

# 33 Ferncroft Avenue 2023/2904/P & 2023/3741/L



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Site photos & Plans - 33 Ferncroft Avenue 2023/2904/P & 2023/3741/L



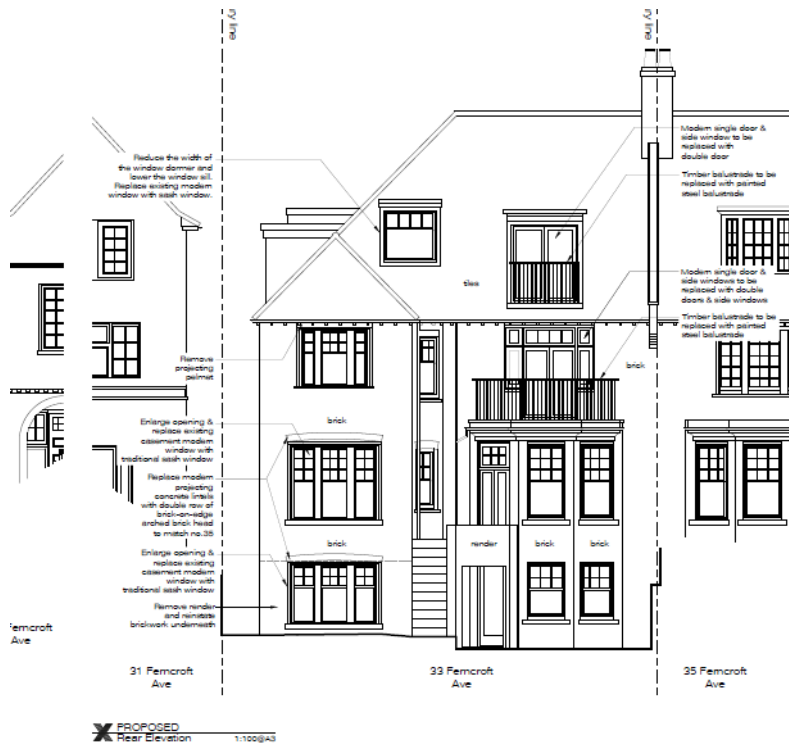
Existing front elevation (above)



Existing rear elevation (above)



Existing rear elevation (above)



Proposed rear elevation (above)



Existing side elevation (above)



Proposed side elevation (above)

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/09/2023</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>08/10/2023</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Enya Fogarty			i) 2023/2904/P ii) 2023/3741/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
33 Ferncroft Avenue London Camden NW3 7PG			<i>See draft decision notices</i>	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
<p>i) External alterations include replacement of existing windows on the side and rear elevations, enlarging existing rear and side dormers at roof level, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork. (see 2023/3741/L for associated LBC application).</p> <p>ii) External alterations include replacement of existing windows on the side and rear elevations, enlarging existing rear and side dormers at roof level, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork.</p>				
<b>Recommendation:</b>		<b>i) Grant conditional planning permission</b> <b>ii) Grant listed building consent</b>		
<b>Application Type:</b>		<b>i) Full Planning Permission</b> <b>ii) Listed Building Consent</b>		

<b>Conditions or Reasons for Refusal:</b>	<b><i>Refer to Draft Decision Notices</i></b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	<p>A site notice(s) was displayed near to the site on the 13/09/2023 (consultation end date 07/10/2023) for both applications.</p> <p>The development was also advertised in the local press on the 14/09/2023 (consultation end date 08/10/2023) for both applications.</p>			
<b>Adjoining Occupiers:</b>	No. of responses	<b>00</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	No third-party responses were received during the course of the consultation period.			
<b>Redington Frognal Neighbourhood forum</b>	<p>A letter of objection was received on behalf of the forum. Their objection comments can be summarised as follows:</p> <ol style="list-style-type: none"> <li>Concerns about the lowering of the front windows on this Grade II listed building. It will also harm the symmetry with 35 Ferncroft Avenue.</li> </ol> <p><b><u>Officer's response:</u></b></p> <ol style="list-style-type: none"> <li><i>The council agrees and as a result this element was removed from the proposal.</i></li> </ol>			
<b>Hampstead CAAC</b>	<p>A letter of objection was received on behalf of the CAAC. Their objection comments can be summarised as follows:</p> <ol style="list-style-type: none"> <li>We consider the removal of the original rear bay and squaring-off is unacceptable. The brick piers added to achieve this are out of character, visually clumsy, for the gain of so little floorspace and the 'opportunity' for full area large pane patio doors. as an unnecessary alteration.</li> <li>Replacing windows with double glazed windows is against principles of sustainability.</li> </ol> <p><b><u>Officer's response:</u></b></p> <ol style="list-style-type: none"> <li>The original rear bay is not altered as part of this application and remain as existing.</li> <li>This element has been omitted from the scheme</li> </ol>			

## Site Description

The site is located on the south side of Ferncroft Avenue and shares its rear boundary with West Heath Lawn Tennis Club. The site is within Redington Frogna Conservation Area and the Redington and Frogna Neighbourhood Plan Area.

The site is a grade-II-listed semi-detached house making a positive contribution to the Redington Frogna Conservation Area. Built by GW Hart in 1902, the building significance lies, among other things, in its architectural form, plan form and historic fabric, both internal and external.

The property has been subdivided into four flats, of which only two are occupied and the remainder are vacant due to their state of disrepair. The listed building is described in greater detail later in this letter.

## Relevant History

The planning history for the application site can be summarised as follows:

### Host property

**2010/0087/P & 2010/0092/L**- *Change of use from two self-contained flats (Class C3) at lower ground and ground floor levels into a single flat including extension at basement level. **Granted 11/02/2010***

## Relevant policies

### **National Planning Policy Framework (2023)**

### **The London Plan (2021)**

### **Camden Local Plan (2017)**

- **A1** Managing the impact of development
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage

### **Redington Frogna Neighbourhood Plan 2020**

**SD6** Retention of Architectural details in existing buildings

### **Camden Planning Guidance:**

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)
- CPG Transport (2021)

### **Redington Frogna appraisal and conservation Statement 2022**

### **Draft Camden Local Plan**

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

## Assessment

### **1. The proposal**

1.1. Planning permission and listed building consent are sought for the following works (in summary);

Internal works:

- No changes to the existing internal layout are proposed as part of this application.

External works:

Rear elevation

- At lower ground floor and ground floor level enlarge the existing window and replace with traditional sash window
- At lower and ground floor level replace concrete lintels with arched brick head on two rear windows
- Remove projecting pelmet
- At first floor level remove timber balustrade and replace with painted steel balustrade and replace existing terrace doors with double doors and side windows
- At roof level replace existing door and side with a double door and timber balustrade to be replaced with steel balustrade.
- At roof level reduce the width of the window dormer and lower the windowsill. Replace existing window with sash window.
- Remove render and reinstate brickwork underneath

Side elevation

- At lower ground floor level replace an existing louvred grille with painted timber sash window
- At roof level replace dormer windows with sash windows

## **2. Revisions**

2.1 During the course of the application revisions made to the proposed scheme. These can be summarised as follows:

- Replacement of all the windows with double glazed was removed from the scheme.
- Lowering the window sill at lower ground floor level along the front elevation was omitted from the scheme

2.2 The revisions made to the scheme did not materially affect the scheme nor require re-consultation, and as such were accepted as amendments under the current application.

## **3. Assessment**

The principal considerations material to the determination of this application are as follows:

- Design, Heritage and Conservation
- Amenity

## **4. Design and Conservation**

4.1. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

4.2. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.



4.3. The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 199-202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 202 states:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

#### Application site and assessment of significance

4.4. The application site is a grade II listed building, part of a semi-detached pair dated from 1902. by CHB Quennell; built by GW Hart. Red brick. Tiled gabled and hipped roofs with tile-hung gabled dormers and overhanging bracketed eaves. Symmetrically designed pair. 2 storeys and attics. 3 windows each. Projecting gabled outer bays with further projecting bays forming bay windows through the ground and 1st floor with hipped half roofs; tripartite sashes and narrow sashes to cheeks; gables with acroteria. Entrance bays, slightly projecting on angle of outer and central bays, have round-arched porches with sash windows above. Central bays at ground floor continue line of entrance bays with tripartite sashes under penthouse roofs having a stone coped parapet at the line of the party wall. 1st floor corresponding tripartite sashes with the party wall roof parapet continuing onto the wall as a stepped corbel.

