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Planning Statement

18 Frognal Way, London, NW3 6XE

Iceni Projects Limited on behalf of
Fitzpatrick Construction Ltd

November 2022

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ON BEHALF OF
FITZPATRICK
CONSTRUCTION LTD

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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Fitzpatrick Construction Ltd ('the Applicant') in support of a householder planning application for a single storey side extension at 18 Frogna Way, London, NW3 6XE ('the Site').
- 1.2 Specifically, this application seeks planning permission for the following development:

"Erection of a ground floor side extension"

- 1.3 This Planning Statement has been prepared by Iceni Projects Ltd and provides the planning case in support of this application. It assesses the proposal in the context of the relevant adopted and emerging planning policy and guidance at national, regional and local levels.

The Submission

- 1.4 This Planning Statement should be read in conjunction with the other drawings, plans and documents submitted in support of this Application. The submission comprises:
- Application Forms and Certificate of Ownership;
 - CIL Form 1;
 - Site Location Plan;
 - Existing and proposed drawings, including plans, sections and elevations.

2. SITE AND SURROUNDING AREA

- 2.1 The site is located at 18 Frognal Way, Hampstead and within the administrative boundary of the London Borough of Camden. It comprises a single storey (3 storeys at rear) detached residential dwelling. It is currently in use as a 5-bedroom residential property (Use Class C3).
- 2.2 The house is a large residential dwelling with living spaces on the ground floor, and bedrooms, gymnasium and swimming pool on the lower floors. The dwelling also has access to a large private rear garden, with associated terraces to the side and rear and a large driveway to the front of the property. When the property is viewed from the main entrance and the access from Frognal Way, it appears to be a modest dwelling of single storey. However, due to a number of previously approved extensions, the property differs in scale to the rear as it increases to three storeys due to a change in levels.
- 2.3 The core of the current ground floor (third floor from rear) consists of an open plan kitchen area which adjoins to a living and dining area. To one side of the living area is a side terrace. To the other side of the core, is the entrance hall and stairs to the lower floors, and a side room which leads onto one of the three terraces. The main terrace is situated to the rear of the dwelling and stretches across the width of the property. The lower floors contain bedrooms and amenity facilities which include a swimming pool and gymnasium.
- 2.4 The Site sits on the southern side of Frognal Way, a residential street which hosts a number of other large detached residential properties. 18 Frognal Way has two neighbouring properties to the east and west. 4 Ellerdale Close lies to the east and is separated by a diagonal flank wall. 14 Frognal Way sits approximately 20m to the west, separated by a wall and mature trees.
- 2.5 Frognal Way sits to the southwest of Hampstead and is located in a largely residential area, with a Secondary school located to the south. The centre of Hampstead is accessed best on foot through a pathway to the north east of the property and facilities including a supermarket and pharmacy are within approximately 250m. Transport services are accessed through a number of bus services on the B511 and A502 or Hampstead Underground station, all to the east the Site and within walking distance.
- 2.6 The property is not listed but is within the boundaries of and on the southernmost edge of the Hampstead Conservation Area, where the property is identified as making a positive contribution to the area. The Site sits within Flood Zone 1.

Planning History

- 2.7 The Site has a number of recent previous planning applications that are relevant to this application, the significance of which is explored further in the background section below.

| Reference | Registered | Description | Decision |
|---------------|------------|---|---------------------|
| 2020/4685/NEW | N/A | Erection of two rear ground floor extensions | Withdrawn |
| 2020/4684/NEW | N/A | Erection of two rear ground floor extensions | Withdrawn |
| 2020/4669/NEW | N/A | Erection of two rear ground floor extensions | Withdrawn |
| 2021/0136/P | 22/02/2021 | Erection of a single storey ground floor level (2nd floor level to rear) side extension. | Granted |
| 2020/2892/P | 29/07/20 | Erection of two rear ground floor (third floor to the rear elevation) extensions | Withdrawn |
| 2020/0986/P | 09/04/20 | Erection of two rear ground floor (third floor to the rear elevation) extensions | Dismissed at appeal |
| 2014/1743/P | 21/07/14 | Amendments to planning permission 2009/0603/P dated 06/10/2009 for the excavation of basement level below existing dwellinghouse and approved extension to enlarge the basement for additional ancillary residential accommodation. Amendments include enlargement of basement floor at front; addition of plant rooms; installation of swimming pool; provision of decked garden terrace & alterations to rear garden levels; insertion of doors and windows at basement level; alterations to fenestration; railings & ironworks; and installation of services enclosure. (part-retrospective). | Granted |

