

Application ref: 2019/2708/L  
Contact: Nick Baxter  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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National Trust  
National Trust  
20 Grosvenor Gardens  
London  
SW1W 0DH

Dear Sir/Madam

## **DECISION**

Planning (Listed Building and Conservation Areas) Act 1990

### **Listed Building Consent Granted**

Address:

**Fenton House**  
**Hampstead Grove**  
**Hampstead**  
**London**  
**NW3 6SP**

Proposal:

Works to boundary wall and pier in the southern garden: install arch to allow space for tree; install 5 steel brackets along inside face of wall to prevent it from leaning any further; deconstruct pier and rebuild in matching materials; tie this into the boundary wall.

Drawing Nos: Location plan, access plan, heritage statement, design and access statement v2, GA007 C01 (post), GA006 P01 (post locations), GA005 C02 (arch), DE005 C02 (posts details), GA004 C02 (post side ele)

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

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan, access plan, heritage statement, design and access statement v2, GA007 C01 (post), GA006 P01 (post locations), GA005 C02 (arch), DE005 C02 (posts details), GA004 C02 (post side ele)

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 The final colour of the steel posts and the finished sootwashing are to be presented for approval during works and agreed in writing before completion.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

#### Informative(s):

- 1 The site is a grade-I-listed country house of 1686, making a positive contribution to the Hampstead Conservation Area.

The applicant wishes to arrest the lean of a tall brick side boundary wall by attaching it to five steel uprights fixed into the ground. A leaning pier in the front wall is to be dismantled and identically rebuilt in true. Once rebuilt, it will be sootwashed. A portion of the side wall that is being pushed by a tree will be replaced with an arch. The area above will be reinforced with Helibar. The repaired wall will then likewise be sootwashed to reproduce its current appearance.

The introduction of the steel uprights, while visually unfortunate, is the least bad way of preventing the collapse of the wall. It has the slender advantage in SPAB terms of presenting an honest repair. The only reasonable alternative, completely rebuilding the wall, would be more harmful. The posts and their fixings will be painted a reddish brown colour to minimise their visual impact, the colour to be assessed by condition.

The pillar will be rebuilt like for like, using lime mortar and the existing bricks. It will then be sootwashed to reinstate its historic current appearance which would otherwise be permanently lost, given the absence of coal fires, etc. This will maintain the character and appearance of the conservation area.

While the loss of a portion of the wall is regrettable, again, the alternative - the loss of the tree - would be worse.

The proposed works will not harm the special interest of the grade-I-listed building.

The application has been advertised in the press and by means of a site notice, whereby there were no consultation responses. Historic England has issued a letter of flexible authority ratified by the secretary of state. The site's planning history has been taken into account in making this decision.

Special attention has been paid to the desirability of preserving the special interest of the listed building, under s.16 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 policy D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the NPPF.

- 2 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).
- 3 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 4 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 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 London Borough of Camden 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.

- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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.

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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer