

Mr David Lipsey  
Transformation  
45 Lancaster Grove  
London  
NW3 4HB

Application Ref: **2017/5271/P**  
Please ask for: **Raymond Yeung**  
Telephone: 020 7974 4546

14 February 2018

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**4 Frognal Close  
LONDON  
NW3 6YB**

Proposal:

Erection of a part two storey and part single storey side extension following the demolition of an existing single storey side extension. The replacement of all existing (non original) painted timber windows and pvc windows with slim profile metal double glazed casement windows.

Drawing Nos: L(PL)4FRG; 101, 102A, 2017.001revA, 2017.002revA, Arboricultural survey and report ref:WAS75/2017, Design & Access statement.

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 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

L(PL)4FRG; 101, 102A, 2017.001revA, 2017.002revA, Arboricultural survey and report ref:WAS75/2017, Design & Access statement.

Reason:

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details.

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 policy A3 of the Camden Local Plan 2017.

- 5 No part of the flat roof area above the single storey rear extension hereby approved shall be used as a roof terrace, and any access out onto this area shall be for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 6 A sample panel of the windows demonstrating the proposed material, colour and texture shall be provided and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given.

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 Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposed part two storey, part single storey side and single storey rear extensions would be constructed in materials to match the existing building with the footprint of the proposed side extension being similar to that of the existing single storey side extension. The rear extension is of the same size of the approved certificate of lawfulness on this site under ref: 2016/1516/P and the footprint of the rear extension would allow for the retention of a generous proportion of the garden area. The extensions would sit comfortably with the host building being subordinate in scale and designed to relate architecturally to its proportions and appearance. The extensions would not be visible from the public realm and would have a limited impact on the visual amenity of the surrounding area. They would preserve the character and appearance of the Redington Froggnal Conservation Area and would have no adverse impact on the setting of the nearby listed building at No.5 Froggnal Close.

The proposed replacement windows would replace the existing non-original windows on all the elevations of the building. The intended metal ultra-slim framed replacements are deemed to be acceptable and would be similar to those of the original house. Subject to a condition requiring details and samples of the replacement windows to be submitted and approved, they would respect the character and appearance of the host building and the surrounding area.

The proposed windows, rear and side extensions are appropriately designed and located sufficiently distant from neighbouring properties so as not to result in any adverse impact on residential amenity in terms of loss of light, outlook, overlooking or privacy.

Control over how the development is implemented, including demolition works and construction, would be through a Construction Management Plan (CMP) as the site is located on a cul-de-sac and there may be problems with large construction vehicles accessing the site from Froggnal in an efficient and safe manner. A CMP would therefore be secured by way of a Section 106 legal agreement.

A Pre-development Arboricultural Survey has been submitted with the application. The proposals have been reviewed by the Council's Tree Section and no objection has been raised subject to a condition requiring details of how trees to be retained on the site are to be protected during the course of construction.

One objection was received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision. Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under section 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 A1, A3, D1 and D2 of the Camden Local Plan 2017. The proposed development also

accords with policies 7.4, 7.6 and 7.8 of the London Plan 2016; and paragraphs 14, 17, and 56 -66 and 126-141 of the National Planning Policy Framework.

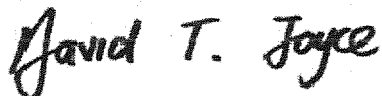
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 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.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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



David Joyce  
Director of Regeneration and Planning