| Reference | Registered | Description | Decision |
|-------------------|------------|--|-----------|
| 2012/4666/INVALID | N/A | Excavation of basement level to create swimming pool, plant room and utility rooms; installation of railing to the rear and side elevation at ground and lower ground floor level around the staircase, alteration to fenestration to all elevations, extension of terrace to lower ground floor level and alteration of parapet to ground floor level to the residential dwelling (Class C3). | Withdrawn |
| 2009/0603/P | 03/04/09 | Excavation of basement level below existing dwellinghouse and approved extension to enlarge the basement for additional ancillary residential accommodation. | Granted |

Background

2.8 18 Frognal Way has undergone a number of extensions and alterations, the most significant of which is an application from 2009 (Ref: 2009/0603/P) and associated amendments (Ref: 2014/1743/P). This application added a significant amount of floorspace to the dwelling through a basement excavation and detailed landscaping designs.

2.9 Most recently an application (Ref: 2021/0136/P) was approved by the Council in approved in May 2021 for:

“Erection of a single storey ground floor level (2nd floor level to rear) side extension.”

2.10 The application proposed a single storey side extension with a flat roof to the north-east side of the building. The materiality of the proposed extension was predominantly brick with glazing included to the front and rear.

2.11 In determining the application, the council’s decision notice stated that:

- The proposed extension would respect and preserve the design and proportions of the host building and the character and appearance of the Hampstead Conservation Area.
- It was not considered that it would have a detrimental impact on neighbouring amenities in terms of loss of daylight, sunlight, outlook or privacy.

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- The proposed development was considered to be in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development was also considered to accord with policies of the London Plan 2021 and of the National Planning Policy Framework 2019.

2.12 The extension has since been constructed.

3. PROPOSED DEVELOPMENT

3.1 This planning application seeks a side extension to 18 Frognal Way reflect the recently completed side extension on the opposite side of the property to provide a more functional and optimised internal ground floor layout, in addition to a more symmetrical frontage when viewing the property from the street.

3.2 The proposed description of development is as follows:

“Erection of a ground floor side extension”

3.3 The key features of the proposals consist of:

- Single storey side extension to the west into existing side terrace and associated landscaping.
- Reconfigured internal layout accordingly to maximise floorplate and provide a more functional living space.
- Increased internal floorspace for TV Room and Dining Room.

3.4 The proposed extension will be predominantly brick in construction, with a flat roof form and new openings proposed to the front and rear.

3.5 The design of the proposals follows the single storey side extension to the east side of the main dwelling, approved under application 2021/0136/P and subsequently constructed.

3.6 The proposals have been carefully designed to create additional floorspace at ground floor level while not harming the character of the main dwelling and its positive contribution towards the Hampstead Conservation Area.

4. PLANNING CONSIDERATIONS

- 4.1 This section of the Planning Statement defines the Development Plan and assesses the proposed development against the relevant adopted and emerging planning policy and guidance at national, regional and local level.

Planning Policy Framework

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.3 The relevant Development Plan for the site consists of:
- The Camden Local Plan (2017);
 - The Hampstead Neighbourhood Plan (2018); and
 - The London Plan (2021).
- 4.4 Material considerations include the National Planning Policy Framework (2021) as well as a number of supplementary planning documents, Camden Planning Guidance (CPGs). In the context of this application, CPG 'Altering and extending your home' (March 2019) is of particular relevance.
- 4.5 The location of the Site and property within the Hampstead Conservation Area means that the Hampstead Conservation Area Statement (2001) is also a material consideration.

