



Statement on modifications to Hampstead Neighbourhood Plan 2018-2033 so as to produce Hampstead Neighbourhood Plan 2025-2040

June 2024

The Hampstead Neighbourhood Forum, as the qualifying body, wrote the Hampstead Neighbourhood Plan 2018-2033, which passed referendum with 91% voter support and was made in 2018. Since 2022, the Forum has been engaged in revising the Plan to ensure that it still meets residents' aspirations and needs.

Having written a new draft, we are required under [government guidance](#) to state whether we believe 'that the modifications are so significant or substantial as to change the nature of the plan and give reasons.' The guidance makes clear that the examiner and the local authority could determine that a referendum was needed if the nature of the plan was substantially altered.

The government guidance sets out three possible types of modifications. It is our belief that the changes that we have made fall into the second category: 'Material modifications which do not change the nature of the plan.' They therefore require examination, but not a referendum.

We set out below our arguments for this opinion. First, however, we will set out the background to our revision process.

Reviewing the Hampstead Neighbourhood Plan

The existing Plan has, we believe, been effective in influencing development in Hampstead over the past six years. The Plan is often cited by Camden in its planning decisions. Planning applications increasingly mention its policies.

The Forum comments selectively on applications (both positively and negatively). We have often found that, in response to comments from the Forum, from other bodies and from residents, plans are modified so as to become generally acceptable. In addition, Camden frequently cites the Neighbourhood Plan's policies in decisions on applications on which we have not commented. (The Forum keeps track of our own comments and on outcomes relevant to the Neighbourhood Plan on our [Planning Watch page](#).)

By 2022, we reflected that it had been eight years since we had held the extensive public consultations that guided the creation of the Neighbourhood Plan. We felt it was important to

ensure that we retained a public mandate for the Plan's policies. In addition, we felt that our policies needed to be revised so as to take into account new legislation setting more stringent goals for sustainability and biodiversity. In light of the increasing awareness of climate change, we thought there was greater public appetite for measures not just to protect the natural environment in our beautiful neighbourhood, but actually to enhance it. Moreover, the Covid-19 pandemic had altered people's lives, encouraging work at home rather than commuting to offices. It seemed possible that residents might have different needs from their neighbourhood compared with those they had had eight years earlier. This possibility was supported by [the results of a survey](#) that the Forum had carried out in 2021.

Therefore, the Forum's committee decided to embark on a new process of consultations, leading to revision of the Neighbourhood Plan. As we began to work on potential changes, we decided not to try to make them fall into one or other of the government-specified categories of modifications. Rather, we would follow the directions of the consultations as if we were drafting from scratch, and determine later whether we thought the changes were so significant as to require a referendum. We assumed throughout that the changes would at least require examination.

As part of our consultations we held public meetings, and members of the committee carried out [research on sustainable design methods](#). We wrote frequently about all of these efforts in a regular column in the Hampstead and Highgate Express, the local newspaper. We found that there was support for strengthening the policies related to sustainability and the natural environment in our Plan.

Accordingly, over the past two years, we have written a revised draft which we have submitted to public scrutiny. It has received strong support.

Modifications to the Hampstead Neighbourhood Plan

We believe that the modifications that we have made are important, and that they strengthen the Plan's policies in line with new legislation and the Council's draft Local Plan. However, they do not deviate from the vision and intentions set out in the existing [Hampstead Neighbourhood Plan 2018-2033](#).

To support this view, it is necessary to recall the aims and policy themes set out in the existing Plan.

The Executive Summary (paras 1.1-1.3) sets out a vision 'to conserve and foster Hampstead's charm and liveability by protecting the distinctive character of buildings and open spaces, the Heath, healthy living, community spirit and the local economy.'

