

3275/08-2205PO01ldl

06 June 2022



London Borough of Camden  
Planning - Development Control  
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Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**HAMPSTEAD HEATH SWIMMING PONDS, HAMPSTEAD HEATH,**  
**CAMDEN N6**

On behalf of The City of London Corporation, Metropolis has been instructed to submit this planning application for:-

*“Improvement and refurbishment works at Hampstead Heath Swimming Ponds (Mixed, Mens and Ladies) including enhanced disabled access provision, extension to changing facilities and storage areas, replacement of windows to lifeguard offices, alterations to hardstanding and access gates and fences.”*

This application includes development proposals at each of the Hampstead Heath Bathing Ponds, in the following locations:

**TQ27855 86576**

*Men's Bathing Pond, Millfield Lane, Gospel Oak, London, London Borough of Camden, Greater London, England, N6 6JH, United Kingdom*

**TQ27221 86237**

*Hampstead Mixed Bathing Pond, South Hill Park Gardens, Belsize Park, London, London Borough of Camden, Greater London, England, NW3 2SN, United Kingdom*

**TQ275869**

*Kenwood Ladies Bathing Pond, Millfield Lane, Gospel Oak, London, London Borough of Camden, Greater London, England, N6 6HQ, United Kingdom*

This application (PP-11248780) comprises the following documents:

1. Completed Application Form and CiL Questions;
2. This Covering Letter; which comprises Planning Statement and Community Consultation Report;
3. Site Location Plans which highlights each pond and the extent of works within the redline site boundary, set within a blue line which denotes the overall ownership of the City of London Corporation:-

3275-D1000 – Ownership Plan;  
3275-D1001 – No.3 Pond Bathing Sheds  
3275-D1002 – No.2 Pond Highgate Mens Pond  
3275-D1003 – No.5 Pond Kenwood Ladies Pond

4. A full set of existing and proposed plans and drawings:
  - 008\_001 – Mens' Pond Existing Site Plan
  - 008\_002 – Mens' Pond Existing Site Roof Plan
  - 008\_003 – Mens' Pond Existing Ground Floor Plan
  - 008\_004 – Mens' Pond Existing Roof Plan
  - 008\_005 – Mens' Pond Existing South Elevation
  - 008\_006 – Mens' Pond Existing West and East Elevations
  - 008\_007 – Mens' Pond Existing North Elevation
  
  - 008\_100 – Mens' Pond Proposed Site Plan
  - 008\_101 – Mens' Pond Proposed Site Roof Plan
  - 008\_102 – Mens' Pond Proposed Ground Floor Plan
  - 008\_103 – Mens' Pond Proposed Roof Plan
  - 008\_200 – Mens' Pond Proposed South Elevation (open)
  - 008\_201 – Mens' Pond Proposed South Elevation (closed)
  - 008\_202 – Mens' Pond Proposed West and East Elevations
  - 008\_203 – Mens' Pond Proposed North Elevation
  
  - 008\_20 – Ladies' Pond – Existing Site Plan
  - 008\_22 – Ladies' Pond – Existing Rear Gates Elevation
  - 008\_23 – Ladies' Pond – Existing Mobile Cabin for Steward
  
  - 008\_120 – Ladies' Pond – Proposed Site Plan
  - 008\_122 – Ladies' Pond – Proposed Security Gate Elevation
  - 008\_221 – Ladies' Pond – Proposed Shed for Steward
  
  - 008\_010 – Mixed Pond – Existing Site Plan
  - 008\_011 – Mixed Pond – Existing Site Roof Plan
  - 008\_012 – Mixed Pond – Existing GF Plan -WC, Lifeguard's Hut and Female Changing
  - 008\_013 – Mixed Pond – Existing Roof Plan -WC, Lifeguard's Hut and Female Changing
  - 008\_014 – Mixed Pond – Existing Elevations of WC Block
  - 008\_015 – Mixed Pond – Existing NE Elevations to Changing
  - 008\_016 – Mixed Pond – Existing NW Elevations to Changing

- 008\_017 – Mixed Pond – Existing Lifeguard’s Elevations
- 008\_018 – Mixed Pond – Existing Timber Platform
- 008\_110 – Mixed Pond – Proposed Site Plan
- 008\_111 – Mixed Pond – Proposed Site Roof Plan
- 008\_112 – Mixed Pond – Proposed GF Plan -WC, Lifeguard’s Hut and Female Changing
- 008\_113 – Mixed Pond – Proposed Roof Plan -WC, Lifeguard’s Hut and Female Changing
- 008\_210 – Mixed Pond – Proposed Elevations of WC Block
- 008\_211 – Mixed Pond – Proposed NE Elevations to Changing
- 008\_212 – Mixed Pond – Proposed NW Elevations to Changing
- 008\_213 – Mixed Pond – Proposed Lifeguard’s Elevations
- 008\_214 – Mixed Pond – Proposed Platform and Hoist
- 008\_215 – Mixed Pond – Proposed Sheds Plans and Elevations

5. Preliminary Ecological Appraisal;
6. Construction Environmental Management Plan. The CEMP includes locations for materials and contractors during the works and access arrangements for construction vehicles during construction and how these will be managed when crossing the Heath. The ecological and Arboricultural implications of construction have also been considered
7. Arboricultural Impact Assessment and Tree Survey;
8. Design and Access Statement prepared by the Architect, Zoe Polya-Vitry Ltd. which incorporates Access;
9. MOLA Historic Environment Assessment;
10. Fee of £462.00

### **Background to the Application**

The Hampstead Bathing Ponds form part of the Hampstead and Highgate chain of ponds, located on Hampstead Heath.

From North to South, these include, the Kenwood Ladies’ Bathing Pond (located to the West of Fitzroy Park/Millfield Lane), Men’s Bathing Pond (approximately 400m to the South of the Ladies’ Pond (with the Model Boating Pond in between); and, the Mixed Bathing Pond, approximately 800m to the South West of the Ladies’ Pond, in closer proximity to South Hill Park.

Given the location of each pond on the Heath itself, there is no general vehicular access to any of the ponds, aside from City Corporation Service vehicles.

The Heath is a designated Site of Importance for Nature Conservation (SINC) and Metropolitan Open Land. The Ponds are not however within the boundary of the Hampstead Conservation Area.

The Hampstead Bathing Ponds Project follows an in depth review of facilities and access provisions at each of the three bathing ponds on Hampstead Heath. The Review, which was completed in 2019, identified improvement works required to facilities in order to ensure that the Ponds would be accessible for all, and to update changing, showering and staff facilities to the benefit of all users.

The requisite works of improvement and refurbishment are set out in this submission. In addition to those works, of extension, or physical engineering, which meet the definition of development set out in S.55 of the Town and Country Planning Act 1990 (as amended), there are also a series of internal refurbishment works to existing buildings which will also be delivered as part of the project.

### **The Proposals**

The following works which require planning permission have been identified at each of the Ponds:

#### **Ladies' Pond**

- replacement of existing rear entrance gate and fence.
- new slab under the Steward's cabin at the entrance.
- 1 new shed for storing equipment.

#### **Mens' Pond**

- Construction of new building with accessible facilities to west of existing concrete jetty.
- Installation of a pool lift for wheelchair users on existing concrete platform at the water's edge.
- Alterations to lifeguard office to increase size of viewing window overlooking bathers

#### **Mixed Pond**

- Construction of new platform and ramp.
- New shed for the Steward and hardstanding for same.

- Extension of existing overhangs to provide additional covered changing area.
- 2 new sheds for storing equipment.
- Alterations to lifeguard office to increase size of viewing window overlooking bathers.

The total new floorspace combined is less than 100sq m and the application is therefore considered to be minor. In addition, engineering works including the extension of decking at the side of the ponds and installation of fixed disabled pool lifts are also included.

The content of this application submission reflects the minor scale of development proposed.

### **Arboricultural Matters**

The submission includes a detailed assessment and report prepared by the City Corporation's Arboriculturist.

The City employs a full time professional team to manage all trees on the Heath. A computer based mapping system is used to record and monitor the condition of all specimen trees and this system is continually updated.

This Arboricultural Impact Assessment has been undertaken in accordance with BS5837:2012.

The trees on the heath are growing as part of larger formal and informal groups and as individual specimen trees. The Heath supports a wide range of tree species with prevalence towards deciduous trees including English oak, Beech, Ash, London Plane, Willows species and Poplar species. The Heath is estimated to support a total tree population in excess of 20,000 trees. The majority of which form part of secondary woodland stands that have successfully self-established. This fact does not lessen the landscape or arboricultural value of the self-sown tree stock; however, it can often result in structural forms that are not conducive to the locality the trees are growing within, e.g., tall drawn slender trees adjacent to footpaths or other formal access routes. Similarly, the successive establishment of hedgerow trees species such as Blackthorn can lead to habitats becoming smothered and to the detriment of important wildlife or indeed more significant tree stock. The City Corporation recognises the importance of their tree stock with comprehensive management programmes in place to manage them.

The tree survey confirms that there will be no Trees felled or root protection areas disturbed to facilitate the development.

Where trees have been identified as being in close proximity to the works proposed, suitable tree protective barriers will be in place for the duration of the works and impacts will be monitored by the existing team on the Heath for the duration of construction.

### **Ecology**

The City Corporation employs a full time ecologist who is responsible for the management, preservation and improvement of the ecological value of the Heath. This objective is at the core of the City Corporations adopted management objectives.

The City of London Ecologist has been engaged since the first stages of design development to ensure that any resultant impact from the development will be minimised, and compensated for, to ensure that the overall ecological value of the Heath is maintained. This is in line with objectives for the SINC designation.

