

Application ref: 2022/4555/P  
Contact: Matthew Dempsey  
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Date: 16 August 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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WC1H 9JE

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WS Planning & Architecture  
No.1 Croydon  
11th Floor  
12 - 16 Addiscombe Road  
Croydon  
CR0 0XT

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**9 The Mount**  
**London**  
**NW3 6SZ**

**Proposal:**

Various internal and external alterations to the existing dwelling, including excavation of two vaults (street level).

Drawing Nos: Site Location Plan 21041 001, EX-00-100, 101, 102, 103-C, 104, 200, 201, 202, 300, 301, 302. PL-00-100, 101, 102, 103-C, 104-B, 200, 201-B, 202, 204, 205, 206, 300, 301, 302. PL-74-101, PL-77-001, PL-80-001.

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

**Condition(s) and Reason(s):**

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 21041 001, EX-00-100, 101, 102,

103-C, 104, 200, 201, 202, 300, 301, 302.PL-00-100, 101, 102, 103-C, 104-B, 200, 201-B, 202, 204, 205, 206, 300, 301, 302. PL-74-101, PL-77-001, PL-80-001.

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 4 Andrew James Mitchinson BEng(Hons) CEng 'MIStructE (Membership No. 021156035) of Mitchinson Macken, as a suitably qualified chartered engineer with membership of an appropriate professional body, has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities have been submitted to and approved by the local planning authority as part of this application by letter dated 14/06/2023. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, BA1, BA2 and BA3 of the Hampstead Neighbourhood Plan 2018.

- 5 The development hereby approved shall be carried out strictly in accordance with the Basement Impact Assessment compiled by Solis Limited (20353/BIA Rev 1.03, April 2023), along with the Structural Engineering Report compiled by Constructure Ltd (2230 [P1] October 2022), The Flood Risk Assessment and Drainage Strategy compiled by Constructure Ltd (2230 A 11/10/2022), The Construction Management Plan Framework compiled by Patrick Parsons Ltd (10996 September 2022), The Heritage Statement compiled by Stephen Levrant Heritage Architecture Ltd (October 2022), as well as the recommendations in the Basement Impact Assessment Audit Report (Rev F1) prepared by Campbell Reith, dated April 2023.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017 and policies DH1, DH2, BA1, BA2 and BA3 of the Hampstead Neighbourhood Plan 2018.

- 6 The new roof light hereby approved shall be installed to be flush with the existing roof slope, and shall not protrude above the roof. This feature shall be retained and maintained as such in perpetuity.

Reason: To safeguard the character and appearance of the host building and wider conservation area in accordance with policies D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

1 Reasons for granting permission:

A combined application for planning permission and listed building consent has been submitted seeking approval for the proposals. The internal works are dealt with under listed building consent application ref: 2022/4871/L.

The proposed external alterations, along with the excavation of two vaults and lowering of the basement floor are considered acceptable in terms of design, scale and materials and would not appear incongruous within the setting of the residential property and wider conservation area.

External alterations include a Juliette balcony over the courtyard with railing to match existing, and the removal of concrete steps to reinstate the original lightwell. New fenestration shall be installed facing the courtyard which is sensitively considered for the host property. A new conservation style roof light shall replace an existing unit at main roof level to be flush with the roof slope, this has been reduced in scale following comment from the Council Conservation Officer. In addition, a new walk on roof-light shall be installed within the existing terrace floor above the kitchen, with railings raised to meet building regulation standards, matching the existing design. The existing double garage shall be reconfigured to remove a central pillar and install an over folding door. The adjacent undercroft passageway would be widened to accommodate bin stores. The proposals include excavation of two vaults and the lowering of the existing basement level. The vaults would be located at the front of the property. The basement level would be lowered by approximately 0.2m - 1.0m. Proposals also include the widening of undercroft passageway to accommodate bin stores and add storage.

Revisions to the scheme were accepted, along with the reduced scale rooflight, existing windows shall be retained at 2nd floor on the east elevation and a courtyard window shall not be relocated.

The proposed works preserve the special interest of the listed building. Historic England has issued an Authorisation to Determine an Application for Listed Building Consent as Seen Fit. The Council Conservation Officer was satisfied with the revised proposals.

The external works are not considered to have any harmful impact on neighbouring residential amenity as no significant new views would be created by this development. Given the excavation aspects of the proposal are subterranean in nature, this is not considered to result in any detrimental impact to neighbouring residential amenity in this regard.

It is noted that the applicant has provided details of a suitable qualified appointed engineer to oversee the relevant works. The detail of this engineer has been secured by condition attached to this decision.

One representation was received following statutory consultation from a local resident. Their concerns relate to potential subsidence and risk of flooding. However the application is supported by a basement impact assessment which has been independently audited along with a flood risk assessment and drainage strategy. It is considered the supporting information providing by the applicant is sufficient to alleviate concerns in this regard.

To ensure any impacts of this development are managed effectively, the recommendation to approve permission is subject to a section 106 agreement with a requirement for a construction management plan to be submitted and approved by the Council.

The site's planning history has been taken into account when making this decision.

Special regard has been attached to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies D1, D2, A1 and T3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020

7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

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

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

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope  
Chief Planning Officer