

Application ref: 2025/0480/P  
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Date: 10 April 2025

**Development Management**  
Regeneration and Planning  
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Metropolitan Development Consultancy Ltd  
66 Bickenhall Mansions  
Bickenhall Street  
London  
W1U 6BS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**8 Frognal Lane  
London  
NW3 7DU**

Proposal:

Erection of external balconies on the rear elevation and first floor levels, erection of single storey rear extension and raised timber deck terrace to the lower ground floor flat (Class C3)

Drawing Nos:

DESIGN AND ACCESS STATEMENT; PHOTOGRAPHS; COVERING LETTER;  
7395/100B; SITE LOCATION PLAN; 7395/101C

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:

DESIGN AND ACCESS STATEMENT; PHOTOGRAPHS; COVERING LETTER; 7395/100B; SITE LOCATION PLAN; 7395/101C

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 new materials associated with this proposal shall be in accordance with the below:

- brickwork shall match the brickwork of the main house
- fenestration shall be timber; and
- the new balustrades and railings are to be metal, painted black

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017

- 5 Prior to the commencement of the development hereby approved, details of screens to be installed on the sides of the lower ground floor and upper ground floor terraces to protect the privacy of the occupiers of the immediately adjoining sites shall be submitted to and approved by the Local Planning Authority. The screens approved under this condition shall be provided prior to the use of the terraces and permanently retained thereafter.

Reason: To protect the privacy of the occupiers of neighbouring dwellings in accordance with policy A1 (Managing the impacts of development) of the Camden Local Plan 2017

- 6 No development shall commence until full details of soft landscaping proposals, including biodiversity enhancements (such as bird bricks), and any external lighting (if proposed), have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include:

- Planting plans, including species, numbers, and locations of proposed plants;
- Details of biodiversity features such as bird or bat boxes/bricks; and
- Details of any external lighting, including type, position, lux levels, and mitigation measures to prevent adverse impact on biodiversity and residential amenity.

The approved soft landscaping and biodiversity measures shall be

implemented in full prior to the first occupation of the development and retained thereafter. Any external lighting shall be installed and maintained only in accordance with the approved details.

Reason: To ensure the development contributes positively to the biodiversity and character of the area, and to protect the amenities of neighbouring occupiers, in accordance with policies A1, A3, A4 and D1 of the Camden Local Plan 2017, the Redington Froggnal Neighbourhood Plan, and the National Planning Policy Framework 2024.

Informative(s):

#### 1 Reasons for granting permission

The application site, 8 Froggnal Lane, is a two-storey semi-detached dwelling plus loft level located on the southern side of Froggnal Lane. The host building is neither listed nor locally listed but is situated within the Redington Froggnal Conservation Area and the Redington Froggnal Neighbourhood Forum area. The proposal involves the erection of external balconies on the rear elevation at first-floor levels, erection of a single-storey rear extension, and the addition of a raised timber deck terrace to the lower ground floor flat (Class C3)

The proposed single-storey rear extension would provide additional internal space for the lower ground floor flat while ensuring minimal impact on the existing garden space. Constructed with materials matching the host property, including brickwork and glazing, the design would maintain architectural consistency. The depth and width of the extension are proportionate to the host building and similar in scale to other extensions in the area. Additionally, the proposed raised timber deck terrace would enhance outdoor amenity space for the lower ground floor flat while remaining in keeping with the character of the property and its setting. The proposed single-storey rear extension at the lower ground floor with an associated terrace was assessed and consented under planning permission 2019/0485/P, which was granted on 18/04/2019. Additionally, application 2019/2321/P and 2022/0079/P were approved, further confirming the acceptability of the proposed development.

The proposal includes the addition of balconies on the rear elevation at first-floor and second floor levels, which would provide private amenity spaces for upper-level occupants. The proposal also include changes from window to new double timber french windows. The balconies and window replacement would be designed with dark metal railings and timber material to minimise their visual impact on the building and surrounding area. The overall proposal has been designed to respect the character and appearance of the Redington Froggnal Conservation Area while improving the functionality and amenity of the residential units.

The proposed rear extension would span the rear of the building. While the height of the extension is notable, as the ground behind the house falls away, the roof of the extension would be elevated above garden level. The proposed rear extension would extend beyond the rear of No. 6 and would be set away from that property. Therefore, it is unlikely to have a significant impact on the residential amenities of that property in terms of daylight and outlook. The

proposed rear extension would be in line with and set back from the existing rear extension of No. 10. No windows are proposed on the side elevation of the extension. The extension would have a marginal impact on the daylight reaching the side window of the extension at No. 10 Frognal Lane, which is considered acceptable as it is not the sole window serving this habitable room.

In order to protect the privacy of the occupiers of neighbouring dwellings, in accordance with Policy A1, privacy screens shall be installed on the sides of both the lower ground floor and upper ground floor terraces. These screens are required to safeguard the amenity of the occupiers of the immediately adjoining properties.

Neighbouring occupiers were notified of the application, and one objection was received prior to the determination of the proposal. The Redington Frognal Neighbourhood Forum (RFNF) also submitted a representation, raising concerns about the lack of enforceable commitments to biodiversity enhancements referenced in the Design and Access Statement. Specifically, they noted the loss of approximately 12.5 sqm of soft landscaping, the absence of a detailed landscaping plan, and a lack of clarity regarding the provision of bird bricks. Additionally, they expressed concern over the vague nature of external lighting details and requested firmer commitments to ensure consistency with the biodiversity aims of the Neighbourhood Plan.

While the Design and Access Statement outlines potential biodiversity enhancements, including landscaping improvements and bird bricks, the proposal relates to a modest extension that would retain a substantial amount of garden space. The resulting reduction in soft landscaping is not considered significant, and the remaining garden area would continue to support biodiversity. Given the scale of the proposal, a full landscaping scheme is not deemed necessary at this stage. However, the applicant has indicated a willingness to provide biodiversity enhancements, including bird bricks.

In terms of external lighting, the applicant has confirmed that no lighting is currently proposed. Should any lighting be introduced in the future, it would be designed to minimise impacts on biodiversity and residential amenity.

In response to the concerns raised by the Neighbourhood Forum, a condition will be imposed requiring the submission and approval of detailed landscaping and any proposed external lighting prior to the commencement of development. This condition will ensure that the scheme aligns with the aspirations of the Neighbourhood Plan and secures appropriate biodiversity measures.

The planning history of the site and relevant appeal decisions have also been taken into account in the assessment of this application.

Overall, the proposed development is considered to be in general accordance with Policies A1, A4, D1, and D2 of the Camden Local Plan 2017, the Redington Frognal Neighbourhood Plan, the London Plan 2021, and the National Planning Policy Framework 2024.

- 2 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.

- 3 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.
- 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 Biodiversity Net Gain (BNG) Informative

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is 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, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is a Householder Application.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.

4.

The permission is exempt because of one or more of the reasons below:

o It is not major development and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the

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original (parent) permission was made or granted before 2 April 2024.

o It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

The application is a Householder Application.

It is for development of a Biodiversity Gain Site.

It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).

It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

## 7 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat.

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

++ The effect of section 73(2D) of the Town and Country Planning Act 1990 If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The

modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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

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

Daniel Pope  
Chief Planning Officer