

REDINGTON FROGNAL NEIGHBOURHOOD PLAN

Report to Camden Council of the Independent Examination

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1. Executive Summary

1. I was appointed by Camden Council with the support of Redington Frogna! Neighbourhood Forum to carry out the independent examination of the Redington Frogna! Neighbourhood Plan.

2. I undertook the examination by reviewing the Plan documents and written representations, and by making an unaccompanied visit to the Neighbourhood Area.

3. I consider the Plan to be an adequate expression of the community's views and ambitions for Redington Frogna!. It is based on an effective programme of public consultation which has informed a Vision to 2045 and six Aims/Objectives. These are translated into 16 planning policies dealing with issues distinct to the locality. The Plan is supported by a Consultation Statement, Basic Conditions Statement and Strategic Environmental and Habitats Regulations Assessment screening opinions. Supporting evidence is provided on most aspects of the Plan, including primary evidence produced during the Plan's preparation. There is good evidence of community support and the involvement of the local planning authority.

4. I have considered the 51 separate representations made on the submitted Plan and representations on the Strategic Environmental Assessment and Habitats Regulations Assessment screening opinions and addressed them in this report as appropriate.

5. Subject to the recommended modifications set out in this report I conclude that the Redington Frogna! Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a small number of additional recommendations.

6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area.

2. Introduction

7. This report sets out the findings of my independent examination of the Redington Froggnal Neighbourhood Plan. The Plan was submitted to Camden Council by Redington Froggnal Neighbourhood Forum as the Qualifying Body.

8. I was appointed as the independent examiner of the Redington Froggnal Neighbourhood Plan by Camden Council with the agreement of Redington Froggnal Neighbourhood Forum. My appointment was supported by the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

9. I am independent of both Redington Froggnal Neighbourhood Forum and Camden Council. I do not have any interest in any land that may be affected by the Plan. I possess the appropriate qualifications and experience to undertake this role.

10. My role is to examine the Neighbourhood Plan and recommend whether it should proceed to referendum. A recommendation to proceed is predicated on the Plan meeting all legal requirements as submitted or in a modified form, and on the Plan addressing the required modifications recommended in this report.

11. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and

- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations, including the Conservation of Habitats and Species Regulations 2017.

12. I am also required to make a number of other checks under paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990.

13. In undertaking this examination I have considered the following documents as the most significant in arriving at my recommendations:

- the submitted Redington Froggnal Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- Strategic Environmental Assessment and Habitats Regulations Assessment screening opinions
- representations made on the submitted neighbourhood plan
- Camden Local Plan (2017)
- London Plan (2016) and London Plan (intend to publish version) 2020 [the revised London Plan (publication version) was issued a few days before my examination concluded and I judge it not to have any material impact on my recommended modifications]
- relevant material held on the Redington Froggnal Neighbourhood Forum and Camden Council websites, including the Redington Froggnal evidence base
- Redington Froggnal Conservation Area Statement
- National Planning Policy Framework (2019)
- Planning Practice Guidance
- relevant Ministerial Statements

14. Having considered the documents provided and the representations on the submitted Plan I was satisfied that the examination could be undertaken by written representations without the need for a public hearing and was mindful of support for this in the context of current Government guidance on social distancing.

15. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during November and in accordance with Government guidance that “*Where site visits are required or necessary, they should be undertaken in line with the Government’s guidance on social distancing and safety requirements*” (Written Ministerial Statement, Virtual working and planning – Responding to Covid-19 Restrictions, 13 May 2020). I visited the main locations addressed in the Plan, including the Local Green Spaces, shopfronts and Kidderpore reservoir and walked along most of the streets in the neighbourhood area.

16. Throughout this report my recommended modifications are bulleted. Where modifications to policies are recommended they are highlighted in **bold** print with new wording in “speech marks”. Modifications are also recommended to some parts of the supporting text. These recommended modifications are numbered from M1 and are necessary for the Plan to meet the Basic Conditions. A number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets]. These optional modifications are numbered from OM1 and are intended to improve the Plan’s clarity or amend minor inconsistencies or errors.

17. Producing the Redington Frogna! Neighbourhood Plan has clearly involved extensive voluntary effort over many years. It is informed by significant community involvement. There has also been a variety of support and assistance from independent consultants, local groups and ward councillors. There is evidence of good collaboration with Camden Council and this will continue to be important in ensuring delivery of the Plan. The evident commitment of all those who have worked so hard over such a long period of time to prepare the Plan is to be commended and I would like to thank all those at Camden Council and Redington Frogna! Neighbourhood Forum who have supported this examination process.

3. Compliance with matters other than the Basic Conditions

18. I am required to check compliance of the Plan with a number of matters.

Qualifying body

19. The neighbourhood plan has been prepared by a suitable Qualifying Body – Redington Froggnal Neighbourhood Forum – which was designated by Camden Council in 2014. The Forum was re-designated in 2019.

- OM1 – [Add “and the Forum was re-designated on 25th October 2019” at end of second paragraph in 1.1]

Neighbourhood Area

20. I am satisfied that the Plan relates to the development and use of land for a designated neighbourhood area which comprises the area of Redington Froggnal Neighbourhood Forum and was agreed by Camden Council in 2014.

21. A map of the neighbourhood area is included in the Plan. Although details of the neighbourhood area are also available online the map provided with the Plan is not of sufficient quality that the detailed location of the boundary can be determined. The map is also not numbered and includes a potentially confusing dashed line around two sides. I share Camden Council and the Greater London Authority’s view that the Plan would be clearer with the provision of a map showing both the neighbourhood area and the boundary of the Redington Froggnal Conservation Area.

- OM2 - [Provide a suitable high resolution map which depicts the boundary of the neighbourhood area and Redington Froggnal Conservation Area at an appropriate scale and number the map – e.g. Map/Figure 1]

Land use issues

22. I am satisfied that the Plan’s policies relate to relevant land use planning issues.

Plan period

23. The period of the neighbourhood plan runs to the end of 2045 and this is shown on the cover. This is a longer period than many neighbourhood plans and extends well beyond the period of Camden's Local Plan (2031). However it is not unreasonable and none of the policies in the Plan are particularly time sensitive. No start date for the plan is provided although the Basic Conditions Statement states that it is "*on a date to be determined in 2019*". Confusingly the Basic Conditions Statement also has the Plan period ending on 31 December 2049.

- OM3 – [Confirm the start of the Plan on the front cover]

Excluded development

24. I am satisfied that the neighbourhood plan makes no provisions for excluded development (such as national infrastructure, minerals extraction or waste).

4. Consultation

25. I have reviewed the Consultation Statement and relevant information provided on the Redington Froggnal Neighbourhood Plan website. This provides a clear record of the extensive consultation process undertaken in preparing the Plan which dates back to the genesis of the neighbourhood forum in 2012 and the first public consultation on the boundaries of the Plan area in 2014.

26. Public consultation on the neighbourhood plan was achieved through a range of techniques including a website, public meetings, organised social events, leaflet drops, posters, individual meetings, drop-in sessions, online surveys, citizen science initiatives and participation in other organisation's social events and activities. Participation levels have been reasonable and the Plan has directly engaged hundreds of people. Information was circulated by hand on several occasions to all addresses in the area, including non-residential addresses. The engagement included local schools and individual meetings were held with faith groups, local authority officers and Transport for London. Ward councillors participated in the process.

27. The Plan was subject to Regulation 14 consultation in 2018 (over an extended period) and, following significant restructuring in response to feedback, again in 2019. This was widely promoted, including through production and distribution of a summary leaflet and at a drop-in session. I note the concerns of Camden Federation of Private Tenants about the levels of participation in the development of the Plan but do not consider it to be inadequate.

28. There is evidence of the consultation including the required statutory and other consultees. There is good evidence of sound analysis of the responses and subsequent amendments being made to the Plan following both periods of formal public consultation.

29. 51 separate representations have been made on the submitted Plan including from individuals, statutory bodies, landowners, community organisations, voluntary groups and

the local authority. All the representations have been considered and are addressed as appropriate in this report. There is a good degree of support for the Plan in the representations.

30. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan over a long period of time. The Plan has been subject to wide public consultation at different stages in its development. The participation rates have been fair. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. Local residents, businesses and the local planning authority have been engaged throughout the process and the Plan has been amended in response to their involvement.

5. General comments on the Plan's presentation

Vision, Objectives and Aims

31. Section 2.0 of the Plan identifies six Aims under the heading of the Plan's Objectives. It references a Vision and Objectives Statement in the Evidence base and online.

32. I have reviewed the short Vision Statement and the eight "*super objectives*" which inform the 19 Policies in the Plan. The Vision has a strong conservation theme and an emphasis on the existing community. The approach reflects the feedback received through consultation. I have considered whether it is sufficiently supportive of sustainable development. Taken as a whole the Aims/Objectives, policies and other aspects of the Plan are supportive of growth and development which respects the area's character and I am content with the approach.

33. The Plan is confusing in its interchangeable use of Aims and Objectives. It is also inconsistent in the drafting of its Vision and the Aims/Objectives. The Objectives contained in the accompanying Vision and Objectives Statement are very similar to the Aims in the Plan. There are also Objectives on the Forum website and each of these has differences in the drafting. The Vision in the Vision and Objectives Statement is also different to that on the website. It is unusual for the Vision not to be included in the Plan.

34. The Plan is accompanied by a statement of "*Actions the Forum will undertake to deliver the Redington Froggal Neighbourhood Plan*". These are outside the scope of my Examination.

35. There is a small drafting error in the fifth Aim/Objective on page 6.

- M1 - Retitle Section 2.0 as "Vision and Objectives" and include the Plan's stated Vision and its six Objectives [not Aims]
- OM4 – [Replace "*as Centre*" with "a centre" in the fifth Aim/Objective on page 6]

- OM5 – [Amend the Forum website to be consistent in the wording and description of the Vision and Objectives]

36. The policies are distinguished from the rest of the Plan by the use of tinted boxes. I am satisfied they are clearly differentiated from other aspects of the Plan. The provision of a rationale and evidence for each policy and an interpretation of how it should be applied are clearly presented.

Other issues

37. The Plan includes a number of “*Possible Redevelopment Opportunities*” in the form of nine sites across the Plan area. These are identified by their address and are without site boundaries. There is no map of their location. Each site and its associated opportunity is described briefly. Earlier iterations of the Plan identified these sites in policies. The submitted Plan states explicitly that these are “*not intended as site allocations, but guidance*”. As a consequence they are largely outside the scope of my Examination. I note a reference to design guidance relating to these opportunities which has subsequently been amended to providing guidance across the neighbourhood area.

- OM6 - [Update the reference to “*6.3 Design Guidance for Possible Redevelopment Opportunities*” at the end of the third paragraph of Section 5.0]

38. The Plan includes an extensive evidence base. This is a significant strength although much of the evidence is broad based and strategic and does not relate directly to the neighbourhood area and/or individual policies. I comment on its adequacy in relation to individual policies where relevant.

39. The Plan includes a number of maps. These are not numbered and of varying quality in the printed Plan. Some do not provide sufficiently accurate boundaries or locations for a number of Plan policies. The maps are not available separately online and are only in downloads of the Plan. I indicate where it would be helpful if larger, high resolution copies were available in my comments on individual policies where it is critical to their utility.

- OM7 – [Number each map (e.g. Figure 1 or Map 1) and reference them in policies as appropriate]

40. The Plan is well set out and presented with a clear table of contents and an appropriate hierarchy of headings. There are some inconsistencies in the headings and Section 6.3 does not include landscape guidance despite the title provided in the Contents and on page 78.

- OM8 - [In the Contents:
 - 4.14 APPLICATION is on page 30
 - BGI4 LOCAL GREEN SPACES [Heading] is on page 36
 - BGI4 LOCAL GREEN SPACES [Policy] is on page 38
 - 4.20 APPLICATION is on page 47
 - 4.27.2 GARDEN VIABILITY is on page 55
 - 5.1 DESIGN GUIDANCE FOR POSSIBLE REDEVELOPMENT OPPORTUNITY SITES is on page 64
 - 6.0 – the headings for 6.1, 6.3 and 6.4 in the Contents and on page 78 are not the same as those used on pages 79, 106 & 119
 - Section 6.0 is an Annex not a list of Key Documents]

41. The Plan's text is supported by a significant number of footnotes. These provide helpful direction to additional evidence and supporting documents. A number of footnotes do not relate to relevant documents (e.g. footnotes 4 & 6) and in some instances the relevant footnote is missing (e.g. footnotes 17 & 18).

- OM9 – [Review and amend the Plan's footnotes to address errors and omissions]

42. Camden Council has provided a number of suggestions for changes to the Plan to address factual updates and make minor amendments. These are generally helpful clarifications which do not raise issues relating to the Basic Conditions.

- OM10 – [Address Camden Council’s suggestions for amendments to Sections 1.2, 2.1, 4.1, 4.10, 4.13 (three instances), 4.16 and 5.0]

43. The drafting of a majority of the Plan’s policies states what “*must*” happen and this is explained in a Glossary as showing or creating “*an enforceable obligation or duty on another person to act (or not) in a certain way*”. Camden Council has made representations during preparation of the Plan and in response to the submitted version that this approach amounts to “*excessive prescription*” and “*prevents a decision maker from deciding what weight to attach to different material considerations*”. I requested further information on how the issue had been considered through the plan-making process and the response from the Forum emphasised the benefits for policy clarity.

44. While I recognise the desire for policies which are clearly and firmly expressed the general use of “*must*” is in conflict with national planning policy for plans to be “*flexible*” and “*prepared positively*” and contribute to the achievement of sustainable development. As a consequence I recommend modifications to a number of policies to change the wording from “*must*” to “*should*”. There are specific exceptions to this related to the approach in national planning policy, such as for veteran trees.

6. Compliance with the Basic Conditions

National planning policy

45. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions Statement which relates the Plan’s policies to the National Planning Policy Framework (NPPF) (February 2019).

46. The Basic Conditions Statement provides a table that associates each of the Plan policies with relevant sections of the National Planning Policy Framework. This is accompanied by a brief description of how each policy relates to the relevant section of the National Planning Policy Framework. The Basic Conditions Statement asserts that this “*sets out how the Neighbourhood Plan policies comply with the relevant sections of the NPPF*”.

47. There are some areas where the drafting of the Plan’s policies needs to be amended in order to meet the National Planning Policy Framework’s requirement for plans to provide a clear framework within which decisions on planning applications can be made. The policies should give a clear indication of “*how a decision maker should react to development proposals*” (paragraph 16). It is also important for the Plan to address the requirement expressed in national planning policy and Planning Practice Guidance that “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*” (NPPG Paragraph: 041 Reference ID: 41-041-20140306). The Plan’s policies do not always meet these requirements and a number of recommended modifications are made as a result.

48. Generally, I conclude that the Plan has regard to national planning policy and guidance but there are exceptions set out in my comments below. These cover both conflicts with national planning policy and the need for some policies to be more clearly expressed and/or evidenced.

49. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommendations on the Plan policies.

Sustainable development

50. The Plan must “*contribute to the achievement of sustainable development*”. This is addressed in the Basic Conditions Statement by first identifying the connections between the Plan policies and objectives and the relevant sustainability objectives included in the Camden Local Plan Sustainability Appraisal. This is supported by a brief assessment of the way in which each of the main policy areas contributes to sustainable development.

51. This approach provides limited insight into the way the Plan contributes to sustainable development and it does not identify any tensions between achieving economic, social and environmental outcomes. Nevertheless I consider the overall assessment that the Plan contributes to the achievement of sustainable development to be sound and I am satisfied that the Plan meets this Basic Condition.

Development plan

52. The Plan must be “*in general conformity with the strategic policies of the development plan*”.

53. To address this requirement the Basic Conditions Statement provides a table that associates each of the Plan policies with relevant development plan policies in the Camden Local Plan or London Plan. It also addresses the emerging London Plan as drafted at the time that the Basic Conditions Statement was prepared. This table is accompanied by a brief description of how each policy relates to the relevant development plan policies. This also addresses the relationship with the Redington Froggnal Conservation Area Statement. The Basic Conditions Statement states the Plan’s policies aim to “*adapt national and local policies to the particular conditions of the Plan Area*”. This is wholly appropriate for a neighbourhood plan. It also asserts that the policies “*are in general conformity with the strategic local policies of the 2017 Camden Local Plan*”.

54. In response to my request Camden Council has confirmed that it “*considers the Redington Froggnal Neighbourhood Plan is in general conformity with the strategic policies in the Camden Local Plan.*”

55. I am satisfied the Plan meets this Basic Condition.

Strategic Environmental Assessment

56. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. Camden Council prepared a Screening Opinion in December 2019. This addressed the Plan as revised after the first round of pre-submission public consultation. The Screening Opinion concludes that “*the draft Plan is unlikely to give rise to significant environmental effects*”. Natural England, Environment Agency and Historic England agree with this conclusion.

57. I am satisfied that the Plan meets this Basic Condition.

Habitats Regulations Assessment

58. The Plan must be informed by a Habitats Regulations Assessment if it is likely to lead to significant negative effects on protected European sites. Camden Council prepared a Screening Opinion in December 2019. This addressed the Plan as revised after the first round of pre-submission public consultation. The Screening Opinion concludes that in considering whether the Plan will give rise to any significant adverse impacts on the network of Natura 2000 sites the “*Plan will not do so*”. Natural England agrees with this conclusion.

59. I am satisfied that the Plan meets this Basic Condition.

Other European obligations

60. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement asserts that this is the case (with reference to the Human Rights Act 1988) and it is supported by an Equalities Impact Assessment. This does not raise any fundamental questions about the Plan and it has informed detailed drafting of the policies.

61. I am satisfied that the Plan has appropriate regard to the rights and freedoms guaranteed under the ECHR and to the Equality Act 2010. No contrary evidence has been presented. There has been adequate opportunity for those with an interest in the Plan to make their views known and representations have been handled in an appropriate and transparent manner with changes made to the Plan.

62. I conclude that the Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

63. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that they meet the Basic Conditions. I provide comments on all policies in order to give clarity on whether each meets the Basic Conditions. Some of the supporting text, policy numbering and Contents will need to be amended to take account of the recommended changes.

Sustainable Development and Redington Froggnal Character

64. **Policy SD1** – This provides considerations for development involving redevelopment or extensions of the existing building stock

65. The policy approach reflects the limited opportunities for new development within the neighbourhood area and an expectation that the development requirements established in the Local Plan will be met through the existing building stock.

66. The broad approach of the Policy is appropriate. The drafting lacks the necessary clarity required by national policy and it is unduly prescriptive in stating what “*must*” be required. It is understood that the Policy applies to all development related to existing buildings although there is an emphasis on existing residential buildings. It should be clear that all the considerations should be addressed while only those that are appropriate to an individual planning application should be applied.

67. The first two considerations are a non sequitur. If development “*must have no adverse impact*” then there can be no circumstances in which that impact “*must be offset by gains elsewhere*”. The requirement to have no adverse impact also goes beyond national planning policy for “*minimising impacts*” (NPPF, paragraph 170) and for “*significant harm*” being “*avoided*” (NPPF, paragraph 175).

68. The Policy requirement for all front garden boundary walls and hedges to be “*preserved or reinstated*” is unduly restrictive and could result in the retention of inappropriate boundaries which make a negative contribution. This requirement also

extends beyond the scope of the Policy to include all new development. The Policy drafting should also be consistent with that used in Policy SD5.

69. The Policy is supported by relevant evidence but the connection between the footnotes and the individual policy considerations is not always logical. Footnote 4 relates to urban greening which is only partially relevant to the policy expectation for net gain in biodiversity. Footnote 6 does not relate to the policy consideration for sub-dividing houses.

70. The Policy makes reference to the need for development to be in accordance with other policies in the Plan. This is unnecessary on the basis that all planning applications must be considered against all development plan policies.

71. The references to planting and design guidance should be provided in the supporting text.

72. Policy SD1 does not meet the Basic Conditions.

- **M2 – Amend Policy SD1 to:**

- **Replace “*of the following*” with “of all of the following, as appropriate” in the second line**
- **Replace “*must*” with “should” in all instances**
- **Replace “*must have no adverse impact*” with “should avoid adverse impacts” in section i**
- **Replace “*an adverse*” with “a significant adverse” in section ii**
- **Replace “*must be in accordance Policies SD2 to SD5, and*” with “should” in section v**
- **Replace section vi with “Front garden boundary walls and hedges which contribute to the character and appearance of the area should be preserved or reinstated.”**
- **Move the second paragraph to the supporting text**
- **Rationalise the use of footnotes to those which are directly relevant**

73. **Policy SD2** – This addresses the need for development to preserve or enhance the Conservation Area and identifies a number of contributing elements to its character and appearance.

74. This Policy would apply to most but not all of the neighbourhood area. There is a close association of the neighbourhood area with the Redington Froggnal Conservation Area. The boundaries coincide except for two small additional areas included in the neighbourhood area along Finchley Road.

75. I have considered whether the Policy serves any clear purpose. National planning policy is clear that planning policies should “*serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)*” (NPPF, paragraph 14). The requirement for development in Conservation Areas to “preserve or enhance” is set out in statute (Planning (Listed Building and Conservation Areas) Act 1990) and the general approach to development in Conservation Areas is addressed in national planning policy and Planning Practice Guidance. This includes consideration of a Conservation Area Appraisal and Management Plan where available.

76. The Policy goes beyond a general requirement to “*preserve or enhance*” to identify particular characteristics of the Redington Froggnal Conservation Area. These would normally already be addressed by the existence of the Redington Froggnal Conservation Area Statement but this dates to 2003. The supporting text notes changes since then and the Plan is supported by the Redington Froggnal Heritage and Character Assessment from 2015.

77. As a result I conclude that the Policy does serve a clear purpose in ensuring that Conservation Area considerations addressed in Plan policy are more up to date. Given the “preserve or enhance” requirement is in statute I am satisfied with the policy drafting that this “*must*” be achieved.

78. Policy SD2 meets the Basic Conditions.

79. I share views expressed by Historic England and Camden Council that not all buildings making a “neutral” contribution add to the special character of the Conservation Area. The supporting text identifies ways in which non-designated heritage assets may be identified and this includes a significant list of buildings in Section 6.1. The Forum is seeking their inclusion on the Local List as one of the actions supporting the Plan. Planning Practice Guidance (Paragraph: 040 Reference ID: 18a-040-20190723) requires “sound evidence” to be provided for a neighbourhood plan to identify non-designated heritage assets. This is not yet available through an updated Conservation Area Appraisal as this has not yet been published and there is insufficient additional evidence provided. The 2003 Conservation Area Statement is the current document for the purposes of this Examination. This includes a list of buildings and groups of buildings that make a positive contribution and this does not entirely align with the list provided in Section 6.1. In the absence of sufficient evidence, therefore, no non-designated assets can be identified through the Plan that are not either already included in the Local List or already identified as making a positive contribution in the 2003 Conservation Area Statement. Any additions in Section 6.1 can become non-designated assets in future by being added to the Local List or being identified in the revised Conservation Area Appraisal when available. It is also the case that non-designated heritage assets may be identified in more ways than those set out in paragraph 4.4.

- M3 – Amend the supporting text in paragraph 4.4 to:
 - Delete “or neutral” in the paragraph
 - Replace the second bullet with “included in the Local List”
 - Insert “otherwise” at the beginning of the third bullet in the third paragraph
- M4 – Delete Section 6.1 or replace it to provide an inventory of “Designated and non-designated heritage assets” in the neighbourhood area comprising listed buildings and non-designated heritage assets in the Local List and the buildings and groups of buildings listed on page 26 of the 2003 Conservation Area Statement as making a positive contribution

80. **Policy SD3** – This extends Local Plan provisions for parking and car-free development and encourages provision of electric vehicle charging points.

81. Local Plan Policy T2 is to *“require all new developments in the borough to be car-free”*. The supporting evidence provides a rationale for the Policy based on examples of the continuing loss of front gardens to off-street parking. The rationale also cites an interpretation by local authority officers of Local Plan Policy T2 in relation to a planning application for a conversion including a new basement car lift that *“considers the retention of on-site parking acceptable in this instance given that the application does not constitute new development insofar that no new units are being created which Policy T2 could be applied to”*.

82. The evidence supporting the Policy is limited. The single planning application cited involved a scheme where parking provision was arguably reduced with soft landscaping secured by condition and additional on-street parking permits not being available to new occupants. The photographic evidence is undated and anecdotal and the concerns expressed over the loss of boundary features are addressed in other Plan policies, including Policy SD2 and Policy SD4 and in Local Plan Policy T2. Local Plan Policy T2 is additionally very clear in its requirement for all new developments to be car free. Policy SD3 risks both reducing the clarity which is already provided and repeating existing development plan policy.

