. Camden's Flood Risk Management Strategy has already considered the risk of the Heath ponds overtopping and finds that:

"The more likely event to take place in the north of the borough is surface water flooding. Because of the steep hills, there is a risk that, in an extreme rainfall event, water will rush down the slope causing significant flooding at the bottom".

To cut it short, in these highly unlikely circumstances, significant floods would still result anyway – simply due to the lie of the land.

If the one in ten millennium deluge the City fears does happen, it would not be possible to distinguish (in the subsequent flooding) which waters were arising from surface runoff, which from ground saturation, which from sewer overcapacity, which from plain direct rainfall – and which from pond overtopping/s. In the circumstances it would not be possible to “blame” the City of London Corporation for ensuing catastrophe. The flood would be an “Act of God” for which no-one could be held responsible.

There is a more to be lost than there is to gain. You should therefore say no.

Yours faithfully

AE Rybackl

cc

Lynne Featherstone, MP

Boris Johnson, Mayor, London

David Lewis, Protect our Ponds

From: Paul Mayersberg [REDACTED]
Sent: 22 July 2014 12:10
To: Planning
Subject: Hampstead and Highgate chains of ponds Ref:2014/4332/P

Dear Jonathan Markwell,

Application Reference 2014/4332/P
Associated Ref: 2013/7231/P 2014/0320/P 2014/2149/PRE

As the officer in charge of this application I am writing to say that I object most strongly to this application. I live by Number 1 pond on Hampstead Heath. The engineering necessity for these obtrusive works is disputed by competent experts. The legal requirement for them is being challenged in the High Court.

If the dam works are not required by the Reservoirs Act 1970, they are forbidden by the Hampstead Heath Act 1871. This question will be resolved in the High Court. Until then, Camden should refuse permission to proceed.

Yours sincerely,

Paul Mayersberg
4, Lake House
South Hill Park
NW3 2SH

From: Alice Adams <[REDACTED]>
Sent: 22 July 2014 17:29
To: Planning
Subject: Planning Objection 2014/4332/P - Heath Dams

Dear Mr Markwell,

Re: Planning Objection 2014/4332/P

Please note my strenuous objections to the Heath dams planning application. My objections are as follows:

1. Work of this scale is not legally required by the Reservoirs Act 1975.
2. The case for the work is poor. If the world planned for events with a 1 in 400,000 year probability it's all we'd ever do. Besides, as a professional analyst with fifteen years' experience, I can tell you that once you get down to that level of probability you might as well pull numbers out of thin air - it's simply not possible to model real world events in this way, particularly those involving systems as complex as weather.
3. The proposed harm done to the the heath is unforgivable.

Beautiful natural spaces are in short supply in London and of tremendous importance to the physical and mental health of many thousands of people. Closing parts of the heath for long periods, felling large numbers of trees, spoiling the landscape and allowing large numbers of vehicles onto the heath and surrounding roads will have an appalling impact on both people and wildlife. This real and immediate harm is not taken into account versus the theoretical and eventual harm suggested in the business case, but it very obviously should be.

Yours,

Alice Adams

8 Heath Villas | Vale of Health | London NW3 1AW
[REDACTED]

From: Mayank Patel [REDACTED]
Sent: 22 July 2014 17:37
To: Planning
Cc: Mayank Patel
Subject: Planning Reference 2014/4332/P (Objection)

Importance: High

I would like to formally object to the proposed development of Dams on Hampstead Heath - Planning Reference 2014/4332/P.

Having studied the consultation material and being a local resident walking on the heath on a regular basis, the following are my basis for my objection:

1. Unnecessary Waste of Money (our money) based upon - Unrealistic modelling:
 - a. The models assumed a giant storm with a 1 in 400,000 year probability, clearly any model can show a risk if taken to un-realistic limits.
 - b. With the advances in flood warning systems and weather forecasting, should such a fantastic storm be imminent we would have due warning and measures can be taken to manage the risk.
 - c. During the hundreds of years the ponds have been in existence no event has occurred as that predicted by the modelling.
2. Loss of view and damage to heath landscape
 - a. This development would change and damage the heath view and environment, due to new and unnatural huge earthworks and excavations.
 - b. The planned concrete walls at Men's bathing Pond and Highgate No.1 Pond will cut out the view between the ponds etc.

Finally – after the proposed works have been completed, there is NO way for the developer to prove that the works have worked as he would have to simulate a storm which could occur every 400, 000 years, so in that case the works will remain un-proven the risk identified REMAIN a risk as the developer can't test his works!

Regards

Mr Mayank Patel
Flat 7, Giles Building
Upper Hampstead Walk
Hampstead
London
NW3 1DE

[REDACTED]
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From: nmayo <[REDACTED]>
Sent: 22 July 2014 18:22
To: Planning
Subject: Planning Reference 2014/4332/P

Dear Mr. Markwell,

I should like to object to the massive industrial engineering works, which the City of London Corporation is proposing for Hampstead Heath, under the 1975 Reservoirs Act.