It specifies five main aims, to ensure that Hampstead is:

- Lively and contemporary, while safeguarding the fine heritage of streets and buildings
- Enduringly green, with the Heath, open spaces, trees and landscapes well protected
- Safe and walkable, with good public transport and alternatives to use of cars
- Business-friendly – to meet needs of residents, workers and visitors and back local enterprise

- A community with good amenities, a sense of belonging and mutual support

To meet these aims, the Plan sets out policies in six areas:

- **Design and heritage:** Development must respond to the history and distinctive character of Hampstead's different areas. It must contribute positively through good architecture and landscaping. Development must conform to conservation area appraisals and management strategies and must not harm an area's character or heritage assets. These norms apply to changes to the streetscape.
- **Natural environment:** Development must protect local green spaces and trees important to the character and environment. The Plan supports development that fosters strong ecological networks and biodiversity.
- **Basements:** The Plan requires basement proposals to demonstrate that neighbours and the local environment will be protected from harm.
- **Traffic and transport:** The Plan supports development that reduces motor vehicle traffic, improves public transportation and promotes alternatives such as cycling and walking. The Plan seeks to limit the impact on the environment of heavy goods vehicles.
- **Economy:** The Plan supports development that encourages a healthy retail mix. This means broadening the range of shops and eating and drinking places and supporting the retention of business premises and small and independent shops. Shopfronts and signage should reflect the heritage and their designs should be sensitive to the streetscape.
- **Housing and Community:** The Plan supports the improvement of community facilities, particularly those that serve older people and those with disabilities. It backs development that promotes affordable housing.

We argue that the consultations and re-drafting of the past two years have not resulted in any deviation from the above summary that was contained in the existing Plan.

The modifications are summarised below with brief comments:

Design and heritage:

DH1: to this policy on **Design** is added 1(d) , supporting new dormer windows that 'do not dominate or detract from the building or terrace being subsidiary to the main roof form (preserving sufficient areas of plain, uninterrupted slope), are modestly proportioned and positioned sensitively (preferably on the rear elevation), set back from the eaves and ridge, and smaller than ground floor windows using materials that complement the existing roof. Any new dormers should preserve architectural heritage and character.'

Comment: this covers what we felt with experience was an omission from the existing Plan.

DH2: no substantive change to the policy on **Conservation areas and listed buildings.**

DH3: This policy on **Sustainable development** is an addition to the existing Plan. Paragraph 1 supports refurbishment and retrofitting over demolition and new build. It supports retrofitting with energy-efficient measures provided these minimise impact on amenity and do not damage a building's heritage. It supports use of low-embodied energy materials and technologies, such as timber and lime. Paragraph 2 supports net-zero carbon development and expects the highest possible environmental standards, while preserving heritage assets. Proposals will be supported that reduce greenhouse gas emissions, achieve net-zero carbon, and where possible are net energy-positive. Paragraph 3 supports use of sustainable and local materials and water efficiency measures. Major developments should include a whole-life carbon assessment. Permeable surface areas should be maintained or expanded and water run-off slowed, for example with attenuation tanks. Paragraph 4 sets out further examples of proposals that will be supported as promoting sustainable development, such as measures for maximising solar gain, retention of existing trees and planting of new trees where possible, and measures for sustainable travel over private car use. It does not support erection of new flues for wood-burning stoves (where planning permission is required).

Comment: This new policy reflects developments in technologies since the existing Plan was written. It reflects greater public and local awareness of what can and should be done to achieve sustainable development. In addition, it is fully in keeping with national, London and Camden policy priorities, including the draft Camden Local Plan. Finally, it follows and builds on the aims and policies of the existing Neighbourhood Plan, and does not represent a substantive departure from those aims and policies.

DH4: This policy on **Clean and considerate construction** is an addition to the existing Plan. It seeks to reduce the negative impact of construction activities on neighbours and the environment by supporting: construction methods that facilitate timely completion, such as off-site fabrication or modular construction; and minimising disruption to neighbouring properties, ensuring noise, vibration, light pollution and working hours are kept within acceptable limits. Developers are asked to include in any Construction Management Plan: a Circular Economy Statement in line with the London Plan; a noise management plan; using vehicles of no more than 7.5 tonnes unladen weight. The policy asks developers and contractors to engage with the local community and stakeholders throughout the construction process, responding promptly to concerns. It requires sites where development is reasonably expected to last for more than three months to be registered with the Considerate Constructors Scheme. Sites where development is unfinished three months after the start of work must be registered with the Considerate Constructors Scheme. It specifies that all rubbish must be cleared from the highway at the end of a working day.

