

Application ref: 2020/4789/P  
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**Development Management**  
Regeneration and Planning  
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The Belvedere  
2 Back Lane  
Hampstead  
NW3 1HL  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:

**87 Frognal  
London  
NW3 6XX**

Proposal:

Alterations to main roof slope and installation of three dormers to provide an additional storey, incorporation of rear first floor terrace into habitable floor space and erection of ground floor rear extensions on north and west elevations; alterations to fenestration on east and west elevation; repurposing of external storage area to accommodate AC unit  
Drawing Nos: AP-00; S-01; S-02; S-03; S-04; S-05; S-06 (all dated 12/04/2016) AP-01b; AP-02b; AP-03b; AP-04b; AP-04b2; AP-05b; AP-06b (all dated 22.06.20); Design, Access and Heritage statement (dated 12th October); Noise Impact Assessment (dated 14/09/2020)

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 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: AP-00; S-01; S-02; S-03; S-04; S-05; S-06 (all dated 12/04/2016) AP-01b; AP-02b; AP-03b; AP-04b; AP-04b2; AP-05b; AP-06b (all dated 22.06.20); Design, Access and Heritage statement (dated 12th October); Noise Impact Assessment (dated 14/09/2020)

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 typical 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 all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use, machinery, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

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 Reasons for granting permission.

The proposal is very similar to that granted permission under application ref. 2018/0470/P which increased the roof pitch and installed 3 x dormer windows to facilitate a loft conversion plus two single storey extensions at ground floor level.

The roof level proposals were justified on the grounds that the hipped roof form

would generally be retained and given the property's substantial set back from the street, the roof extension would have little prominence from the public realm.

Since the previous application was granted, there have been no material changes to the policy or site context that would affect its acceptability.

The main difference between the extant consent and the new proposal is that the first floor extension would be extended to match the footprint of the ground floor extension. This would be a relatively minor increase in depth and would not result in an excessively bulky appearance. On the front façade at ground floor level it is also proposed to replace four windows with two pairs of French doors that would lead onto a raised terrace and to the rear, a door and a window would be switched. All fenestration alterations would be sensitive to the character of the building and carried out in matching style and material to the existing fenestration.

To the side of the property, an existing external storage area would be reduced in scale and used to house an AC unit. A noise impact assessment has been submitted which assess the impact on the nearest noise sensitive window at 89 Frognal. The Council's Environmental Health officer has reviewed the assessment and confirms the equipment, when enclosed, complies with the proposed limits. Two compliance conditions are attached to ensure there is no harmful impact.

Whilst AC units are not typically supported for environmental reasons, in this case the building is an existing dwelling with limited scope to retrofit.

Due to the scale of construction works involved and in order to minimise disturbance to nearby occupiers during the construction phase, a Construction Management Plan will be secured via a legal agreement.

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

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.

As such, the proposed development is in general accordance with policies A1, A4, CC1, CC2, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 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 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.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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