

Application ref: 2019/6089/P  
Contact: Laura Hazelton  
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Date: 3 March 2020

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

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Mrs Zoe Chan Eayrs  
111, Frognal  
London  
NW3 6XR

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**111 Frognal  
London  
NW3 6XR**

Proposal:

Demolition of non-original extensions including rear box back extension, uPVC greenhouse and boiler house; excavation of rear garden and erection of basement room beneath garden; erection of single storey rear extension at upper ground level and reinstatement of historic sloping roof, rear dormer and gable; replacement front dormer windows; internal and external refurbishment including removal of non-original partition walls and staircase, alterations to front and rear fenestration and reinstatement of timber stable doors.

Drawing Nos: MP rev.06, P2.LG rev.08, P2.UG rev.08, E1.CC rev.08, S1.DD rev.08, E2.EE rev.08, S2.FF rev.08, S3.GG rev.08, P1.E rev.08, P1.P rev.08, Method statement for heritage chimney repair, Basement impact assessment prepared by Rose & Associated Ltd., Tree survey and Arboricultural method statement dated October 2019, Design, access and heritage statement prepared by Chan & Eayrs, Archaeological desk-based assessment dated November 2019.

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 policies 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: MP rev.06, P2.LG rev.08, P2.UG rev.08, E1.CC rev.08, S1.DD rev.08, E2.EE rev.08, S2.FF rev.08, S3.GG rev.08, P1.E rev.08, P1.P rev.08, Method statement for heritage chimney repair, Basement impact assessment prepared by Rose & Associated Ltd., Tree survey and Arboricultural method statement dated October 2019, Design, access and heritage statement prepared by Chan & Eayrs, Archaeological desk-based assessment dated November 2019.

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2 and BA1 of the Hampstead Neighbourhood Plan 2018.

- 5 Prior to commencement of any works, details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on

existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and policy NE2 of the Hampstead Neighbourhood Plan 2018.

- 6 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 policy NE2 of the Hampstead Neighbourhood Plan 2018.

#### Informative(s):

- 1 Reasons for granting permission.

The site is a stable block range dating from approximately 1740, attributed to Flitcroft and listed Grade II\*, adapted by noted New Brutalists the Smithsons for sculptor Caro in the 1960s. The site is located on the western side of Froggnal, a quiet residential road accessed from Froggnal Rise. It is within the Hampstead Conservation Area and the Hampstead neighbourhood forum area.

The proposed external works would see two dormers returned to their historic forms, as informed by a 1949 photograph. The applicant has undertaken to use the original openings in the roof. Two blocked Diocletian windows will be reinstated, while modern glazing and doors will be replaced with sash windows and timber vehicle gates. Large glazed panels would be installed behind the timber gates to give the appearance of the original stable condition when open.

To the rear, the original garden level will be reinstated, concealing a basement. Although this will address a sunken patio, the patio will only be part width and, in reinstating at least part of the original higher garden level, it is not considered harmful. Above this basement will stand a glazed extension, which will spring from an existing modern box-back roof extension. The new extension will be largely glazed, which will differentiate it as a high quality, modern addition. Details will be secured by condition to ensure a high standard of design. A missing gabled projection will be reinstated, while the surviving one will be disinterred from within the roof extension.

At the Conservation Officer's request, the rear dormer was reduced in size so that it appears more subordinate to the roof slope. The existing harmful box back extension would be removed, the roof pitch reinstated and a new dormer window installed. The glazing bars take reference from the Admirals House in

the nearby locality. Although the dormer would be fairly large in comparison to the roofslope, it is considered a significant improvement of the existing situation.

The existing chimney is currently severely leaning to one side and the proposals include repairs to its structural stability to return it to its original upright form. A method statement has been provided for these works which the Conservation Officer has confirmed is acceptable.

From the front the building will be reinstated to its former appearance and from the rear it will be about 50% reinstated. The original plan form is not particularly legible, and the applicant is retaining all historic walls and reinstating one on the lower ground floor. The new basement is accessed through a pinch point, so does not interfere with the plan form. The large open-plan area to the north created by adding the rear extension to the 1960s box-back is delineated with a downstand.

Following revisions to reduce the size of the rear dormer window and its glazing pattern, and receipt of additional detailed drawings of the glazing panels behind the timber doors, the Council's Conservation Officer has assessed the proposals and confirmed they would not cause harm to the historic or architectural significance of the building.

The proposed alterations and extension would have limited impact on the amenity of the closest residential occupiers at nos. 109 and 113 Frognal. The proposed massing increase from the rear extension is minimal, and the application site sits lower than both adjacent neighbouring properties. The proposed rear extension would project an additional 4.5m compared to the existing rear extension, but would be largely obscured from views by the existing brick boundary wall and greenery. Although a new side facing window would be introduced facing no.109, it would not result in a loss of privacy given the lower level, the distance of 10m from the boundary, and the existing brick boundary wall.

- 2 No trees are proposed to be removed in association with the proposals and a tree survey and Arboricultural method statement has been submitted in support of the application. The report has been reviewed by the Council's Trees & Landscaping Officers who confirm that it is sufficient to demonstrate that impacts to existing trees will be acceptable. Full details of foundations and tree protection measures will be secured by condition.

Transport officers have reviewed the proposals and confirmed that a construction management plan or highways contribution would not be necessary.

Due to the excavations proposed, a BIA screening report was submitted which demonstrated that there will be no impacts to slopes or surrounding structures and highways, that there are no impacts to subterranean groundwater flows in the local and wider area, and that the site does not lie in a flood risk area and the proposals will reduce the impact of surface water flows on the sewer network. The report was audited by independent structural engineers Campbell

Reith who confirmed that the scoping and assessment stages of the BIA are not required for this scheme and that the BIA complies with the requirements of the CPG: Basements. The proposed basement would comply with all criteria of the basement policy A5 except for (j) which states that basements must extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation. This policy criteria is more relevant to basement extensions which are largely under the footprint of the building with the intention of ensuring basement rooms are not excessively large. In this instance, the basement room would be fairly small in size, and it is considered preferable for the basement to be offset from the main building in heritage terms so that it is differentiated as a new addition and does not affect the historic plan form. As such the proposals are considered to align with the intent of basement policy A5.

No objections were received prior to the determination of this application. Historic England responded with a letter of Flexible Authorisation duly stamped and signed on behalf of the Secretary of State.

The planning history of the site has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. 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 (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2, A1, A3 and A5 of the Camden Local Plan 2017 and policies DH1, DH2, NE2 and BA1 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 3 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).
- 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.

- 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



Daniel Pope  
Chief Planning Officer