Comment: This new policy reflects the strength of local opinion about poorly executed construction schemes. Some recent developments have caused major, long-term disruption to residents' lives. Residents' experience is that they have no means of redress or influence in such circumstances. This policy seeks to help correct this situation by setting criteria for support at the planning stage. It does not represent a significant departure from the existing Plan's aims and policies.

DH5 (renumbered from DH3): To this policy on the **Urban realm** is added paragraph 3 which supports small-scale improvements to the public realm to add greenery, trees and biodiversity, including: planting to reduce 'heat island' effects and enhance public health;

renewable energy generation such as solar panels; sustainable drainage systems and rainwater harvesting; using sustainable and local materials for paving and street furniture.

Comment: This addition promotes sustainability and is in keeping with the existing Plan's aims and goals as well as the draft Local Plan.

Natural environment:

NE1: This policy is developed, expanded and renumbered from the existing NE4 on Supporting biodiversity and is re-titled **Supporting biodiversity and mitigating climate change**. The changes reflect increased emphasis on biodiversity, as well as the new statutory requirement for all developments to produce biodiversity net gain (BNG). To the previous NE4 is added, in paragraph 1, support for schemes that, where feasible, increase biomass and necromass; add living green roofs and walls; and reduce impermeable surfaces. The new paragraph 2 supports extensions that are subservient to the original footprint and mass of the house, contribute positively to the character of the area and provide BNG. The new paragraph 3 encourages development, including garden buildings, to explore opportunities to provide a 1-metre gap at the end of the rear (or main) garden to provide space for planting and movement of wildlife. Where development is occurring within a Biodiversity Corridor, a 2-metre gap should be left. Within an Historic Tree Line, a 3-metre gap should be retained.

Comment: These changes reflect changes to UK law and popular support for biodiversity measures. They follow aims specified in the existing Plan, in particular support for 'development that fosters strong ecological networks and biodiversity.' The draft Camden Local Plan for the first time also includes a chapter on the Natural Environment.

NE2: This policy is developed, expanded and renumbered from the existing NE3 on Biodiversity and is re-titled **Ecological networks and biodiversity corridors**. It does not identify any further biodiversity corridors beyond the 11 identified in the existing Plan. However, it includes new clauses that seek to develop these corridors into a network through which wildlife can move more easily throughout the Plan area. In paragraph 2, development proposals are encouraged to consider ways to improve connectivity between the biodiversity corridors in newly identified Network Priority Areas (to be illustrated in a new map); and to improve networking of biodiversity and tree lines linking to green areas outside the Plan area. Paragraph 3 stipulates that trees should be removed only if there is strong justification. Paragraph 4 says that acceptable garden buildings should be constructed on piled foundations or point supports, rather than reinforced concrete slabs.

Comment: This policy develops logically from the existing Plan policy and on existing biodiversity corridors. It follows aims specified in the existing Plan, in particular support for 'development that fosters strong ecological networks and biodiversity.'

NE3: This policy on **Local Green Spaces** is renumbered from the existing NE1. No substantive changes.

NE4: This policy on **Trees** is renumbered from the existing NE2. It is reworded and streamlined but retains essentially the same elements. Support for planting of trees within the public realm is added.

Basements:

BA1: This policy on **Basement development** merges the contents of the previous BA1 and BA2 for greater clarity and comprehensiveness. To the previous policies are added a requirement to ensure that assessment of ground movement impact and potential groundwater flooding have considered the cumulative effect. Proposals should include details of planned daily movement and vibration monitoring during excavation, dropping to weekly once the structural box is completed). A proposal should be accompanied by a detailed landscaping scheme that demonstrates how trees on site will be retained and protected during construction, and how the scheme will deliver Biodiversity Net Gain in accordance with the requirements of national policy.

BA2: This policy on **Construction Management Plans** is renumbered from BA3. It includes as policy some detail on desired timings of work and high impact activities that was previously included in the justifying text.

Comment: **These minor changes to the Plan’s basement policies reflect greater awareness of flood damage risks. They are in keeping with the existing Plan’s aim that basement proposals ‘demonstrate that neighbours and the local environment will be protected from harm.’**

Traffic and Transport:

TT1: This policy on **Traffic volumes and vehicle size** is virtually unchanged from the existing policy.

