

Application ref: 2020/3584/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Email: Sofie.Fieldsend@camden.gov.uk
Date: 26 November 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Milk Studio + MDA
29 Redan Street
London
W14 0AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**12 Keats Grove
London
NW3 2RN**

Proposal: Variation of conditions 2 (approved plans) and 8 (basement) of planning permission ref 2019/5443/P dated 26/02/2020 for 'Erection of single storey plus basement side extension including excavation (following demolition of existing garage extension)'. Namely to vary the side basement height and create front lightwell. Fenestration alterations to ground floor side extension.

Drawing Nos: Superseded: 0000; -0000; 0001; 0100; 0101; 1010 Rev 01; 1011 Rev 01; 1000 Rev 01; -1000 Rev 01; 1001 Rev 01; 1100 Rev 01; 1101 Rev 01; 1200 Rev 01; Structural Engineer's Basement Impact Assessment ref 28570.

Amended: KEA_12_001; KEA_12_002; KEA_12_003; KEA_12_004; KEA_12_005; KEA_12_006; KEA_12_007; KEA_12_100_RevA; KEA_12_101_RevA; KEA_12_102_RevB; KEA_12_103; KEA_12_200_RevC; KEA_12_300; KEA_12_301; Ground Investigation and basement impact assessment report by GEA dated 6/8/20; Structural Engineer's Basement Impact Assessment by Price and Myers dated Aug 2020 and Basement Impact Assessment Audi Rev. F1 t by Campbell Reith dated Nov 2020.

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 the original planning permission ref 2019/5443/P dated 26/02/2020.

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

- 2 For the purposes of this decision, condition no.2 planning permission 2019/5443/P dated 26/02/2020 shall be replaced with the following condition:

REPLACEMENT CONDITION 2

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

0010; 0011; 0002; 0003; 0200; 0201; 1002 Rev 01; 1003 Rev 01; 0110 Rev 01; 1102 Rev 01; 1201 Rev 01; 1400 Rev 01; 1600 Rev 01; 1601 1:25 Rev 01; KEA_12_001; KEA_12_002; KEA_12_003; KEA_12_004; KEA_12_005; KEA_12_006; KEA_12_007; KEA_12_100_RevA; KEA_12_101_RevA; KEA_12_102_RevB; KEA_12_103; KEA_12_200_RevC; KEA_12_300; KEA_12_301; Ground Investigation and basement impact assessment report by GEA dated 6/8/20; Structural Engineer's Basement Impact Assessment by Price and Myers dated Aug 2020 and Basement Impact Assessment Audi Rev. F1 t by Campbell Reith dated Nov 2020.

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

- 3 (a) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the Council.

(b) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the Council.

In all cases the background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 Prior to use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 5 Notwithstanding the approved drawings and support documents, full details of the proposed front garden boundary wall alongside 12B Keats Grove, including elevation and section drawings, shall be submitted to and approved in writing by the Council.

Reason: To safeguard the appearance and setting of the building 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.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the 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 shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. 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.

- 8 The development shall not be carried out other than in accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment hereby approved, including but not limited to the monitoring requirements therein and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 0.

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.

Informative(s):

- 1 Reasons for granting permission:

The proposal would increase the height of the side basement and alter the fenestration at ground floor. The originally proposed front lightwell was removed following feedback from the Conservation Team as it considered to harm the character and appearance of the listed host property. The basement floor would be lowered by 0.38m, resulting in excavation of 3.3m below ground level which still complies with basement guidance. It will not alter the above ground appearance of the basement. The fenestration alterations are of a similar style to that already approved and they are acceptable.

The proposed amendments are considered to be of an acceptable design quality and overall result in minor changes to the approved scheme. They are not considered to cause harm to the grade II building's special interest or setting, or to the conservation area. The Council's Conservation Officer has assessed the revised proposal and does not object.

A Basement Impact Assessment (BIA) was submitted which assessed the potential impact on land stability and local ground and surface water conditions. The BIA predicts negligible (Category 0) damage on the Burland Scale. An independent audit of this report was carried out by Campbell Reith who found it satisfactory. The basement is considered to comply with the requirements of policy A5 / CPG Basements.

Given the minor nature of the fenestration alterations and that the basement does not manifest above ground level. The alterations are not considered to have a detrimental impact on the residential amenities of the neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy to an extent that would warrant a reason for refusal.

The full impact of the scheme has already been assessed during the determination of the permitted scheme, and it is considered that the amendments would have a minor material effect in terms of appearance and neighbouring amenity considerations.

No objections were received during the consultation period. The planning

history of the site has been taken into account when coming to this decision.

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 Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

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

As such, the proposed development is in general accordance with policies A1, A5, D1 and D2 of the Camden Local Plan 2017 and policies BA1, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. It also complies with the London Plan 2016 and 2019 (intended to publish), and the National Planning Policy Framework 2019.

- 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 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.
- 4 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

A handwritten signature in black ink, appearing to read 'DP', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer