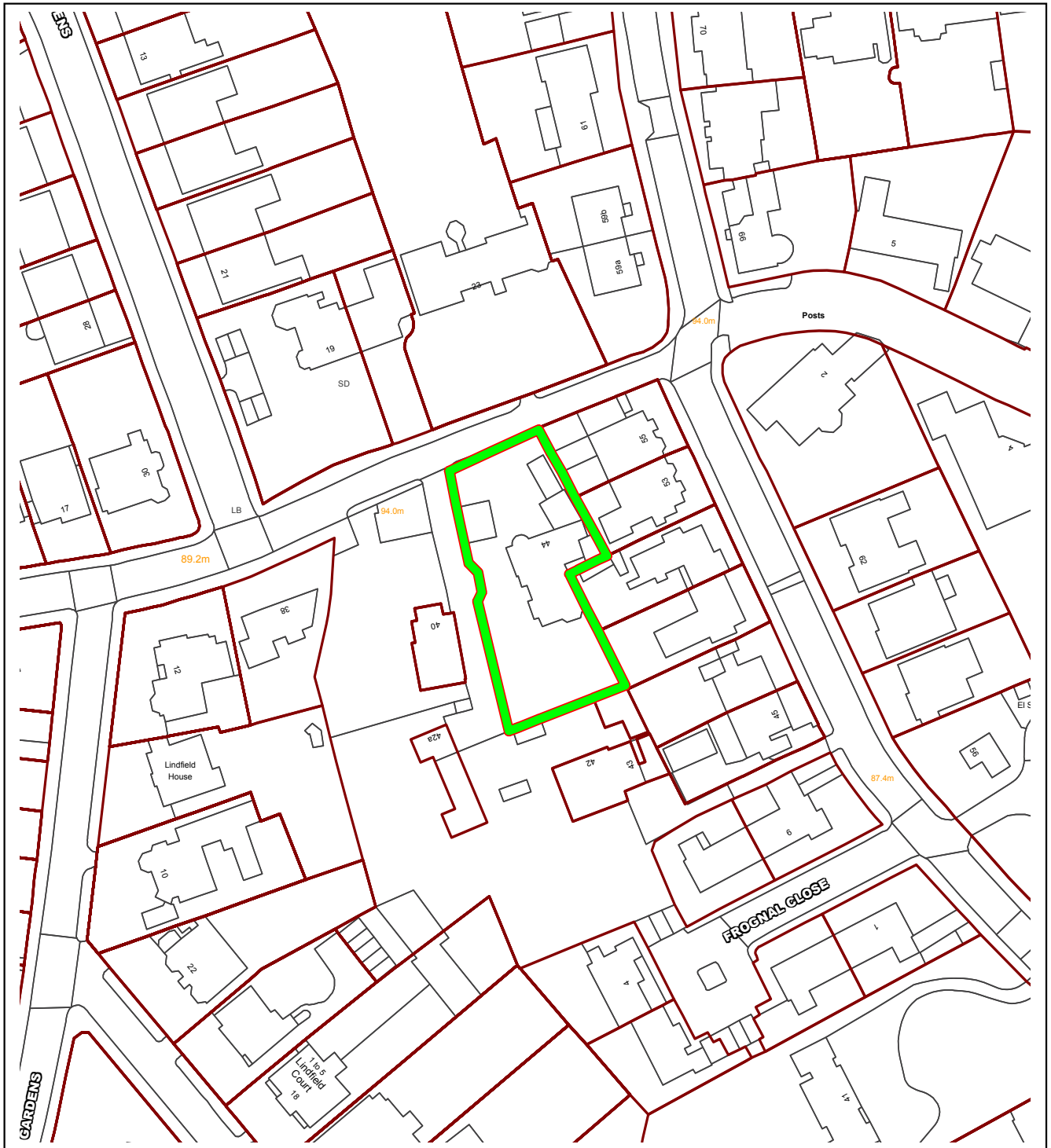


44 Frognal Lane, London, NW3 6PP



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Photos



Front elevation



Front/Side elevation



Front/side elevation



View to front of No.44a



View of gate/store area



View of gates internally



View of current bins/gates

Delegated Report		Analysis sheet		Expiry Date:		14/11/2018	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		03/12/18	
Officer				Application Number(s)			
Jaspreet Chana				2018/4516/P			
Application Address				Drawing Numbers			
Mulholland House 44 Frognal Lane London NW3 6PP				<i>Refer to decision notice</i>			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Infill the redundant vehicular access (following removal of the existing gates) with new wall fronting Frognal Lane and erection of plant and bin store inside the north boundary wall							
Recommendation:		Grant conditional planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	<i>Refer to Decision Notice</i>			
Informatives:				
Consultations				
Summary of consultation:	<p>Site notice(s) were displayed outside No.44a Frogmal Lane, No.40 and Nos.53 and 55 Frogmal Lane on 09/11/18 (consultation end date 03/12/18).</p> <p>The application was also advertised in the local press on the 08/11/18 (consultation end date 02/12/18).</p>			
Adjoining Occupiers:	No. of responses	4	No. of objections	4
Summary of consultation responses:	<p>Four objections were received from neighbouring properties(members of the UCS School Community, Staff flat of Manor Farm and 42 Frogmal Lane), these can be seen summarised below:</p> <ul style="list-style-type: none"> • More congestion would be created on Frogmal Lane • Dangerous for pedestrians walking on side walk • We oppose the replacement of the existing private road entrance gate based on: <ul style="list-style-type: none"> - Adequacy of turning - Highway safety - Traffic generation - Visual Amenities • Impact on conservation area via loss of recess area. <p><i>Officers response:</i> <i>Following the consultation period and comments received to the proposal the applicants decided to remove the 'replacement of the existing private road entrance gate' from the application. Therefore there is not considered to be any impacts had on highways safety, access or traffic congestion.</i></p>			
Hampstead CAAC comments:	<p>The Hampstead Conservation Advisory Committee has objected to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • It is considered that the loss of the character detail in the presumably original recessed gateway is not justified by any public benefit. On the contrary the proposed change deprives the area of a significant asset as to setting and character and is questionable as a means of increasing on-site parking. • Hampstead Neighbourhood Plan Policy DH2 Policy 3 and 3.14, 3.16 are not satisfied by the proposed gateway change where emphasis should be on protecting existing boundary and street scene features. <p><i>Officer's response:</i> <i>Given Following the consultation period and comments received to the proposal the applicants decided to remove the 'replacement of the existing private road entrance gate' from the application. Therefore there is not</i></p>			

	<p><i>considered to be any impacts had on highways safety, access or traffic congestion.</i></p>
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Site Description

No.44 is a two storey detached single family dwelling located on the south side of Frogna Lane. The site also comprises of No.44a which is an extension of No.44 and is occupied by the housekeeper of No.44 who has access to No.44 through the extension. There is a detached garage to the northwest of the property with hardstanding to the south that provides off-street parking for at least 2 cars. The site is bounded to the north by a 2m high brick wall. To the west of the site is a private access road from Frogna Lane that provides shared access to the application site, and neighbouring properties at Nos. 40 to the west, and nos. 42 and 42a Frogna Lane to the south.

The area comprises large detached dwellings of various sizes and design. The subject site is within Hampstead Conservation Area and is identified as making a positive contribution to its character and appearance..

Relevant History

The planning history for the application site can be summarised as follows:

No.44 Frogna Lane:-

2015/1800/P: Variation of condition 2 (approved plans) of planning application 2014/1616/P dated 24/04/2014 (Conversion of single dwelling into two self-contained dwellings...) namely to erect entrance gates on both the north and west boundary of the site including alterations to the boundary wall and letterbox, and erection of a freestanding condenser enclosure unit – Granted – 27/08/15.

2015/7047/P: Variation of condition 2 (approved plans) of 2014/1616/P dated 17/10/2014, (Conversion of single dwelling into two self-contained dwellings including partial demolition of the front extension and replacement with larger extension incorporating separate dwelling and single storey side extension replacement with similar footprint involving demolition of existing single storey garage), namely increased in height of the parapet wall around the dome by 300mm – Granted subject to S106 – 22/06/16.