83. The provision of charging points for electric vehicles should logically be encouraged for new as well as existing parking spaces, including where parking spaces are re-provided in a different way.

84. Policy SD3 does not meet the Basic Conditions.

- **M5 – Retitle and amend Policy SD3 to:
“ELECTRIC VEHICLE CHARGING POINTS
The provision of charging points for electric vehicles for proposed and existing parking places is encouraged.”**
- M6 – Make consequential changes to the supporting text

85. **Policy SD4** – This provides considerations for development to complement the character of the area.

86. The Policy is supported by evidence of the distinctiveness of the character of the neighbourhood area, including the Redington Frogna Heritage and Character Assessment developed as part of the Plan’s preparation.

87. As with Policy SD1 the broad approach of the Policy is appropriate. The drafting lacks the necessary clarity required by national policy and it is unduly prescriptive in stating what “*must*” be required. On request the Forum confirmed that the Policy applies to all development although there is an emphasis on residential buildings and potential for confusion arises from some elements such as a universal requirement for the provision of “*garden space*”. The Policy should be clear that all the considerations should be addressed while only those that are appropriate to an individual planning application should be applied. This will also provide clarity that some of the considerations do not apply to non-residential development where this occurs.

88. The Policy is focused on requiring development to complement local character and it identifies a number of considerations to be addressed. The Policy’s title goes much wider than character to include “*sustainable development*” but this broad scope is not reflected in the Policy wording.

89. The need in section i to “*reflect*” established character is unduly restrictive and not consistent with the expectation that new development should “*complement*” the distinctive character of the area in the opening line of the Policy.

90. I share Camden Council’s view that the provisions in section ii amount to a restrictive “*cap*” on building heights and that the primary consideration is how well development proposals demonstrate they have been informed by the area’s established character. I do not share Camden Council’s view that the proposed minimum gaps between houses in section ix are “*fixed*” and consider the Policy to allow for suitable flexibility.

91. The Policy encourages the use of “*native species*” and references additional planting guidance. This guidance also includes provision for use of “*ornamental species which are not native*” in more formal situations.

92. There is reference in Section 4.8 to the Redington Froggnal “*design policy*” but there is no policy for design in the Plan. The definition of what amounts to a “*significant*” loss of light in Section 4.8 is also unduly restrictive.

93. Policy SD4 does not meet the Basic Conditions.

- **M7 - Amend Policy SD4 to:**
 - **Delete “*Sustainable development and*” from the title**
 - **Add “consideration of all of the following, as appropriate” after “includes” in the second line**
 - **Replace “*must*” with “*should*” in all instances**
 - **Replace “*reflect*” with “*complement*” in section i**
 - **Delete “*will be considered*” in section ii and insert “*may be appropriate*” at the end of this section**
 - **Delete “*native*” in section viii**
- **M8 - Replace “*policy*” in the fourth paragraph of Section 4.8 with “guidance in Section 6.3”**
- **M9 – Delete the fifth paragraph of paragraph 4.8 concerning light and shading.**

94. **Policy SD5** – This provides considerations for development in gardens and extensions.

95. The Policy is supported by significant evidence of the increase in the footprint of buildings and the reduction in garden area across the neighbourhood along with evidence of associated impacts.

96. I have considered whether the Policy is unduly prescriptive in identifying the size of gaps between houses to be retained. On request I was provided with evidence that the distances are based on a detailed survey of the area and the policy wording allows for some flexibility.

97. The Policy is appropriate except for being unduly restrictive in stating what “*must*” be done and setting out “*requirements*”.

98. Policy SD5 does not meet the Basic Conditions.

- **M10 - Amend Policy SD5 to:**
 - **Replace “*must*” with “*should*” in all instances**
 - **Replace “*the following requirements*” with “*consideration of all of the following, as appropriate*” in the second and third lines**

99. **Policy SD6** – This requires the retention of original architectural details.

100. The Policy is supported by good evidence of the variety and significance of architectural details in the Heritage and Character Assessment. This also notes the “*loss or simplification*” of such details as a result of more recent development.

101. The supporting text limits the Policy to the Conservation Area and this is not consistent with the Policy which applies to the whole neighbourhood area.

102. I share Historic England’s view that the Policy lack necessary clarity without reference to the positive contribution made by such features. This also addresses issues raised by Camden Council.

103. The Policy is unduly restrictive in stating what “*must*” be done. It also includes an unnecessary subsection and unclear drafting in relation to examples of architectural details.

104. Policy SD6 does not meet the Basic Conditions.

- **M11 - Amend Policy SD6 to**
 - **Insert “which contribute positively to the character and appearance of the area “ after “porches”**
 - **Replace “must” with “should”**
 - **Delete “etc.”**
 - **Delete “i.”**

- M12 – Replace “*Conservation Area*” with “neighbourhood area” in Section 4.12

Biodiversity and Green Infrastructure

105. **Policy BGI1** – This provides design considerations for open areas within development sites.

106. The Policy is supported by evidence of the significance of private gardens to both the character and biodiversity of the neighbourhood area and their role in providing green infrastructure. There is some evidence of the loss of garden open space causing harm.

107. The Policy title and the section heading reference only “*Rear gardens*” while the evidence and the supporting text relate also to front and side gardens.

108. The Policy is unduly restrictive in stating what “*must*” be done. The Policy should be clear that all the considerations should be addressed while only those that are appropriate to an individual planning application should be applied.

109. The Policy encourages the use of “*native species*” and references additional planting guidance. This guidance also includes provision for use of “*ornamental species which are not native*” in more formal situations.

110. The Policy’s encouragement for development attaining a “*very high urban greening score*” is not supported by evidence as to what score needs to be reached to qualify as “*very high*”. Policy G5 of the London Plan (Intend to Publish) version provides for a London-wide

target score prior to the development of more local targets. There is evidence that the neighbourhood area should exceed the London-wide target given its “*verdant character*” although the source of the urban greening score is not provided in the supporting evidence.

