

Application ref: 2021/4816/P  
Contact: David Fowler  
Tel: 020 7974 2123  
Email: David.Fowler@camden.gov.uk  
Date: 22 December 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Arkwood Ltd T/A Jon Sheaff and Associates  
Unit 5.5  
Bayford Street Industrial Units  
London  
E8 3SE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Land at Hampstead Heath**  
**Corner of Branch Hill and West Heath Road**  
**London**  
**NW3**

Proposal:

The creation of a pond with surrounding timber fence and planting to public open space.  
Drawing Nos: Branch Hill Pond Hampstead Heath - Design and Access Statement  
(City of London), A1793-JSA-GA01 Sections A-A and B-B, A1793-JSA-GA01 Sections  
C-C and D-D, A1793-JSA-L200, Judges Hollow Habitats 2009 aerial view, Designated  
Species Map, All species point map, Vegetation Survey 2009.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the

following approved plans:

Branch Hill Pond Hampstead Heath - Design and Access Statement (City of London), A1793-JSA-GA01 Sections A-A and B-B, A1793-JSA-GA01 Sections C-C and D-D, A1793-JSA-L200, Judges Hollow Habitats 2009 aerial view, Designated Species Map, All species point map, Vegetation Survey 2009.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

1 Reasons for granting permission.

The Redington Froggnal Neighbourhood Forum has obtained grants for the restoration of a pond that was located here previously before 1890 and which was once painted by Constable. The City of London Corporation, who manage Hampstead Heath, are the applicant. The pond would be located on Hampstead Heath near the corner of Branch Hill and West Heath Road. According to GLAAS (Greater London Archaeology Advisory Service), this area is a 19th century quarry infill. The pond would be ephemeral, its size depending on rainfall. The pond would be around 1m deep and 13m by 17m in surface area.

The pond would not require maintenance; however, the City of London Corporation has a statutory requirement to inspect Hampstead Heath ponds twice a year.

A wooden rustic fence is proposed with dog-proof mesh is proposed around the pond, to stop dogs and encourage wildlife. The fence would be 1m high and 1.5m from the edge of the pond. Its design and location is considered appropriate for this open landscape.

Local Plan policy D2 seeks to protect heritage, including archaeology. GLAAS were consulted and consider that that the proposal is very unlikely to have a significant effect on heritage assets of archaeological interest and that no conditions are necessary.

Local Plan policy A2 seeks to protect areas of open space. The pond is intended to enhance the ecological value of this part of the heath. It is intended that it will be a natural pond, which would be seasonal - drying out in mid-Summer. The pond would be designed to attract wildlife including dragonflies, damselflies, bats, hedgehogs, frogs, newts, diving beetles and birds. The proposals are likely to increase biodiversity and accords with policy A3 and the Council's Nature Conservation Officer is fully supportive.

The proposal is considered to preserve the character and appearance of the Heath and open space as well as the Metropolitan Open Land and Site of Importance for Nature Conservation.

The proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers.

One comment has been received from a local resident raising concerns that there is not much space for biodiversity between the pond and the fence and that the creation of the pond will impact on sledging. A central aim of the proposals is to improve biodiversity on the site and there is sufficient space for vegetation to establish. The concerns raised regarding sledging are not material planning issues; however, there is still sufficient space on this part of the heath for sledging activities to take place.

The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, CC3, D1 and D2 of the Camden Local Plan 2017 and policies NE1, NE2, NE3 and NE4 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.


- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is centered on a light grey rectangular background.

Daniel Pope  
Chief Planning Officer