

Application ref: 2018/4699/P
Contact: Tony Young
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Date: 16 December 2018

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Lowe Architecture
153-157 Goswell Rd
London
EC1V 7HD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat Ground Floor
19 Frognal Lane
London
NW3 7DB

Proposal:

Enlargement of existing garden room located within front garden and alterations to widen the street entrance to existing garages accessed from Chesterford Gardens.

Drawing Nos: Site location plan; 1001 rev SV01, 1003 rev SV01, 1004 rev SV01, 1006 rev SV01, 1010 rev SV01, 2001 rev PL02, 2003 rev PL02 (existing garden room layout), 2003 rev PL02 (proposed garden room layout), 2004 rev PL01, 2006 rev PL01, 2010 rev PL02, 2011 rev PL01; Arboricultural assessment from Lowe Architecture received 22/10/2018; Planning report (with heritage statement) from Lowe Architecture dated September 2018.

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 and boundary wall as appropriate, 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: Site location plan; 1001 rev SV01, 1003 rev SV01, 1004 rev SV01, 1006 rev SV01, 1010 rev SV01, 2001 rev PL02, 2003 rev PL02 (existing garden room layout), 2003 rev PL02 (proposed garden room layout), 2004 rev PL01, 2006 rev PL01, 2010 rev PL02, 2011 rev PL01; Arboricultural assessment from Lowe Architecture received 22/10/2018; Planning report (with heritage statement) from Lowe Architecture dated September 2018.

Reason:

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

- 4 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of Flat Ground Floor, 19 Frogna Lane and shall not be used as a separate independent Class C3 dwelling or Class B1 business use.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies G1, A1 and H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves alterations to extend the existing garden room located at the front of the property nearest Chesterford Gardens. The alterations would bring the front of the garden room forward by 2.3m, so increasing the floor area by approximately 10sqm, the roof profile would be altered at the front but the ridge height remaining unaltered. The building would remain timber framed with glazing to the garden elevation and the entrance retained on the side elevation. 2 rooflights would be introduced to the rear roof. The existing timber shingles would be replaced on the front roofslope with a green/sedum roof and a slate treatment on the rear smaller rear roofslope.

In design terms, the garden building would remain substantially the same, keeping a similar basic form and style, notwithstanding that it would be extended further forward at the front into the existing garden with a repositioning of access steps. Given that the garden building will only move forward by 2.3m within garden space lowered to accommodate this alteration, there would be either no visual impact or minimal impact from principle views. This is especially the case given the building's discrete position within the

garden mainly screened by a large row of lime trees and timber fence along the entirety of Chesterford Gardens and the raised profile of the existing garages which would largely shield the proposed extension from the Grade II listed building itself.

In this context, the modest increase in the footprint of the garden building would unlikely result in any significant or noticeable increase in bulk or mass, so ensuring that the extended building appears appropriately subordinate to the host dwelling and doesn't appear as a dominant structure in the rear garden. A reasonably sized rear garden space would remain, such that the open character of existing natural landscaping and garden amenity would continue to be maintained. The design, materials, location, footprint and scale of the outbuilding are also considered to be appropriate and sensitive to the special qualities of the listed building, and the character and appearance of the Hampstead Conservation Area, and as such, would not be harmful and are acceptable.

The proposals also include an alteration to widen the street entrance to the garages by approximately 500mm to allow for improved vehicle access to the narrow garage space off Chesterford Gardens. The brickwork wall would be reconstructed to match the existing in terms of design, materials and height, including pointing and mortar specification. No change is proposed to the existing crossover. A single lime tree located within the property boundary would be removed. The proposal is minor in nature and considered to preserve the listed building, its setting, and its features of special architectural or historic interest, and would not be harmful to the character and appearance of the Hampstead Conservation Area.

A Council Transport Officer has raised no highway concerns to either traffic or pedestrians with regard to the proposals as this access point is already in use for existing garage owners and there are no alterations proposed to the existing crossover itself.

- 2 The removal of a lime tree associated with the street entrance proposal is considered to be acceptable given that it is a young tree, positioned within the property boundary at the end of a row of limes, and as such, is unlikely to significantly affect the appearance, integrity or rhythm of the row of trees which are a characteristic feature of this part of Chesterford Gardens. With regard to the garden room proposals, the information submitted is considered sufficient to demonstrate that any nearby trees will not be adversely affected by the garden room proposals given that the proposed scheme involves only minor excavation works within the root protection areas. There are no Tree Preservation Orders associated with the host property. A Council's Tree Officer has assessed all the submitted tree information and confirmed the proposals to be in line with BS5837:2012, and as such, are acceptable. The proposed sedum or green roof details are also considered to be sufficient to allow for a thriving and adequately maintained living roof.

In amenity terms, it is not considered that the proposals would have any adverse impacts in terms of levels of outlook or overlooking to occupiers either at the host or neighbouring properties given the garden building's proposed position towards the front of the garden adjacent to Chesterford Gardens and

its distance away from the nearest residential properties and main listed building, and especially as a garden building already exists in this location.

The site's planning and appeal history has been taken into account when coming to this decision. Two consultation responses were received with regard to how the street entrance widening proposals might affect the current use of the garages. These are summarised in the associated consultation summary sheet.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.66 and s.72 of the Planning (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 policies A1, A3, D1, D2, CC2, CC3 and T2 of the Camden Local Plan 2017, policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan (passed referendum June 2018), the London Plan 2016, and the National Planning Policy Framework 2018.

- 3 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).
- 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.
- 5 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use of the ground floor residential flat. Any alternative use of the outbuilding for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require the grant of planning permission.

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 2018.

You can find advice about your rights of appeal at:

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

Yours faithfully

David T. Joyce

David Joyce
Director of Regeneration and Planning