

Application ref: 2023/3448/P
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Date: 29 November 2023

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

Maddox Planning
33 Broadwick Street
London
W1F 0DQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1
23 Frognal
London
NW3 6AR

Proposal:

Erection of single storey outbuilding with green roof in rear garden.

Drawing Nos: A-001 Rev A, A-002 Rev A, A-003 Rev C, A-004, Design and Access Statement 16th August 2023, Planning Statement August 2023.

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:

A-001 Rev A, A-002 Rev A, A-003 Rev C, A-004, Design and Access Statement 16th August 2023, Planning Statement August 2023.

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

- 3 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved plan (Plans and Elevations - As Proposed A-003, Rev C) shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and policies SD5, BGI1 and BGI2 of the Redington Froggnal Neighbourhood Plan 2021.

- 4 The outbuilding hereby approved shall only be used for ancillary purposes to flat 1 at 23 Froggnal and shall not be used as a separate residential dwelling or a business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 of the London Borough of Camden Local Plan 2017 and policy SD4 of the Redington Froggnal Neighbourhood Plan 2021.

Informative(s):

- 1 Reasons for granting permission:

The application site comprises a five storied semi-detached property which has been subdivided into flats. This application relates to the lower ground floor flat, specifically the rear garden of this flat. The site is within the Redington Froggnal Conservation Area and Neighbourhood Plan area, although it is not statutorily listed.

The proposal is for the erection of an outbuilding with green roof in the north-western corner of the rear garden. The outbuilding would have a flat roof, and the proposed materials include treated timber and double-glazed openings

framed in timber. Measuring approximately 6.6m wide, 3.6m deep and 3m high, the outbuilding would be subordinate to the main dwelling house in terms of bulk, mass, height and footprint and an acceptable amount of garden amenity space would be retained. The materials are considered to be appropriate within a garden context. It would not be visible from the public realm and is not considered to harm the character and appearance of the conservation area. There are other examples of outbuildings approved for the rear of nearby properties in recent years (e.g. Nos 24 and 25 Frogna). The proposal incorporates a green roof, which would mitigate against the loss of garden space. A condition requiring details of the green roof to be provided is attached.

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 Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Given its scale, siting and design, the proposal is not considered to result in harm to neighbouring amenity in terms of loss of light, outlook, overlooking or privacy. No windows or doors are proposed on the rear or side elevations of the outbuilding. The outbuilding would not be sited in close proximity to any neighbouring buildings, with the exception of the side (eastern) elevation of the dwelling at 25B Frogna. There are however no windows on this elevation of the dwelling, in the areas of the outbuilding that have the potential to be impacted by the proposal. While the areas of proposed glazing would face out towards 21 Frogna, given the limited height of the outbuilding and separation distance between the outbuilding and this property, no amenity related effects would result. Further the presence of the existing 2.3m high fencing along the western and northern (adjacent to where the outbuilding is proposed) boundaries would reduce any views.

No objections were received prior to making this decision. Comments were however received from the Redington Frogna Neighbourhood Forum noting the loss of some natural soft surface, and suggesting planting. The proposal has been revised following receipt of these comments to include a green roof.

A condition is attached stating that the outbuilding shall only be used for purposes ancillary to the enjoyment of the flat, and that it can't be used for separate living or business means.

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

As such, the proposal is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017 and policies SD2, SD5 and BGI1 and BGI2 of the Redington Frogna Neighbourhood Plan. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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, 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 (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.

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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-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



Daniel Pope
Chief Planning Officer