A Preliminary Ecological Assessment (PEA) is submitted with the application. Overall the sites for the works are considered to be of low to moderate ecological value.

The PEA includes assessment and suggested mitigation measures where applicable.

In addition, to ensure a Biodiversity Net Gain, It is proposed to compensate for the loss of a maximum of 23m<sup>2</sup> of existing habitat at the Mixed Bathing Pond as well as a further 50m<sup>2</sup> at the Men's Bathing Pond with the creation of 140m<sup>2</sup> of Mixed scrub. This Mixed scrub will be created largely on areas of existing modified grassland as well as an area of introduced scrub and another of mostly bare ground. The locations for this Biodiversity Net Gain are included in the PEA and are areas on the Heath and in the ownership and control of the City Corporation.

### **Pre-Application Consultations**

Members and stakeholders, including the user groups at the bathing ponds have been consulted on this project from the outset.

They have heard reports at the two statutory Committees – the Hampstead Heath Management Committee and the Hampstead Heath Consultative Committee both of which meet regularly. The Sport and Wellbeing Forum – which is made up of people who represent sporting interest on the Heath have also been updated.

The swimming associations have been kept up to date by officers and were invited to a face-to-face engagement exercise on May 5 where the plans were discussed in detail and comments they made went on to influence the design. An online survey was also sent to a mailing list of swimmers – nearly 20,000 email addresses in total - at the beginning of April 2022.

Nearly 2000 people responded to the survey with a vast majority in support of the plans to make the Ponds more accessible.

### **Construction Management**

Notwithstanding the small scale of the development proposals, the sensitive nature of the sites necessitate thorough consideration of construction impact on the Heath and its users, and the imposition of management measures from the outset to ensure that any impact from construction can be suitably mitigated.

### **Planning Policy Considerations**

For the purposes of considering this planning application, the 'Development Plan' comprises the London Plan 2021 and the Camden Local Plan 2017. Relevant Material considerations are also included in the National Planning Policy Framework and Planning Practice Guidance.

The Camden Local Plan endorses the preservation and enhancement of open space in the Borough.

The site lies within designated Metropolitan Open Land (MOL) and is designated as a Site of Importance for Nature Conservation.

Policy A2 provides protection from development for MOL. Given the significance of the Heath, there is specific reference in Policy A2, with the following objective clearly stated:

*“preserve and enhance Hampstead Heath through working with partners and by taking into account the impact on the Heath when considering relevant planning applications, including any impacts on views to and from the Heath;”*

The application proposals are being advanced by the City Corporation in their role as custodians of the Heath and is considered to be in accordance with their adopted Management Strategy 2018-2028 which includes proposals for facilitating sport and recreation and access for all.

It is however recognised in policy that proposals which support the open space and recreation objectives of MOL should be supported:

“A2

*d. exceptionally, and where it meets a demonstrable need, support small scale development which is associated with the use of the land as open space and contributes to its use and enjoyment by the public*

*g. give strong protection to maintaining the openness and character of Metropolitan Open Land (MOL);”*

In the case of these proposals, the additional floorspace created will be to enhance accessibility to the existing facilities at all of the bathing ponds. The total new build floorspace will be less than 100sqm but will deliver significant improvements to facilities at each of the bathing ponds.

The proposals have been sensitively designed in terms of scale, siting and materials to ensure that they have no significant impact on the openness of the Heath. The accompanying Design and Access Statement includes CGI views which put the proposals in the context of the existing facilities and the wider Heath.

A key consideration in the development of the proposals has been to ensure that the biodiversity of the heath will not be adversely affected. The project team has worked closely with the Heath’s team of Arboriculturists and Ecologists in the development of the proposals (and their construction) to ensure that impact is minimised and the proposals deliver a biodiversity net gain. Reports on both Trees and Ecology are included in the application pack.

This is in accordance with policy A3 of the Camden Plan, which states:

*“A3 Biodiversity*

*The Council will protect and enhance sites of nature conservation and biodiversity. We will:*

*b. grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species;*

*g. require the demolition and construction phase of development, including the movement of works vehicles, to be planned to avoid disturbance to habitats and species and ecologically sensitive areas, and the spread of invasive species;*

*Trees and Vegetation*

*The Council will protect, and seek to secure additional, trees and vegetation. We will: j. resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation; k. require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of*



*development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout;*

There is broad policy support for the proposals contained in the Health and Wellbeing' policies of the Plan. Policies C1, C2 and C6 include support for development which 'positively contributes to creating high quality, active, safe and accessible places'. The purpose of this application is to facilitate accessibility to ensure that the bathing ponds are available and useable for all.

For all of the above reasons, the proposals are considered to comply with Planning Policy.

I trust this is sufficient to validate the application and I look forward to receiving your written acknowledgement shortly.

Yours faithfully



Paul O'Neill  
Director

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