

Application ref: 2018/5213/P  
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Date: 10 April 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Mr George Smith  
DP9 Ltd  
100 Pall Mall  
London SW1Y 5NQ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**41 Frognal**  
**London**  
**NW3 6YD**

Proposal: Insertion of a new window on the second floor southeast elevation

Drawing Nos: Proposed window amendments dated October 2018 by ksr; 14044-P001, P313 revE-2 (existing elevation side 2), P313 revF (proposed elevation side 2), P120 revE (existing second floor), P120 revE (proposed second floor)

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans- Proposed window amendments dated October 2018 by ksr; 14044-P001, P313 revE-2 (existing elevation side 2), P313 revF (proposed elevation side 2), P120 revE (existing second floor), P120 revE (proposed second floor)

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

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 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.

- 3 Reasons for granting permission-

The scheme involves changes to fenestration on the southern side elevation of the approved house. The new window at 2nd floor, replacing an earlier approved one of the same size on ground floor, is considered acceptable. The contemporary design and materials are the same as those of the approved windows and are sympathetic to the new house and conservation area. The new window does not result in any loss of privacy to habitable room windows due to its setback location whereby it only overlooks the end section of a long garden at the neighbouring property of 39 Frognal which is anyway heavily screened by trees and bushes.

The proposal is considered to preserve the character and appearance of the conservation area. 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 and D1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 4 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.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title of the signatory.

Daniel Pope  
Chief Planning Officer