

Mr ALEX P GATH
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United Kingdom

Application Ref: **2015/4359/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

4 September 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
106 Frognal
London
NW3 6XU

Proposal:
Proposed rear extension following demolition of existing and partially lowering ground level to rear garden area.

Drawing Nos: Design and Access Statement, Heritage Statement, Site location plan, Aluminium specifications, A117614.S01, A117614.P03C, A117614.P04B.

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, Heritage Statement, Site location plan, Aluminium specifications, A117614.S01, A117614.P03C, A117614.P04B.

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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The flat roof of the extension hereby approved shall not be used as a roof terrace and access shall be for maintenance purposes only.

Reason: In order to protect the amenity of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The site in question contains a three storey semi-detached Grade II listed building (part of a pair of semi-detached houses listed in 1974) located within the Hampstead Conservation Area.

The proposed rear extension and partial lowering of the ground extension is considered subordinate in scale and location to the three storey host building, and respects the character and appearance of the Grade II listed host property. The existing conservatory would be removed to make way.

The proposal would consist of modern lightweight material consisting of aluminium openings to the rear which is considered modern and simplistic. Revised plans were submitted to omit the single ply roof membrane and have a lead covered roof which is considered more traditional. The proposed extension would not be seen from the public realm.

The restoration of the original rear façade is a welcome development and the proposals overall are considered appropriate for the Hampstead conservation area.

It would be conditioned that the flat roof shall not be used a roof terrace to avoid impact to neighbour amenity.

In respect of the shallow excavation and levelling of the rear garden this is considered to be not detrimental to the setting of the listed building. The raising of the gardens to different levels occurred in modern times and there is nothing apart from the brick boundary walls to all sides of the rear garden that is worthy of preservation (which would not be altered as part of the works).

On assessment of effects to neighbouring occupiers, the rear extension would be set at a lower height than the brick walls to both boundaries either side, and therefore would not create any loss of sunlight, daylight or increased sense of enclosure to any neighbouring occupiers. This is similarly true for privacy as it is reasonably assumed that occupants would not be able to view over the boundary wall and into the rear of neighbouring properties.

One objection was received prior to making this decision and has duly been taken into consideration. The site's planning history and relevant appeal decisions were 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.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015 consolidated with alterations since 2011; and paragraphs 14, 17, and 56-66 and 126-141 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson
Director of Culture & Environment