The scale of the works is quite simply unjustifiable in relation to the 1 in 400,000 year risk. The Heath is a Site of Importance for Nature Conservation and is to be preserved for public amenity and for biodiversity. The felling of over 160 trees is quite simply incompatible with the status of the Heath and with the city's roles guardian of the Heath's habitat.

The proposed construction would introduce a huge man-made structure which would have a major negative impact on the natural landscape of the Heath. The HGV traffic and engineering plant would cause significant disruption to biodiversity and result in lasting damage.

I urge you to reject this disproportionate application.

Nancy Mayo
12A Hollycroft Avenue
London
NW3 7QL

From: MoMe <[REDACTED]>
Sent: 22 July 2014 19:29
To: Planning
Subject: No to Planning Reference 2014/4332/P

Dear Sir / Madam,

I strongly oppose the city's plans for the dam works on Hampstead Heath.

It is the most crude waste of our natural heritage and money- it will cause irreversible damage to one place all Londoners love and share- the precious heath.

It will not eliminate the risk of downstream flooding. It is another gimmick for money making for and developers- no concrete, massive dams or embankments on the heath-

Please say loudly-NO!!!!!!!

Thank you.
C. Samsonova

5 Wedderburn Rd.
NW3 5QS

From: Steven Bruck [REDACTED]
Sent: 22 July 2014 20:51
To: Planning
Subject: Planning Reference 2014/4332/P Hampstead Heath Dams

Dear Sirs,

I am writing to object to the proposal for massive works planned for the ponds in Hampstead Heath.

I understand that these will, by their design of dams etc., substantially and very detrimentally affect the historic view and appearance of the ponds and the surroundings, all at an incredible and indefensible expense. The relevant works will, I further understand, take some 2 years, with accompanying major disruption of normal enjoyment of many of the Heath amenities and the destruction of many trees. We, in the immediate surroundings will meanwhile have to bear the considerable inconvenience of heavy engineering works with accompanying HGV/lorry traffic.

All of this might be defensible if there was a clear public safety case. Yet I understand this not to be true. The disaster, namely the storm, against which it is designed to protect us has apparently a probability of a 1 in 400,000 years and the disaster scenario further assumes no warning nor other available protection at the time. There is surely no legal necessity for such works to be undertaken on such a disproportionate scale, nor is there in plain common sense. It's health and safety gone mad.

For all of these reasons I object to these proposals and trust that they will not be approved,

Yours faithfully,

Steven and Mirela Bruck

21A Carlingford Road
Hampstead
London NW3 1RY

[REDACTED]

From: Rob Pomphrett <[REDACTED]>
Sent: 22 July 2014 21:59
To: Planning
Subject: Objection to Hampstead Ponds Work ref 2014/4332/P

Dear Sir/Madam,

I am writing to object to the scale and destruction of the planned works around the ponds on Hampstead Heath. As I understand it, the proposed work goes far beyond the statutory minimum and represents a significant degree of overkill compared with realistic flood projections. The Thames Barrier is designed to cope with all but 1:100 year events - if I understand correctly you are modelling to 1:400,000 which seems unnecessarily remote considering the magnitude of the works required to achieve this. Surely something more realistic even at 1:1000 would be more sensible, cost effective and less unsightly. The proposed works will change the landscape in that area of the Heath to make it almost unrecognisable, with significant loss of trees and natural habitat. Furthermore, that area of the Heath will be disfigured and inaccessible for the duration of the works.

For all the above reasons, I respectfully ask that permission is not granted for these works and that the plans are reconsidered in order to come up with something less impactful to the natural environment whilst offering more realistic flood protection to potentially affected areas of London.

Yours faithfully,

Rob Pomphrett

Our ref :hs1178

17 Croftdown Road
Parliament Hill Fields
London, NW5 1EL

23 July 2014

Jonathan Markwell,
Development Control Team,
London Borough of Camden,
Town Hall,
Judd Street,
London
WC1H 8ND.

SENT BY EMAIL

Dear Mr Markwell

PERSONAL OBJECTION to: Planning Reference 2014/4332/P: Hampstead and Highgate chains of ponds Hampstead Heath London

I object to the above Planning Application. I object as a Chartered Civil Engineer, as a member of the British Dams Society, as one who has studied in detail the technical aspects of the project for over 3 years, as a current member/former member of committees and working groups of the City of London for Hampstead Heath, and as a local resident who has lived next to Hampstead Heath for over 50 years.

I fully accept that some work is required to the dams on Hampstead Heath. However, the proposed work is grossly excessive, and is based on an illogical interpretation of risk, and a wrong understanding of the legal requirements.

In summary, I object to the proposed planning application on the following grounds:-

- It is based on a wrong interpretation of the legal requirements
- It is based on unrealistic modelling
- It will cause disfigurement of the Heath landscape
- It will entail major tree loss
- It will cause closure and disruption of parts of the Heath and adjacent residential area for over 2 years

However, I will focus on the first two points in my detailed objection below:-

1. The City of London have been told by their Supervising Dam Engineer, Dr Andy Hughes of Atkins, that they must comply with the Reservoirs Act 1975, which broadly states that there must be no accidental 'escape of water' from the reservoirs on Hampstead Heath onto the downstream communities. An 'accidental escape' is generally caused by a dam breach or collapse. The Institution of Civil Engineers [ICE] recommends that to comply with this requirement, dams above a community [such as Gospel Oak and South End Green] should be designed or modified to "virtually eliminate" the probability of dam collapse, in the event of a most severe or 'biblical' storm. This storm is defined as the PMF [Probable Maximum Flood] and has a probability of occurrence of 1 in 400,000 times, per annum

2. The dams on Hampstead Heath broadly are deficient as measured against this ICE recommendation, in that they do not have spillways for the safe passage of this 'biblical' flood. This Planning Application is thus aimed broadly to raise dams in the centre of each of the two chains of ponds [Hampstead and Highgate] to provide a temporary storage volume for flood water, and to construct spillways for the safe passage of excess flood water over the dams, without causing erosion and collapse, and an 'accidental release' of water downstream into the local community.
3. The Planning Application is solely designed to prevent dam breach, so that the City of London complies with its perceived legal obligations. It is not designed to reduce the amount of flood water that overtops the dams, or to reduce surface water flooding in the downstream communities.
4. This recommendation of the ICE is entirely sensible for most catchment areas in the UK. It is designed to ensure that a community some miles downstream of a reservoir would not suddenly be engulfed unawares and without warning of an escape of water from a breached dam on a hillside above the residents. Historically, there was major loss of life in the 18th and early 19th centuries due to dam collapse on upstream remote hills. This gave the impetus to enact the 1975 Reservoirs Act, and earlier legislation. As a result of this legislation, there have been no deaths due to dam collapse in the UK since 1929.
5. **However, there are very special circumstances regarding the dams on Hampstead Heath, which show that the above interpretation of risk, safety, and the law, is completely illogical, and leads to grossly excessive designs that do not give the required safety**
6. There are two key reports that are available on the City of London's Ponds Project website which demonstrate this, but which strangely do not form part of the Planning Application. I urge Camden to visit: <http://www.cityoflondon.gov.uk/things-to-do/green-spaces/hampstead-heath/ponds-project/Pages/Reports.aspx> and to examine and obtain copies of the following two posted reports:-
 - a) **Comparison between design and 1975 storms Haycock report**
http://www.cityoflondon.gov.uk/things-to-do/green-spaces/hampstead-heath/ponds-project/Documents/OS_HH_DP_1975stormcomparison.pdf
 - b) **Hampstead Heath Ponds Quantitative Risk Assessment – Interim Report 29-08-13**
<http://www.cityoflondon.gov.uk/things-to-do/green-spaces/hampstead-heath/ponds-project/Documents/hampstead-heath-ponds-project-qra.pdf>
7. In broad terms, the 1975 storm, that covered the whole area around the Heath, and the Heath itself at approx. 50% or less than the 'biblical storm' that has been taken as the basis for design for the current dam project, flooded the basements and houses of the downstream areas within a few minutes of the start of the storm. 2,000 calls were made to the emergency services. There was no need for warning, as the storm itself provided the warning. This flooding was entirely due to sewer surcharge [insufficient sewer capacity, with excess flood water being discharged into houses from the sewers, rather than be carried away downstream].
8. The Quantitative Risk Assessment [QRA] on the current, existing dams, shows that if the PMF 'biblical' storm hit the whole of Hampstead Heath uniformly, and covered the whole Heath with 235mm of water in 9½ hours, then the Likely Loss of Life [LLOL] downstream **caused solely by 'safe' surface water run-off overtopping the dams, without any dam breach**, might be approximately 1,100 persons in the Gospel Oak and South End Green areas in total. This would be solely due to surface water run-off, **and not in any way due to any breach/collapse of dams on Hampstead Heath.**
9. I submit that, based on the 1975 scenario, if this 'biblical' storm occurred, then all resident in the downstream area would either have been drowned or evacuated within an hour or two of the 'biblical' 'storm starting.

10. The QRA report then goes on to state that Heath dams might start to collapse/breach, **but not until more than 6 hours of the storm starting.** The QRA estimates that this might cause a further approx. 300 LLOL. I contest these figures, as after 6 hours of a continuous 'biblical' deluge, all downstream residents would have either drowned or been evacuated. I suggest that there would be no residents remaining in the downstream area 6 hours after the start of the storm. Hence the potential for Likely Loss of Life due to a dam breach is therefore **ZERO.**

This dam project, and Planning Application, thus appears completely erroneously conceived. It does nothing to protect downstream residents from flooding, and is solely concerned with protecting the City of London Corporation from accusations that it had not complied with legal requirements.

I therefore urge that this application be refused

Yours sincerely

Jeremy Wright

M.I.C.E., Chartered Engineer; Member of the British Dam Society
Committee member of the Heath & Hampstead Society
Member of the City of London's Consultative Committee for Hampstead Heath
Former member of the City of London's Management Committee, and the Pond Projects Stakeholder Group for Hampstead Heath