

Application ref: 2019/4799/L  
Contact: Tony Young  
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Date: 21 November 2019

**Development Management**  
Regeneration and Planning  
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Mr & Mrs C Nicholls  
106, Frognal  
London  
NW3 6XU

Dear Sir/Madam

## **DECISION**

Planning (Listed Building and Conservation Areas) Act 1990

### **Listed Building Consent Granted**

Address:  
**106 Frognal**  
**London**  
**NW3 6XU**

Proposal: Alterations in connection with a variation of condition 2 (approved drawings) of listed building consent (2018/4111/L) dated 17/10/2018 for a rear extension following demolition of existing and partially lowering ground level to rear garden area, including internal alterations at lower ground and 2nd floor levels, namely to correct a discrepancy in approved drawings to show the accurate height of an existing boundary wall.

Drawing Nos: Site location plan; (A1176/14/-)S01B, P22A, P23B, P24B; Design & access (with heritage) statement from APG Design (ref. A1176-14/2018/APG); Sliding doors specification document.

The Council has considered your application and decided to grant Listed Building Consent subject to the following conditions:

#### **Conditions And Reasons:**

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; (A1176/14/-)S01B, P22A, P23B, P24B; Design & access (with heritage) statement from APG Design (ref. A1176-14/2018/APG); Sliding doors specification document.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018).

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Detailed plans, sections and elevations at scale 1:10 showing the two window seats, fully annotated with materials, finishes and fixings, and demonstrating the juxtaposition of the window seats and windows/window aprons.

The relevant part of the works shall then be carried in accordance with the approved details.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reason for granting listed building consent:

The proposed amendment does not seek to amend the approved scheme granted consent on 17/10/2018 (ref. 2018/4111/L), but aims to correct inaccurate survey drawings submitted at the time of the decision. This is the only variation to the consented scheme. Therefore, the principal consideration material to the determination of this application is the impact of the amendment on the Grade II listed building, and its features of special architectural or historic interest.

The approved drawings show the existing height of the neighbouring party wall with no.108 Frognaal to be approximately 25cm higher than it actually is. So although the rear extension, approved but yet to be implemented, is accurately shown on the plans in relation to the host building, there is a discrepancy in the relationship with the neighbouring property.

Despite this discrepancy in height, the approved extension would remain mainly concealed from view, it being set at a lower height than the highest stepped section of the party wall nearest the host property and slightly lower

than the existing modern conservatory which it would replace. The outermost part of the extension would be slightly more visible; however, the degree of difference caused by the discrepancy is considered to be minor and is not considered to significantly change the relation of the host building with any neighbouring properties.

As such, the special architectural and historic interest of the Grade II listed building would continue to be preserved by the overall proposal, and would not detract from the character and appearance of the Hampstead Conservation Area, in accordance with Council policies and guidelines, and is acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 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 policy D2 of the Camden Local Plan 2017, policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018, the London Plan 2016, and the National Planning Policy Framework 2018.

- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 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.

- 4 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).

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 written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer