

Dr Vicki Harding  
Garden Flat  
19 Frognal Lane  
London  
NW3 7DB

Application Ref: **2018/0192/L**  
Please ask for: **Colette Hatton**  
Telephone: 020 7974

1 February 2018

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Listed Building Consent Granted**

The Council hereby certifies that on the 26 January 2018 the use described in the First Schedule below in respect of the land specified in the Second Schedule below, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Internal alterations.

Drawing Nos: Application Form, Site Plan, Design and Access Statement, Existing and proposed plan showing walls to be removed drawing No.1

Second Schedule:

**Garden Flat**  
**19 Frognal Lane**  
**London**  
**NW3 7DB**

Reason for the Decision:

- 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: Application Form, Site Plan, Design and Access Statement, Existing and proposed plan showing walls to be removed drawing No.1

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 19 Frognal Lane is a grade II listed building within the Hampstead Conservation Area. The building was constructed circa. 1793 and originally formed one house with No. 21. The houses were divided in 1896, and subsequently, No. 19 was subdivided into the flats. The application concerns the basement flat.

An application for minor external works and internal works was submitted in 2016, and approved with reference 2016/6166/L. The application included alterations to the layout of the flat, however, as the works have taken place, the owner has realised that they would like to make further alterations to the plan form. This current application deals with those alterations.

Within the application it is proposed to remove a section of blockwork that separates the bathroom and the kitchen, and a modern partition that creates a W.C. Neither of these sections of wall are historic or are representative of the historic plan form. Therefore, the removal of the walls does not harm the historical significance of the grade II listed building, but will create an improved floor layout for the current occupier.

The site's planning history has been taken into account in making this decision.

Special attention has been paid to the desirability of preserving the special interest of the listed building, under s.16 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

As such, the proposal is in general accordance with policy D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the NPPF.

- 2 Your proposals may be subject to control under the Building Regulations and/or the

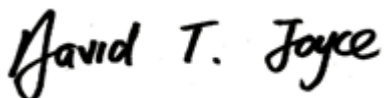
London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 3 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.
- 4 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

You can find advice about your rights of appeal at:

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

Yours faithfully



David Joyce  
Director of Regeneration and Planning

#### Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.