

Application ref: 2019/5230/P  
Contact: Nathaniel Young  
Tel: 020 7974 3386  
Date: 16 December 2019

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

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[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Ecospace Studios  
5A  
Iliffe Yard  
London  
SE17 3QA

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted**

Address:

**Flat A**  
**24 Frognal**  
**London**  
**NW3 6AG**

Proposal:

Erection of a single storey outbuilding in rear garden.

Drawing Nos: 1918.PL.01, 1918.PL.02, 1918.PL.03 & 1918.PL.04

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 The development hereby permitted shall be carried out in accordance with the following approved plans 1918.PL.01, 1918.PL.02, 1918.PL.03 & 1918.PL.04

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

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the outbuilding hereby approved shall only be used for purposes incidental to the residential use of No. 24A Frognal and shall not be used for any other purposes whatsoever, including as a separate independent residential dwelling, or providing additional sleeping accommodation.

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 A1 and H3 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed outbuilding would be of an acceptable design, scale and siting. Measuring approximately at 6.7m (w) x 3.4m (d) x 3.0m (h), it would be subordinate to the main dwelling house in terms of bulk, mass, height and footprint. It would appropriately be made up of lightweight materials typical of a garden outbuilding which would complement its garden setting. It would be positioned to the rear of the subject property's garden, not visible from the street scene or the wider conservation area. With the rear garden area measuring at approximately 115sqm, and the outbuilding having a footprint of approximately 23sqm, it is considered that a satisfactory proportion of rear garden area would be retained.

It is not considered that there would any significant detrimental impact to residential amenity. In terms of light and outlook, the proposed outbuilding would not be sited in close proximity to any neighbouring habitable rooms. The outbuilding would be 3.0m in height, 0.4m higher than the rear boundary wall, this is not considered to be excessive in height. Additionally, the outbuilding would be sited on a lower ground level to, and due west of, the property to the rear, as such, it is not considered to result in any undue harm. In terms of overlooking and privacy, views into neighbouring habitable windows would almost entirely be obstructed by the existing boundary wall and fences and existing vegetation. In terms of noise and disturbance, the outbuilding's use would be strictly ancillary to the main dwelling house and would not contain any noise generating plant or extract equipment. Ancillary use is to be secured by way of a condition.

It has been confirmed by the applicant that the outbuilding does not require conventional foundations or base. The outbuilding has been designed to be suspended above the ground on adjustable bearing shoes, therefore, it is not considered that there would be any significant detrimental harm to the wellbeing of the neighbouring trees in accordance with Policy A3 of the Camden Local Plan 2017.

Two objections were received following statutory consultation (see consultation

summary document). The sites planning history and relevant appeal decisions were taken into account when coming to this decision. Special regard has been attached to the desirability of preserving or enhancing 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.

As such, the proposal is in general accordance with Policies H3, D1, D2, A1 and A3 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework.

- 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 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 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 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name.

Daniel Pope  
Chief Planning Officer