

Application ref: 2024/3378/P  
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Date: 3 October 2024

**Development Management**  
Regeneration and Planning  
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**WEBB ARCHITECTS LIMITED**  
Studio B  
7 Wellington Road  
London  
NW10 5LJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**18A Frognal Gardens**  
**London**  
**NW3 6XA**

#### **Proposal:**

Part single storey and part two storey rear extension; Conversion of garage to habitable space including front extension and replacement of garage door with windows and cladding panels; Zinc cladding to upper ground floor front window; Side porch extension including addition of a rooflight and cladding material change from spandrel panel to zinc cladding; Replacement of existing windows with metal framed double-glazed units; Installation of photovoltaic solar panels and two rooflights on existing flat roof of the host property; Landscaping works to rear with associated alterations; Installation of an ASHP external unit to side elevation.

Drawing Nos: 1297.01.01(-); 1297.01.02(-); 1297.01.11(F); 1297.01.04(-); 1297.01.13(F); 1297.01.03(-); 1297.01.12(A); 1297.01.05(-); 1297.01.14(E); 1297.03.01(-); 1297.03.14(E); 1297.03.13(J); 1297.02.01(-); 1297.02.12(E); 1297.02.14(A); 1297.01.06(-); 1297.01.16(F); 1297.03.12(I); 1297.03.11(F); 1297.01.140(-); 1297.03.02(-); Noise Impact Assessment dated 20 September 2024 prepared by ParkerJones Acoustics Limited; Design and Access Statement Rev.01 prepared by Webb Architects Limited; Heritage Statement ref: 4346 dated August 2024 prepared by Smith Jenkins Planning & Heritage; Tree report ref: 045196 dated 15 August 2024 prepared by Usher's Ltd.

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:

1297.01.01(-); 1297.01.02(-); 1297.01.11(F); 1297.01.04(-); 1297.01.13(F); 1297.01.03(-); 1297.01.12(A); 1297.01.05(-); 1297.01.14(E); 1297.03.01(-); 1297.03.14(E); 1297.03.13(J); 1297.02.01(-); 1297.02.12(E); 1297.02.14(A); 1297.01.06(-); 1297.01.16(F); 1297.03.12(I); 1297.03.11(F); 1297.01.140(-); 1297.03.02(-); Noise Impact Assessment dated 20 September 2024 prepared by ParkerJones Acoustics Limited; Design and Access Statement Rev.01 prepared by Webb Architects Limited; Heritage Statement ref: 4346 dated August 2024 prepared by Smith Jenkins Planning & Heritage; Tree report ref: 045196 dated 15 August 2024 prepared by Usher's Ltd.

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.

- 4 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 or any phase of the development] [, prior to the occupation for the permitted use of the development or any phase of the development], whichever is the sooner. 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled "Tree report in accordance with BS5837:2012" by Ushers Ltd dated 15th August 2024 ref. 045196. 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 BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan.

- 6 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

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

- 7 Prior to use, machinery, plant or equipment 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.

- 8 Prior to first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

This application seeks planning permission for a number of alterations and additions to the existing semi-detached dwellinghouse. The application property is not listed but lies within Hampstead Conservation Area.

The current proposal includes the following elements: part single storey and part two storey rear extension; conversion of garage to habitable space including front extension and replacement of garage door with windows and cladding panels; zinc cladding to upper ground floor front window; side porch extension including addition of a rooflight and cladding material change from spandrel panel to zinc cladding; replacement of existing windows with metal framed double-glazed units; installation of photovoltaic solar panels and two rooflights on existing flat roof of the host property; landscaping works to rear with associated alterations; installation of an ASHP external unit to side elevation.

A two-storey rear extension is considered acceptable in principle at this site. The proposed height of the rear extension would not be higher than the height of the host property. The proposed depth of the rear extension would be approximately 3m and match the depth of the existing 2-storey rear structure of the adjoining neighbour at No.18B. The width of the proposed first floor rear extension would set in away from the boundary. Overall, the proposed rear extension would appear modest and appropriate.

The proposed materials for the extension would be brickwork matching the host property at ground floor level and zinc cladding at first floor level. Whilst zinc cladding is a relatively contemporary materials and in contrast to the main materials of the host dwelling (brickworks), it would not be widely seen from street scene at Frognal Gardens given the proposed extension would be at the rear of the property. A mixture of matching brickworks and zinc cladding would appear acceptable.

The proposed garage conversion with front extension and the side porch extension are considered modest in scale and subordinate to the host building. Removal of the garage door in particular is welcomed. The rooflight within the flat roof of the side porch would be concealed by the parapet and therefore would have limited visual impact.

- 2 The proposed installation of solar panels and two rooflights within the flat roof of the host property would be set away from the front elevation of the dwelling by a considerable distance and have limited protrusion above the roof. The proposed ASHP will be located behind the existing single storey side porch and below the side boundary fence. The resulting visual impact of these elements are considered minimal.

Elevational alterations including window replacement and cladding of existing spandrel panels with zinc cladding would upgrade the existing deteriorated windows frames and spandrel panels and would enhance the visual quality of the external appearance of the host building. The proposed landscaping works

with associated alterations would be limited to the rear and therefore have limited visual impact to street scene and the wider conservation area.

An arboricultural report has been submitted and sufficiently demonstrated the trees will be protected during the proposed landscaping works and associated alterations to the rear garden. The character of well-treed rear gardens and the green nature of this part of the Hampstead Conservation Area will not be adversely affected.

Overall, the proposed works would adequately maintain the character and appearance of the host building and the Hampstead Conservation Area.

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.

In terms of amenity impact, the proposed rear extension would include two windows to the rear and no side windows are proposed at first floor level. The resulting amenity impact in terms of overlooking is therefore considered acceptable which will not be over or above what already exists from the existing first floor rear windows.

The proposed rear extension would have a part width set away from the boundary with the adjoining neighbour at No.18B at first floor level to minimise its visual dominance and daylight/sunlight effects. The proposed depth of the whole extension would be similar to the existing 2-storey rear structure of the No.18B neighbour. Overall, the proposed part 2-storey rear extension would not result in any undue harm on amenity in terms of loss of light or outlook to the surrounding neighbours.

Given the nature and scale of the other elements of the proposal including garage conversion with front extension, side porch extension, elevational alterations, relandscaping at rear and installation of solar panels are considered acceptable and would not result in unacceptable impact on amenity in terms loss of light, outlook and privacy.

In terms of the proposed ASHP, the applicant has confirmed it will be used for heating only. The Council's Environmental Health Pollution Officer has reviewed the submitted noise impact assessment and is satisfied that the submitted acoustic submission would meet the guidelines in the Camden Local Plan 2017. Therefore, the ASHP is acceptable in environmental health terms. Conditions of consent are proposed which would ensure the plant met noise and vibration criteria.

- 3 Trees proposed for removal are small in size and of low significance to the character and appearance of the Conservation Area. The loss of amenity and canopy cover will be mitigated against through replacement planting. The impact of the scheme on the trees to be retained will be of an acceptable level. Tree protection measures recommended by the applicant's arborist are considered sufficient and they would be in place throughout the development. Details of replacement planting, soft and hard landscaping have been

submitted and reviewed by the Council's Tree Officer and are considered acceptable. The Council's Tree Officer has raised no concerns with the works subject to compliance conditions.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is a Householder application.

No objections were received following statutory consultation. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies A1, A2, A3, A4, D1, D2, CC1 and CC2 of the London Borough of Camden Local Plan 2017, Policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018, the London Plan 2021, and the National Planning Policy Framework 2023.

- 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).
- 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, 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 (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.

- 7 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 8 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available this permission will not require the approval of a BGP before development is begun because the application is a Householder Application.

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements.

The BGP must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The LPA can only approve a BGP if satisfied the adverse effect on the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 and a BGP was approved in relation to the previous (parent) planning permission (“the earlier BGP”) there are circumstances when the earlier BGP is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- in the case of planning permission for a development where all or any part of

the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

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-householder-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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer