

Application ref: 2021/3788/P
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Date: 22 November 2021

Development Management
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DP9
100 Pall Mall
London
SW1Y 5NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**22 Frognal Way
London
NW3 6XE**

Proposal:

Erection of a single storey outbuilding in front garden ancillary to the dwellinghouse (Use Class C3).

Drawing Nos: FGWO-(O)-001; (19042-P-)01, 02 rev A, 03 rev A; 2082-P-030-046;
Sedum Roof Details (specification, product data sheet, blanket & species, substrate and maintenance statement); Cover letter from DP9 dated 03/08/2021.

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: FGWO-(O)-001; (19042-P-)01, 02 rev A, 03 rev A; 2082-P-030-046; Sedum Roof Details (specification, product data sheet, blanket & species, substrate and maintenance statement); Cover letter from DP9 dated 03/08/2021.

Reason:

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

- 4 The sedum roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first use of the building and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the London Borough of Camden Local Plan 2017.

- 5 The flat roof of the outbuilding hereby approved shall not be used at any time as amenity space, and any access onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting planning permission:

The broadly triangular shaped footprint of the single storey outbuilding (measuring approximately 3.12m x 2.71m x 4.1m in width on each elevation) would be no taller than 2.13m with a sedum flat roof. The elevations would have a smooth white render finish with an artificial green wall on part of the south facing elevation. Both glazed pivot and sliding doors would be aluminium framed.

The outbuilding would occupy approximately 6.6sqm of total floor area (providing approximately 4.8sqm of internal floorspace) which would amount to a very small loss of garden space in the context of the large amount of existing garden space present within the grounds of the property. The available remaining garden area would be sufficiently large such that the open character of any existing natural landscaping and garden amenity would continue to be maintained.

The proposed structure would sit no higher than the front boundary wall with which it would abut and which runs alongside the footpath on the north-west side of Froggnal Way. Given the relative heights of the wall and proposed outbuilding, the structure would not be visible from the street or public realm and would appear visually subordinate to the main building by virtue of the design, location, footprint and scale. As such, the proposal would be in keeping with and preserve the character and appearance of the main building and gardens, and the wider Hampstead Conservation and Neighbourhood Areas.

Furthermore, the outbuilding's inconspicuous position and distance away from the nearest residential properties, would mean that the proposal would not appear overbearing, result in any sense of enclosure nor lead to a reduction in the level of outlook available to neighbouring residential properties. Any possible light spillage from the proposed doors is considered to be small and there would be no significant change in footfall expected given the incidental nature of the outbuilding's use. As such, the proposal would not introduce any harm in amenity terms to neighbouring residential occupiers.

The submitted sedum roof details are considered to be sufficient to allow for a thriving and adequately maintained living roof.

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

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead Conservation Area, under s.72 of the 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 policies A1, A3, D1, D2, CC2 and CC3 of the Camden Local Plan 2017, policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018, the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use at the property. Any alternative use of the outbuilding for any other purpose or as temporary accommodation (i.e. for periods of less than 90 days for tourist or short term lets, etc.) would constitute a material change of use and would require the grant of planning permission.
- 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, 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 (search for 'Camden Minimum Requirements' at 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.

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



Daniel Pope
Chief Planning Officer