

Application ref: 2021/3031/P
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Date: 8 April 2022

Development Management
Regeneration and Planning
London Borough of Camden
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51 architecture
1a Cobham Mews
London
NW1 9SB

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 Condition 2 (approved plans) of planning permission 2019/5443/P dated 26/02/2020 (as amended by permissions refs 2020/3584/P dated 26/11/20, 2021/0026/P dated 21/3/21 and 2021/1497/P dated 23/8/21) (for Enlargement of existing side entrance porch at ground and lower ground floor levels including excavation, replacement front door and alteration to surrounding fenestration; Erection of single storey plus basement side extension including excavation; Replacement window frames to all elevations; Removal and reapplication of external render; Alterations to front boundary wall including infilling of vehicle gate and formation of new pedestrian gate; front garden side boundary wall and bin store; Front and rear garden landscaping including the erection of two garden outbuildings; Installation of 3 air conditioning units to rear garden), namely amendments to enlarge basement side extension at rear, removal of previously approved rooflights, and alterations to landscaping including new steps to approved side extension to provide access into the garden.

Drawing Nos: Superseded: KEA_12_101_RevB; KEA_12_102_RevC; KEA_12_103 Rev.A; KEA_12_104; KEA_12_201; KEA_12_300 Rev.A and KEA_12_301 Rev.A.

Amended: 8000 Rev.H; 8001 Rev.G (17/2/22); 8002 Rev.C; 8003 Rev.B; 8005 Rev.A; 8006 Rev.A; 8007 Rev.A; 8008; 8009 Rev.B

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

0010; 0011; 0002; 0003; 0200; 0201; 1003 Rev 01; 0110 Rev 01; 1102 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; 8000 Rev.H; 8001 Rev.G (17/2/22); 8002 Rev.C; 8003 Rev.B; KEA_12_200_Rev.D; 8005 Rev.A; 8006 Rev.A; 8007 Rev.A; 8008; 8009 Rev.B

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; Basement Impact Assessment Audi Rev. F1 t by Campbell Reith dated Nov 2020 and Arboricultural Method Statement ref. 0221-9009 By Ruskins dated Feb 2021.

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.

- 6 The trees to be retained shall be protected during construction work in line with guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and the details hereby approved in Arboricultural Method Statement ref. 0221-9009 by Ruskins dated Feb 2021. 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 commence in line with the details approved under application reference 2020/5135/P, dated 1/12/21, securing the appointment of a suitably qualified chartered engineer with membership of the appropriate professional body 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. 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.

- 9 The development hereby approved shall be carried out in accordance with the landscaping details approved under refs 2022/0001/P dated 03/03/2022 and 2021/3032/L dated 14/09/2021 (which secured details of hard and soft landscaping, means of enclosure, rear garden steps and at least three replacement trees in the front garden).

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 10 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission:

The proposal will remove the previously approved earth mound to the front and rear of the approved side extension and the doors on the rear will be relocated to facilitate new steps to provide access into the garden. It is considered that this alteration would be an improvement and the final landscaping would still be secured by condition. It is considered that the new fenestration will appear similar and would not result in a material change to its appearance.

At lower ground floor, the basement will be modestly extended to the rear; this increase would not manifest above ground level and its depth would still

comply with the criteria of Local Plan policy on basements. Campbell Reith, the Council's independent basement auditor, has confirmed that the proposed minor changes would not alter the conclusions of the Basement Impact Assessment regarding impact on hydrology and land stability and as such no additional BIA or audit is required.

The original proposal also intended to insert 2 circular rooflights over the entry hall; however this aspect has now been removed and there is no heritage reason for them to be installed thus their exclusion is accepted.

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

The Council's Tree team has reviewed the revisions and considers they would not harm any trees in close proximity to the proposed changes.

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 impact on appearance and neighbouring amenity.

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 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 2013.

As such, the proposed development is in general accordance with policies A1, A2, A5, D1 and D2 of the Camden Local Plan 2017 and policies BA1, NE2, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. It also complies with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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.

- 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) 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 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:

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

Yours faithfully



Daniel Pope
Chief Planning Officer