2017/6985/P: Replace and extend the ground floor of unit 2 within the Coach House - *Granted – 06/04/18.*

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG – Design (2019)
- CPG – Amenity (2018)

Hampstead Conservation Area Statement (2001)

Hampstead Neighbourhood Plan (2018)

- DH1 Design
- DH2 Conservation areas and listed buildings

Assessment

1. The proposal

1.1. Planning permission is sought for:

- Infill the redundant vehicular access (following removal of the double entrance gates) in the northern boundary wall fronting Froggnal Lane and;
- Erection of a single storey plant enclosure for two new air conditioning units and bin store inside the north boundary wall

2. Revisions

2.1. The existing vehicular access entrance onto the western private access road is set back from the road and includes inward opening wooden gates. The original proposal included their replacement with a sliding gate that would be flush with the boundary wall. It should be noted that during the course of the application this part of the proposal has been omitted from the drawings the removal of this element from the scheme addresses the concerns raised by the neighbouring properties and Hampstead CAAC who objected to this element only from the application.

3. Assessment

3.1. The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, streetscene, local area and the Hampstead Conservation Area
- The impact on neighbouring amenity

4. Design and Conservation

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. Does the Hampstead NP say anything relevant in terms of design?

4.2. It is proposed to block up the redundant vehicular access which is next to the pedestrian gate facing onto Froggnal Lane. This is due to Unit 2 44 Froggnal Lane being approved as car free development which means there is no requirement for a vehicle access from Froggnal Lane. The current vacant access would be infilled with a brick wall which would match the existing stock brick boundary walls and would to the same depth, height and design. The councils transport officer does not have any objections to the blocking up of this vehicular access.

4.3. The proposal also includes the erection of a plant and bin store, it would be located behind the new proposed blocked up north boundary wall. The plant/bin store would be a modest looking pitched roofed shed which would house the plant on one side and bin store on the other side. The doors to the plant/bin store would open outward making the store easily accessible. The design, size and scale of this enclosure would be considered acceptable, due to its location and modest size.

4.4. The bin store would accommodate two 240 litre standard wheelie bins which would be easily wheeled out of the store and emptied and put outside the gate which leads onto Frogna Lane. The facility is at street level, is well lit and is fully enclosed and secure within the site.

4.5. 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.

4.6. Overall, the proposals would be relative to that of the host building and the surrounding area and would not be harmful to the character appearance of the street scene or the Hampstead Conservation Area. The proposal would enhance the character of the conservation area and therefore be in accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017, as well as the London Plan 2016 and NPPF 2019 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

5. Residential Amenity

5.1. Due to the location and nature of the proposals, the development is not considered to cause harm to neighbouring amenity in terms of privacy, outlook or daylight. The works would not introduce any new windows that would overlook neighbouring properties, nor would the development block neighbouring light levels. The development is thus considered to be in accordance with policy A1.

5.2.

Two air conditioning units will form a plant which would be placed within the new store enclosure located within the patio area within the north boundary opposite the rear elevation of No.44a Frogna Lane. An acoustic report was submitted as part of this application stating that 'based on the results of the background noise survey and noise model calculations, the overall noise level due to the proposed new air conditioning units (with noise reduction treatment fitted) is calculated to comply with Camden's noise requirements'. The siting of these units is not directly close to any neighbouring property and therefore there will be no potential for any vibration from the equipment transfer to adjacent properties. The plant side would also be sound proofed with insulation to avoid any additional noise being created by the units it is therefore considered acceptable and in accordance with policy A4.

6. Recommendation

6.1. Grant conditional Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 08th April 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/4516/P
Contact: Jaspreet Chana
Tel: 020 7974 1544
Date: 2 April 2019

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

Phone: 020 7974 4444

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

Michael Burroughs Associates
93 Hampton Road
Hampton Hill
TW12 1JQ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Mulholland House
44 Frognal Lane
London
NW3 6PP

DECISION

Proposal:

Infill the redundant vehicular access with new wall fronting Frognal Lane and erection of plant and bin store inside the north boundary wall

Drawing Nos: Location plan, MH/11/01, A-303, A-305, , Acoustic Report.

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: Location plan, A-305, MH/11/01, Planning Design Access and Heritage Impact Statement, Acoustic Report

Reason:

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

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with the plant operating at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2019.

You can find advice about your rights of appeal at:
<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DECISION