

Mr Stephen Dee
46A Providence Square
London
SE1 2EA

Application Ref: **2010/1490/P**
Please ask for: **Charles Thualre**
Telephone: **020 7974 5867**

24 June 2010

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
Land at Kenwood House
Hampstead Lane
London
NW3 7JR

Proposal:

Change of use of part of the grounds for weekend open air concerts, including erection of a stage compound and sound towers, toilets and ancillary infrastructure on the Pasture Ground, for a temporary period of 10 weeks on 8 Saturdays between June and August (the last date to have a firework display).

Drawing Nos: IMG letter dated 22.3.10; Section 2- Supporting Planning Statement; Plans-site plan 2010 1/9, bar detail 2/9, pedestrian access 3/9, disabled access 4/9, emergency routes 5/9, boundary 6/9, fences 7/9, south terrace 8/9, lighting 9/9; Site Damage Mitigation and Repair Plan amended February 5th 2010; Furesfen Kenwood Concerts Monitoring report Sep 2009; report on water quality at Kenwood House Sep 2009; Report on compliance with planning conditions Dec 2009; Plans of stage canopy- SE, 3D, 3Df, 3Dr, FE, P, P (all revision 6); plans of toilet marquee (2 x unnumbered A4 sheets); Section 5: Transport Statement, including Kenwood Concerts 2010 draft Travel Plan; Section 6: Noise Statement; Section 8: 2010 Operating Statements.



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

Condition(s) and Reason(s):

- 1 The use hereby permitted is for a temporary period only and shall begin no earlier than the last week in June 2010 and shall cease on or before the first week in September 2010, at which time the site shall revert to its lawful use as open air recreation.

Reason: The Council would wish to review the permission at the end of the period in the light of experience of the operation of the use, in order to ensure compliance with the requirements of policy SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 2 The stage, sound towers and toilet structures hereby permitted are for a temporary period only; they shall be erected no earlier than the last week in June and shall be removed on or before the first week in September 2010.

Reason: The type of structures are not such as the Council is prepared to approve, other than for a limited period, in view of their appearance. The permanent retention of the structures would be contrary to the requirements of policies S1/ S2, B1, B6, B7 and B9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 The use hereby permitted shall not be carried out otherwise than in accordance with the operational details (including dates and hours) specified in the "English Heritage Picnic Concerts Kenwood 2010- Operating Schedule 2010" document hereby approved. In particular only one concert shall have a firework display on 21st August 2010.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD1, SD6 and SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 Music noise levels throughout the concerts, as measured at a point 1 metre from any sensitive facade, shall not exceed 55dB(A) over a 15 minute period. In particular the noise control and monitoring strategy during the concerts shall not be otherwise than as specified in the Noise Management Plan in Appendix 8.7 of the "Operating Schedule 2010" document hereby approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6, SD7, SD8 and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 The development shall not take place until the whole of the carparking, seating and toilets for disabled visitors as shown on the approved drawings is provided for the duration of the concert season.

Reason: To ensure that the use of the premises caters for the needs of disabled people in accordance with policy SD1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6** All trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage to the satisfaction of the Council. Turf and trees on the site shall be protected from damage and any damaged turf shall be repaired/reinstated where necessary in accordance with the Site Damage Mitigation and Repair Plan (amended 5.2.10) hereby approved.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and landscape and in order to maintain the character and amenities of the area in accordance with the requirements of policies B1, N3 and N8 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 7** The following measures relating to protection and enhancement of protected species such as bats and their habitats should be undertaken during the concert season, as recommended in the Furesfen Monitoring Report September 2009 hereby approved:
- (1) lighting and generators should not be used near the Stone bridge, ponds or the woodland edge;
 - (2) light spillage on Wood Pond behind the concert stage should be no more than 1lux. If spillage is any greater than 1lux then adjustments to the lighting and/or the provision of screening shall be carried out;
 - (3) bat monitoring at Kenwood should continue annually (unless otherwise advised by Natural England) and bat detection equipment should be supplied to enable staff at Kenwood to undertake effective bat monitoring;
 - (4) details of the feasibility of a bat hibernaculum to be created in the ice well in South Wood in the winter of 2010/11 shall be submitted to and approved by the Council and, subject to English Heritage and Natural England approval, its construction shall be completed by the end of February 2011.

Reason: To ensure that the development will not have an adverse effect on the existing protected bat colony in adjacent woods in accordance with the requirements of policies N5, N6 and N7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 8** The use hereby permitted shall be monitored by the applicants for the concert season in accordance with the IMG letter dated 22.3.10 hereby approved. Any changes to the operation of the scheme as a result of this monitoring shall be submitted to and approved in writing by the Council before the following year's concert season.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD1, SD6 and SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

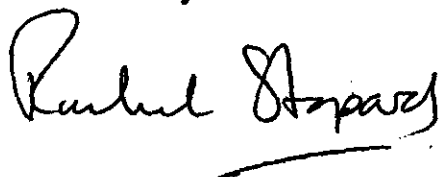
Informative(s):

- 1** Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests, whilst being built or in use. For further information contact Natural England on 0300 060 2634.
- 2** Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 3** The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Street environment Service (Recycling) on 0207 974 6914 or by email recycling@camden.gov.uk or on the website www.camden.gov.uk/recycling.
- 4** This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or from the Council's One Stop Reception, Environment Department, Camden Town Hall, Argyle Street WC1H 8EQ. (Tel: 020 7974 5613 or email env.devcon@camden.gov.uk).
- 5** Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Urban Design and Renewal, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6** Reasons for granting permission. [Delegated]

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD1,2,6,7,8; B1,6,7,9; N1,2,3,5,6,7,8; T1,2,3; C3. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.
- 7** You are advised in relation to condition 8 that any changes (as recommended by the annual monitoring) that materially alter the operation of the concert programme or the structures associated with it, as hereby approved, may need further planning permission.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line drawn underneath it.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.