111. Policy BGI1 does not meet the Basic Conditions.

- **M13 - Amend Policy BGI1 to:**
 - Delete “*Rear*” in Policy title [and Section heading]
 - Insert “consideration of all of the following, as appropriate” after “*includes*” in the second line
 - End each section with a full stop
 - Replace “*must*” with “*should*” in all instances
 - Delete “*native*” in section i
 - Delete the last sentence of section i. and insert a new section as follows “achieving an urban greening score in excess of the London Plan target”
 - Delete “*front*” in section iv [and in first paragraph of Section 4.14]
 - Delete “*is encouraged*” in section vi

- M14 - Add a reference to the London Plan (Intend to Publish) Policy G5 and approach to urban greening to the supporting text and evidence base

- OM11 – [Reinstate the missing Footnotes]

112. **Policy BGI2** – This provides policy considerations for retaining, replacing and planting trees as part of development proposals.

113. The Policy is supported by evidence of the neighbourhood area’s significant tree cover when compared to other parts of London and the important contribution trees make to the area’s character and biodiversity. There is also a clear summary of a very significant reduction in the number of trees under 10m height within the last decade.

114. The Policy is unduly restrictive in stating what “*must*” or “*will*” be done except in relation to veteran trees which national planning policy identifies as “*irreplaceable*” and that development involving their loss “*should be refused, unless there are wholly exceptional reasons*” (NPPG, paragraph 175). I also share Camden Council’s view that there may be occasions where replacement planting is not appropriate.

115. The Policy establishes specific requirements for “*buffer*” and “*tree root protection*” zones. The buffer zone for veteran trees is as specified in standing advice from Forestry Commission and Natural England and this is incorrectly referenced. The tree root protection zone specified is consistent with British Standard 5837. These sources should be included in the evidence base and the supporting text should avoid selectively including their advice in Section 4.16.

116. The Policy is missing a section iii and includes a drafting error. The description of a “*tree corridor*” should be provided in the supporting text.

117. Policy BGI2 does not meet the Basic Conditions.

- **M15 - Amend Policy BGI2 to:**
 - Replace “*must*” with “*should*” in Section i and “*will*” with “*should*” in Section iii
 - Add “*unless it can be demonstrated to the Council’s satisfaction that replacement planting is not appropriate.*”
 - Replace the second “*ii.*” With “*iii.*”
 - Insert “*is*” before “*proven*” in line 6 of Section v
 - Move the “*Note*” to the supporting text

- OM12 – [Add the standing advice on *Ancient woodland, ancient trees and veteran trees: protecting them from development* from Forestry Commission and Natural England and British Standard 5837 to the evidence base]

118. **Policy BGI3** – This provides policy considerations for addressing the impact of external lighting on wildlife.

119. The Policy is supported by evidence of the presence of light sensitive wildlife in the neighbourhood area. The supporting text also notes the negative impact of inappropriate lighting on neighbour amenity but this is not addressed in the Policy.

120. The Policy is unduly restrictive in stating what “*must*” be done. The Policy drafting is unclear as to whether all considerations apply and can be improved to aid clarity.

121. Policy BGI3 does not meet the Basic Conditions:

- **M16 – Amend Policy BGI3 to:**
 - **Replace “*must*” with “*should*” in the first line.**
 - **Add “or local amenity” at end of the first sentence**
 - **Replace “*the avoidance of*” with “*avoiding*” in Section ii**
 - **Add “and” at end of Section iii and replace “;” with “.” at end of Section iv**

122. **Policy BGI4** – This designates seven Local Green Spaces.

123. The power to designate Local Green Spaces is one of the most significant available to neighbourhood planning. Each Local Green Space must meet the criteria set out in national planning policy (NPPF, paragraph 100).

124. The proposed Local Green Spaces are shown collectively and individually on unlabelled maps. I address detailed issues with the maps in my comments on specific Local Green Spaces. The collective map erroneously shows the Conservation Area and not the neighbourhood area boundary.

125. A summary table supported by additional evidence for each proposal assesses compliance with the criteria provided in national planning policy. There is evidence of strong public support for each of the proposed designations although I note the criteria

used in consultation on the draft Plan do not align completely with those in national planning policy. I also note that two proposals in the pre-submission draft Plan have not progressed which is a helpful indication of the rigour of the process.

126. I visited each of the proposed Local Green Spaces insofar as that was possible from publicly accessible land and have reviewed them in accordance with the criteria in national planning policy:

LGS1: West Heath Lawn Tennis Club – I have considered whether this site is demonstrably special to the local community and holds a particular local significance because of its recreational value. It has been used by the Tennis Club since 1902. The site also includes mature trees and other wildlife habitat. I note Thames Water’s objections to the designation but am satisfied the local community benefit is significant. Local Green Space does not need to be publicly accessible. The historic value of its social role for over 100 years is also significant. I am satisfied that the site meets the requirements to be designated as Local Green Space and that this designation is capable of enduring beyond the period of the current lease. The future of the site will be a management decision which may or may not have land use planning implications.

LGS2: Frogna Lane Gardens – Although not publicly accessible I am satisfied this is demonstrably special to the local community and holds a particular local significance because of its recreational and wildlife value. It provides an area of tranquillity and is designated for its nature conservation value. The site has historic significance from being established in the late 18th century. The supporting map lacks the shading used for the other designations.

LGS3: Embankment between Platt’s Lane and Telegraph Hill - I am satisfied this is demonstrably special to the local community and holds a particular local significance because of its wildlife value and historic significance as a remnant of West Heath. It supports veteran trees. There is no objection from the management company responsible for the land.

LGS4: *Studholme Court* - I am satisfied this is demonstrably special to the local community and holds a particular local significance because of its recreational and amenity value to residents in the adjacent development. It is used for significant community events, including by the Tenants and Residents Association. The area proposed for designation is only a small part of the open land at Studholme Court. Both the collective and individual map include all the open land and need to be corrected. I have considered Camden Council's concern as to whether the errors in the supporting maps are such that it undermines the public consultation process on the Local Green Space. There is limited feedback on this proposed designation and there are no objections even to an interpretation of the proposal which includes a larger area. I am satisfied with the process leading to its designation. I do not share Camden Council's view as the landowner that the importance of the green space being largely for adjacent residents means it is not sufficient to demonstrate its value to the local community. As with Frogmal Lane Gardens I am satisfied with the extent of the community benefit of land used by adjacent residents.

