

Application ref: 2018/5502/P
Contact: Emily Whittredge
Tel: 020 7974 2362
Date: 4 February 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

MRPP
21 Buckingham Street
London
WC2N 6EF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
38 Frognal Lane
London
NW3 6PP

Proposal: Two storey rear extensions, first floor side extensions, installation of three dormer windows to the front elevation and one to the rear elevation, conversion of garage into habitable use and alterations to openings.

Drawing Nos: Drawing nos. PL851, PL852, PL853, PL854, PL855, PL856, PL857, PL858, PL859, PL860, PL861, PL862, PL863, PL801, PL802, PL803, PL804, PL805, PL806, PL807, PL808, PL809, PL810, PL811, Planning Design and Heritage Statement (MRPP Nov 2018), Tree Report (Marcus Foster Arboricultural Design & Consultancy Dec 2014).

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: PL851, PL852, PL853, PL854, PL855, PL856, PL857, PL858, PL859, PL860, PL861, PL862, PL863, PL801, PL802, PL803, PL804, PL805, PL806, PL807, PL808, PL809, PL810, PL811.

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 local planning authority 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 policies A2 and A3 of the London Borough of Camden Local Plan 2017 and policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 5 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies A2, A3 and D2 if in CA of the London Borough of Camden Local Plan 2017 and policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission

The application proposal combines elements of two recently permitted applications, one allowed on appeal, seeking: rear and side extensions, four dormer windows, a garage conversion and alterations to openings.

The first floor side extension would be subordinate to the host building in terms of location, form and scale. It is considered that the extension would respect the period, proportions and materials of the main dwelling and the existing architectural features. The proposed two storey rear extensions would be proportionate to the overall scale of the property, the size of the plot and the relative sizes of the buildings to either side of the site. Only limited views of the rear elevation would be available from the public realm and the additions would not be prominent or intrusive from the streetscene.

The proposed development will therefore not undermine the positive contribution of the building to the conservation area, and will preserve its character and appearance. The development will not result in a loss of amenity to neighbouring occupiers in terms of overlooking, outlook or loss of light.

The removal of T3, a Himalayan cedar tree was previously approved but not implemented. The position of the tree relative to the building is unsustainable in the long term, and the removal of this tree is considered acceptable. The arboricultural report is 5 years old; however, given the context, the scheme is considered acceptable in arboricultural terms. A tree protection plan has been submitted, but given the time that has elapsed since it was devised and the subsequent growth the trees are likely to have put on, it is considered that the position of the tree protection fencing should be altered to allow for a greater exclusion area. Tree protection and replacement tree planting conditions have been imposed to ensure the health of the retained trees and biodiversity of the site.

The planning and appeal history of the site has been taken into account when coming to this decision, with particular regard to application Ref 2013/2771/P (granted 28/06/2013) and application Ref 2013/7989/P (allowed 06/03/2015 on appeal Ref: APP/X5210/D/14/2221283). No objections were received prior to making this decision

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with policies D1, D2, A1 and A3 of the London Borough of Camden Local Plan 2017 and Policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan. The proposed development also accords with the London Plan 2016, and the National Planning Policy Framework 2018.

- 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.

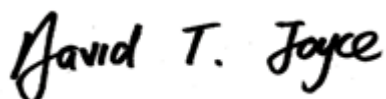
- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning