

Application ref: 2021/3072/P  
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Date: 18 October 2021

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

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Orcadian Planning  
Windy Nook  
Chorleywood Bottom  
Herts  
WD3 5JB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**111 Frognaal**  
**London**  
**NW3 6XR**

Proposal: Variation of condition 3 (approved drawings) of planning permission ref: 2019/6089/P granted 03/03/2020 for the erection of basement room beneath garden, erection of single storey rear extension at upper ground level and reinstatement of historic gabled rear elevation; replacement front dormer windows; internal and external refurbishment (summary); Namely, changes to internal layouts, changes to footprint of rear extensions at ground and lower ground floor level, replacement of rear wall, and changes to new window design.

Drawing Nos:

Superseded: P2.LG rev.08, P2.UG rev.08, E1.CC rev.08, S1.DD rev.08, E2.EE rev.08, S2.FF rev.08, S3.GG rev.08, P1.P rev.08.

Amended: P2.LG rev.11, P2.UG rev.11, E1.CC rev.09, S1.DD rev.11, E2.EE rev.11, S2.FF rev.11, S3.GG rev.11, P1.P rev.11.

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 no later than the end of

three years from the date of the original permission (ref 2019/6089/P) dated 3 March 2020.

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 For the purposes of this decision, condition no.3 of planning permission 2019/6089/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: MP rev.06, P2.LG rev.11, P2.UG rev.11, E1.CC rev.09, S1.DD rev.11, E2.EE rev.11, S2.FF rev.11, S3.GG rev.11, P1.E rev.08, P1.P rev.11, 01 rev E, LP rev 02, SP.LG rev 02, SP.UG rev 03, Method statement for heritage chimney repair, 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, Basement Impact Assessment by Rose Associates dated 26th May 2021, Letters from Rose Associates dated 26th January 2021 and 13th July 2021, Heritage appraisal addendum dated 20 June 2021.

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

- 4 Rose Associates shall 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, in accordance with the appointment letter approved under reference 2020/3181/P. Should there be a subsequent change or reappointment, the replacement shall be a suitably qualified chartered engineer with membership of the appropriate professional body and 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 also 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 policy BA1 of the Hampstead Neighbourhood Plan 2018.

- 5 Tree protection measures shall be installed in accordance with the Tree survey and arboricultural method statement by Tretec dated July 2020 approved under reference 2020/3181/P. The protection shall then remain in place for the

duration of works on site, unless otherwise agreed in writing by the local authority.

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 policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 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, 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.
- 2 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions as attached to the previous planning permission.

This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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 2021.

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', written in a cursive style.

Daniel Pope  
Chief Planning Officer