LGS5: *Rear Garden, Camden Arts Centre* - I am satisfied this is demonstrably special to the local community and holds a particular local significance because of its tranquillity and use for community and cultural events. The site also has some wildlife value and historic significance as a public space for well over 100 years.

LGS6: *Copse to rear of 17 Frogmal* – This site is privately owned and visibility is largely limited to occupiers of surrounding buildings. There are strongly held views both for and against its designation as Local Green Space in representations on the Plan. The owner has made representations objecting to the designation and Camden Council has also made representations for it to be deleted. A live planning application for development of a single storey, detached three bedroom home was submitted to Camden Council in 2019. Its merits are outside the scope of my Examination. I recognise the site is valued by the local community and that it contributes to local character. There is limited survey evidence of the site's wildlife value and this evidence is disputed. The site has seven Tree Preservation Orders for trees which

make a positive contribution to the townscape and contribute to an unusual wooded area near to the heavily trafficked Finchley Road. Nevertheless, the site is largely concealed and there are other significant rear gardens with trees in the neighbourhood area, including nearby, which have not been considered for designation. As a consequence I am not satisfied that this site is demonstrably special to the local community and I recommend that it is not designated as Local Green Space. This recommendation makes no judgment on the merits or otherwise of the planning application under consideration on the site. Future use of the land will be informed by other development plan policies (including in the Plan once made) and the trees are subject to preservation orders.

LGS7: Hampstead Manor Gardens - I am satisfied this is demonstrably special to the local community and holds a particular local significance because of its tranquillity and the opportunities for relaxation it affords. The site has a varied character and includes a pond and meadow. There is controlled public access and there has been some use for community events. The individual map includes potentially confusing yellow shading that extends beyond the area proposed for designation.

127. Policy BGI4 does not meet the Basic Conditions.

- **M17 – Amend Policy BGI4 to delete “LGS6 Copse to rear of 17 Frogna1” [and make consequential changes to the supporting text and maps]**
- M18 – Amend the Local Green Space maps to:
 - Provide labels for the collective map and each of the individual maps
 - Show the neighbourhood area boundary on the collective map and delete the Conservation Area boundary
 - Include diagonal shading on the map for LGS2 Frogna1 Lane Gardens
 - Amend the collective and individual map to show only the small area of green space proposed for designation at Studholme Court (LGS4) with diagonal shading consistent with the other designations and remove references to mauve shading

- Remove the yellow shading on the map for LGS7 Hampstead Manor Gardens

Community Facilities

128. **Policy CF1** – This provides policy considerations for development of existing community and other facilities and support for new community facilities.

129. The Policy takes a broad definition of community facilities to include cultural, leisure and tertiary education uses and hot desks. This results in a lack of clarity, including in relation to current facilities as there is no list of what exists in the neighbourhood area. I was informed that a list of seven facilities was included in earlier drafts of the Plan. The uses addressed in the Policy are largely covered by the new Class F in revisions to the Use Classes Order made since the Plan was introduced. This also covers the seven facilities previously identified. There is no separate provision for hot desking facilities in the new Class E.

130. The logic of the three considerations in determining whether applications affecting existing facilities will be supported lacks clarity and is inconsistent. The second and third considerations are linked and only apply in those instances where there would be a loss in community value. The Policy should also be clear in applying to the use of land or buildings.

131. I have considered whether the policy intent for new provision to be provided “nearby” is too inflexible and Camden Council raises similar concerns. The drafting does not restrict the location to being within the neighbourhood area and I am content with the approach.

132. Policy CF1 does not meet the Basic Conditions.

- **M19 – Retitle Policy CF1 as COMMUNITY FACILITIES”**
- **M20 – Amend Policy CF1 as follows:**
 - **Insert “land or buildings used for” before “community” in the first line**
 - **Insert “in use class E” after “facilities” in the first line**

- Delete *“including facilities to support home working”*
 - Insert *“or”* at end of section i
 - Insert *“and”* at end of section ii
 - Insert *“in use class E”* after *“facilities”* in the second paragraph
 - Delete the third paragraph
- M21 – Update the supporting text to address the changed Use Classes Order and the new title

133. **Policy CF2** – This sets out priorities for use of the community infrastructure levy in the neighbourhood area.

134. Planning Practice Guidance is for the neighbourhood portion of the Community Infrastructure Levy to be spent on *“priorities expressed by local communities, including priorities set out formally in neighbourhood plans”* (PPG Paragraph: 146 Reference ID: 25-146-20190901) and the Policy provides five priorities. There is evidence that the priorities reflect the community feedback during consultation on the Plan. The Forum has confirmed the list is not in priority order.

135. Policy CF2 meets the Basic Conditions.

- OM13 – [Replace the numbered priorities with bullets]

Finchley Road: Traditional Shopfronts

136. **Policy FR** – This provides policy considerations for historic shopfronts in Finchley Road.

137. The supporting text at the top of page 52 shows the Policy applies only to shopfronts at 166 to 200A and 250 Finchley Road. This is not clear in the drafting. On request the Forum confirmed the policy only applies to these addresses as they comprise the only shopfronts in the neighbourhood area. It also confirmed the precise address of the

shopfronts at 250 Finchley Road. The Policy should be supported by a separate map at an appropriate scale which identifies the relevant locations.

138. The Policy describes the shopfronts which it addresses as both “*historic*” and “*traditional*”. It is also inconsistent in referencing their “*Victorian or Edwardian*” character in section i and only “*Victorian frontages*” in section ii. On request the Forum has confirmed that all of the buildings from 166 to 200A Finchley Road are Victorian while 250 Finchley Road is Edwardian. A consistent approach needs to be taken. I have considered helpful representations from Historic England that would provide greater flexibility in respect of the age of the shopfronts but given the narrow application of the policy to a small number of addresses do not consider this is necessary to meet the Basic Conditions.

139. The Policy is unduly restrictive in stating what “*must*” be done. There is an error in the sequence of numbering the different sections and a drafting error in the last section. By contrast with the other Plan policies there is no supporting evidence base provided with reference only to a single document.

140. The Policy is highly prescriptive in its requirements for timber panels. There is a lack of evidence supporting the need for such a prescriptive approach and I share Camden Council’s reservations on the approach.

141. Policy FR does not meet the Basic Conditions.

- **M22 – Amend Policy FR to:**
 - **Replace the first sentence with “Traditional shopfronts at 166 to 200A and the ground floor units at 1-6 Palace Court, 250 Finchley Road (Map ?) should be retained and relevant development proposals should address the following:”**
 - **Insert “or Edwardian” before “frontages” in Section ii**
 - **Replace “alternatives” with “alternative uses” in the final Section**
 - **Replace “must” with “should” in all instances**
 - **Delete Section iv**

- **Renumber the Sections so they are sequential**
- OM14 – [Provide details of relevant documents comprising the supporting evidence for the Policy]

Underground Development

142. **Policy UD1** – This provides policy considerations for addressing the impact of residential basements and other underground development.

143. The Policy is supported by significant evidence of the importance and complexity of sub-surface water features and flows, including their historic contribution to the character of the neighbourhood area. There is also evidence of an increasing trend for domestic basement extensions and of their local impact. The Policy goes beyond Local Plan Policy A5 and I am satisfied by the evidence of the particular significance of this issue to the neighbourhood area. I have considered Camden Council’s representations on the appropriateness of referencing current experience in the supporting text but am content that this is relevant as part of the evidence base for the Policy. I note the Greater London Authority’s welcome for the Policy.

144. The Policy includes specific requirements for the depth of soil needed to maintain the viability of garden spaces for different sizes of tree. These are drawn from supporting evidence, including guidance used in a nearby London Borough.

145. The Policy is unduly restrictive in stating what “*must*” be done. It also introduces significant constraints on development having no significant adverse impact and refuses development that isn’t supported by sufficient information. This includes the second part of Section iv where I agree with Camden Council’s representations that an alternative route which has no adverse impact would be acceptable.

146. The structure of the Policy combines three distinct elements – the consideration necessary to avoid any significant impact; the evidence required; and the support for daylighting and new water features – which need to be separately addressed.

147. I have considered Camden Council’s representations that the supporting text on information to accompany planning applications is “*disproportionate and potentially unreasonable*”. I am satisfied with the approach which places no requirements on applicants while setting out information that is “*encouraged*” to be provided or providing “*guidance*” on the approach to Basement Impact Assessments. I recommend, however, that references to “*must*” in Section 4.28 are amended to “*should*” and that the Plan does not provide partial guidance on how underground developments should be considered and is more aligned with that provided by Camden Council.

148. The reference in Section 4.28.2 to the Policy is not numbered and there is duplicated text in 4.28.3.

149. Policy UD1 does not meet the Basic Conditions.

- **M23 – Amend Policy UD1 to**
 - **Insert “significant” before “adverse” in the second line**
 - **Replace “must” with “should” in all instances [including Section 4.28]**
 - **Delete the second sentence in Section iv**
 - **Insert “and” at end of Section iv and “.” at end of Section v**
 - **Delete “viii” and insert a second unnumbered Policy limb after Section v.**
“Development proposals that include new water features to manage drainage, including the daylighting of underground rivers, will be encouraged.”
 - **Insert a third unnumbered Policy limb “ Development proposals should be accompanied by sufficient information to allow proper assessment of impacts, including demonstrating how they:**
 - i. will not cause cumulative erosion of garden space; and**
 - ii. will not contribute to localised groundwater flooding.”**
 - **Delete sections vi to vii and the final paragraph**

- M24 - In Section 4.28 of the supporting text:
 - replace “*must*” with “*should*” in all instances
 - amalgamate paragraphs 4 and 5 as proposed by Camden Council and delete paragraph 10 in 4.28.1
 - amend paragraph 5 as proposed by Camden Council in 4.28.2
 - delete the duplicating text in 4.28.3 ii.c)
 - amend paragraph 4.28.3 as proposed by Camden Council

- OM15 – [Add “1” after “UD” in Section 4.28.2]

150. **Policy UD2** – This provides policy considerations to be addressed in Construction Management Plans for high impact activities.

151. The Policy lacks evidence of the impact of construction on the neighbourhood. It is supported by evidence of similar approaches taken elsewhere in a neighbourhood plan and a nearby London borough.

152. The Policy relates generally to the impact of construction and it is not limited to consideration of the impact of underground development with implications for the Section heading.

153. It would be helpful to clarify that controls over deliveries and collections relate only to those associated with high impact activities.

154. Policy UD2 meets the Basic Conditions.

- OM16 – [Insert “involving these activities” after “*collections*” in Policy UD2 ii]
- OM17 [Change title of Section from “*Underground development*” to “*Development impact*” and replace UD with DI policies]

Kidderpore Reservoir

155. **Policy KR** – This provides policy consideration for the future development of the Kidderpore Reservoir site.

156. There is supporting evidence of the heritage value of Kidderpore Reservoir, including a report by Urban Vision Enterprise CIC. The structure is also on the Local List.

The Policy is accompanied by an unlabelled map which shows the site overlapping with the proposed Local Green Space for West Heath Lawn Tennis Club (LGS1). A more limited site area is addressed by the Urban Vision CIC assessment. The neighbourhood forum has confirmed the map included with the Plan is in error and that the Policy relates only to Kidderpore Reservoir. Nevertheless, the adjacent Local Green Space should be addressed in the Policy as well as a revised map being provided.

157. The Policy is unduly restrictive in stating what “*must*” be done and by replacing this with “*should*” the Policy also addresses Camden Council’s representations about the need for flexibility in considering future development options. The supporting text should recognise that Kidderpore Reservoir is on the Local List and be amended to add the missing word in naming Natural England’s standards.

158. Policy KR does not meet the Basic Conditions.

- **M25 – Amend Policy KR to:**
 - **Begin Section i with “Development proposals affecting Kidderpore Reservoir (Figure ?) should” before “have”**
 - **Replace “its” with “the” in Section i**
 - **Insert “and should respect the adjacent land designated as Local Green Space” at the end of Section i**

- **M26 –Amend the Kidderpore Reservoir Site Plan to amend the boundary of the site to the land west of the blue line and number the plan**

- OM18 – [Include reference in the supporting text to the heritage significance of Kidderpore Reservoir being recognised by its inclusion in the Local List]
- OM19 - [Insert “Natural” after “*Accessible*” in the second line of the third paragraph of Section 4.31 and at the end of the first paragraph of 4.32]

8. Recommendation and Referendum Area

159. I am satisfied the Redington Frogna! Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area.