TT2: This policy on **Pedestrian environments** is unchanged.

TT3: This policy on **Public transport** is unchanged.

TT4: This policy on **Cycle and car ownership** is unchanged.

Economy:

EC1: This policy on **Healthy retail mix** has been refined from the existing policy, partly in light of the government’s abolition of distinctions between commercial properties and grouping them all into Class E. Paragraph 1 adds a more specific expression of support for proposals that foster ‘a widely varied retail offering, including small and locally based shops, so as to enhance its village-like character and economic vibrancy.’ It also supports provision of ‘hubs for community-related and cultural activities as envisioned in Camden’s “Future High Streets” prospectus.’ It supports provision of opportunities to small/independent shops and businesses, which contribute positively to the vitality of the centres. So as to maintain dynamic high street areas, Paragraph 2 says proposed changes of use from Class E to residential will not be supported unless it can be shown that there is a long history of vacancy. Aggregation of shop fronts that would result in the loss of viable small retail premises is not supported.

Comment: **These adjustments bring the Plan up to date and give greater clarity and substance to the existing policy. The policy remains strongly aligned with the existing**

Plan's aim to support 'development that encourages a healthy retail mix.' Consultations by the Forum have repeatedly demonstrated residents' strong feelings on this issue.

EC2: This policy on **Contributing positively to the retail environment** contains small additions to the existing policy. The policy supports proposals that minimise light pollution, and does not support 'excessive or bright lighting or 24-hour lighting of shopfronts that would cause harm to wildlife.' In addition, the policy resists the installation of LCD displays in shop windows. Shopfronts should avoid excessive signage.

Comment: These changes bring the policy up to date and retain the existing Plan's aim that 'shopfronts and signage should reflect the heritage and their designs should be sensitive to the streetscape.'

Housing and Community

HC1: This policy on **Housing mix** includes small changes to emphasise the need in the Plan area for more small, affordable units, whether as social or market housing. The policy also supports community-led housing in providing affordable homes.

HC2: This policy on **Community facilities** adds a list of facilities (taken from and expanded from the existing justifying text) of which the loss will be resisted unless it is no longer required or a suitable replacement is planned. Additionally, the policy supports proposals to facilitate cultural activities in the Plan area.

HC3: This policy on **Enhancing street life through the public realm** adds clauses in paragraph 2 that give examples of the types of approaches that would help buildings that frame public spaces to encourage ease of movement and public use. The examples are: framing and enclosing the space to establish scale and definition; providing first floor shops to generate vibrancy and pedestrian activity; promoting permeability and visual/physical connections between interior and exterior; incorporating features that provide environmental comfort, such as shelter and greener; orienting the building to provide natural surveillance and improve safety.

Comment: These small changes are in keeping with the existing Plan's aims to support the improvement of community facilities and to back development that promotes affordable housing.

Other modifications

For full disclosure we should mention other changes to the overall Plan document that do not alter policies.

- 1) A two-page section is added that gives guidance on two **Strategic Sites**. These are Queen Mary's House at the top of East Heath Road, and the Royal Mail delivery office on Shepherds Walk. To be clear, the new Neighbourhood Plan makes no site allocations. However, these two sites are allocated by Camden in its draft new Local Plan. Our section is designed to guide future developers to put forward schemes that conform with the policies of the Neighbourhood Plan.
- 2) The Plan contains small editorial changes throughout that do not alter its substance but address infelicities and bring it up to date. For example, paragraph 2.17 in the Introduction chapter contains revised facts about our area.

- 3) In the introductory text to the Design and Heritage chapter, we have imported brief descriptions of our five 'Character Areas' that were previously included in the appendices.
- 4) To make the Plan more accessible and modern, its textual design and illustration (including photographs and maps) has been revised and renewed.

Conclusion

The Hampstead Neighbourhood Forum believes that the above summary of changes and the accompanying comments demonstrate the argument that the modifications merit examination but do not require a referendum to be held. We believe that they strengthen the Plan but do not represent a departure from the existing Plan's stated aims and policies.

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June 2024