#### Assessment of proposals

##### Rear elevation

- At lower ground floor and ground floor level enlarge the existing window and replace with traditional sash window
- At lower and ground floor level replace concrete lintels with arched brick head on two rear windows
- At first floor level remove projecting pelmet
- At first floor level remove timber balustrade and replace with painted steel balustrade and replace existing single terrace door with double doors and side windows
- At roof level replace existing door and side with a double door and timber balustrade to be replaced with steel balustrade.
- At roof level reduce the width of the window dormer and lower the windowsill. Replace existing window with sash window.
- Remove render and reinstate brickwork underneath

##### Side elevation

- At lower ground floor level replacing existing louvre grille with timber sash windows
- At roof level replacing existing windows within a dormer extension with timber sash windows

##### Rear elevation

4.5. Externally, at lower ground floor level two rear elevation windows will be enlarged and replaced with traditional sash windows. These alternations would be sensitive and discrete, respecting the character and appearance of the listed building and conservation area. Replacing concrete lintels with arched brick head on two rear windows at lower and ground floor level are considered minor alternations and would not cause harm to the historic significance of the host building. Removing the projecting pelmet at first floor level is considered acceptable and would not cause harm to the listed building or conservation area. Additionally, the proposal involves removing timber balustrades and replacing with steel balustrades and replacing single doors with double doors at first and roof

level. The removal of timber balustrades and replacing with steel balustrades would improve the appearance of the listed building and are considered acceptable. Replacing single doors with double doors would not be out of character and would not cause harm to the historic significance of the host building. Reducing the dormer window and replacing the window with timber sash and lowering the window sill at roof level is considered minor and sensitive alteration and is considered acceptable. The removal of render and reinstating the brickwork would improve the appearance of the listed building and would not cause harm to the historic significance of the host building.

#### Side elevation

- 4.6. At lower ground floor level removing a louvred grille with a timber sash window would be a discreet alteration and is considered acceptable and would not be out of character on the building. Within the existing side dormer, the proposal also includes replacing existing windows with timber sash windows. The new windows would not be out of character and would preserve the special historic significance of the listed building.
- 4.7. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the listed building and surrounding conservation area under s.16, s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations are not considered to cause harm to the special architectural and historic significance of the listed building or the character of the surrounding conservation area.
- 4.8. As such, the proposed development would preserve the significance of the host listed building and the character or appearance of the Hampstead Conservation Area, meeting the statutory tests set out in the NPPF and complying with policies D1 and D2 of the Camden Local Plan.

#### **5. Residential Amenity**

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 5.2. Due to the location, size and nature of the proposals they would not harm the neighbour's amenity in terms of the loss of natural light, light spill or added sense of enclosure.
- 5.3. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1 and A4.

#### **6. Conclusion and Recommendation**

- 6.1 In conclusion, the proposed works would preserve the significance and setting of the listed building and the character and appearance of the Hampstead Conservation Area. As such, the proposals are considered to accord with the requirements of policies D1 and D2 of the Camden Local Plan and Policy SD6 of the Neighbourhood Plan 2020. It is recommended that planning permission and listed building consent are granted subject to relevant conditions.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12<sup>th</sup> of February 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/2904/P  
Contact: Enya Fogarty  
Tel: 020 7974 8964  
Email: [Enya.Fogarty@camden.gov.uk](mailto:Enya.Fogarty@camden.gov.uk)  
Date: 6 February 2024

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## Full Planning Permission Granted

Address:

**33 Ferncroft Avenue**  
**London**  
**Camden**  
**NW3 7PG**

# DECISION

Proposal: External alterations include replacement of existing windows on the side and rear elevations, enlarging existing rear and side dormers at roof level, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork. (see 2023/3741/L for associated LBC application)

Drawing Nos: LP-00; EX-01; EX-02; EX-03; EX-04; EX-05; EX-06; PA-01 P-01; PA-02 P-01; PA-03 P-01; PA-04 P-01; PA-05 P-01; PA-06 P-01

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;

LP-00; EX-01; EX-02; EX-03; EX-04; EX-05; EX-06; PA-01 P-01; PA-02 P-01; PA-03 P-01; PA-04 P-01; PA-05 P-01; PA-06 P-01

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises 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.

Informative(s):

- 1 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).
- 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](http://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>.

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**

Application ref: 2023/3741/L  
Contact: Enya Fogarty  
Tel: 020 7974 8964  
Email: [Enya.Fogarty@camden.gov.uk](mailto:Enya.Fogarty@camden.gov.uk)  
Date: 6 February 2024

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[www.camden.gov.uk](http://www.camden.gov.uk)

SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

# DRAFT

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**33 Ferncroft Avenue**  
**London**  
**Camden**  
**NW3 7PG**

# DECISION

Proposal: External alterations include replacement of existing windows on the side and rear elevations, enlarging existing rear and side dormers at roof level, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork.

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The Council has considered your application and decided to grant 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:

LP-00; EX-01; EX-02; EX-03; EX-04; EX-05; EX-06; PA-01 P-01; PA-02 P-01; PA-03 P-01; PA-04 P-01; PA-05 P-01; PA-06 P-01

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.

Informative(s):

- 1 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.
- 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.
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<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**