Planning Considerations

- 4.6 The relevant planning considerations associated with this application include:
- Principle of side extension;
 - Heritage and Design; and
 - Neighbouring amenity;
- 4.7 Each consideration is assessed in turn below

Principle of Side Extension

- 4.8 The site is located within Camden whereby the principle of extending a residential property is acceptable subject to design and residential amenity considerations. In addition, the principle of providing residential extensions at the site has already been established due to the significant number of alterations and extensions that have been initiated to the property over many years, most notably the recent approval of the single storey side extension to the east side of the property under Ref. 2021/0136/P. Policy at national and local levels encourages the optimisation of existing housing stock where possible, and proposals to improve under-utilised buildings that can help meet identified needs for housing. It is considered that the current proposals contribute towards these aims.
- 4.9 The NPPF (2021) seeks to promote the effective use of land to help significantly boost the supply of housing. Paragraph 120 states that substantial weight should be given to the use and development of brownfield land and under-utilised land and buildings, particularly where it would help to meet identified needs for housing.
- 4.10 London Plan (2021) Policy D3 (Optimising Site Capacity through the Design-led Approach) notes that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, whilst also responding to the existing character of a place. Policy H9 (Ensuring the Best Use of Stock) also notes that boroughs should promote efficient use of existing housing stock to reduce the number of vacant and under-occupied dwellings.
- 4.11 At a local level, Camden Local Plan Policy H7 (Large and Small Homes) notes the shortfall and need to protect larger homes within the borough that are suitable for families, due to a higher need and lower provision.
- 4.12 The proposals are considered to optimise the existing ground floor living space to create a larger and more functional internal space that is beneficial for the current and future occupiers of the property. In view of the above, the principle of the residential extension in this location is considered acceptable.

Design and Heritage

- 4.13 Camden's Local Plan Policy D1 (Design) notes that the Council will seek high quality design in development, with several criteria, notably including requiring development to respect local context and character, comprises details and materials that are of high quality and complement the local character, preserves strategic and local views; and for housing, provides a high standard of accommodation. It further notes that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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- 4.14 Policy DH1 of the Hampstead Neighbourhood Plan (2018) requires development to contribute in a positive manner towards the history and character of the area. Development proposals should be sympathetic to established building lines and to positively to existing rhythm and proportion.
- 4.15 Further specific design guidance in relation to household extensions is provided within the Council's CPG 'Altering and extending your home' (March 2019). This notes good practice principles for extensions including:
- 4.16 *"The addition or alteration must compliment the property without eroding or harming its character and the surrounding area or having a negative impact on neighbouring amenity."* (Para 2.2)
- 4.17 Specifically, in relation to extensions, Para 3.1 of the guidance notes several criteria in order to achieve these above aims. An extension should:
- a) *be secondary to the building being extended, in relation to its location, form, scale, proportions, dimensions and detailing;*
 - b) *be built from materials that are sympathetic to the existing building wherever possible*
 - c) *respect and preserve the original design and proportions of the building, including its architectural period and style;*
 - d) *respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;*
 - e) *respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;*
 - f) *not cause a loss of amenity to adjacent properties with regard to daylight, sunlight, outlook, light pollution/spillage, privacy. Please ensure the extension complies with the 45 degree test and 25 degree test as set out in the CPG for Amenity – or demonstrate BRE compliance via a daylight test.*
 - g) *allow for the retention of a reasonably sized garden;*
 - h) *retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.*
 - i) *allow for the retention of wildlife corridors, in particular at the end of streets*
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4.18 Furthermore, additional guidance states that side extensions should be:

- *Located adjacent to the side and rear elevations of the building;*
- *Subordinate to the original building in height and scale;*
- *No taller than the porch; and*
- *Set back from the main building.*

4.19 The CPG also states that the infilling of gaps will not be acceptable where:

- *Significant views or gaps are compromised or blocked;*
- *The established front building line is compromised;*
- *The architectural symmetry or integrity of a composition is impaired;*
- *The original architectural features on a side wall are obscured; or*
- *Access to the rear of a property is lost.*

4.20 The section below discuss how the proposed extension accords with the council's CPG for residential extensions.

Design

4.21 The proposed side extension has been specifically designed to keep in character with the context of the dwelling and the local area. The addition of a side extension would enable the property to maintain a high level of design throughout and extend the suitable living accommodation that provides collective space for residents and large number of bedrooms that are provided within the lower floors.

4.22 The design of the side extension is considerate to the current design of the property and subordinate to the main dwelling. The proposed extension will relate to the extension approved under ref. 2021/0136/P and subsequently constructed. The proposed extension will add a similar, flat roof extension to the west side of the property as the extension on the building's east side, and will therefore have a positive, balancing effect on the property's front elevation when viewed from the street. The extension will be set back from the front building line of the property, thereby respecting the proportions of the main building and the building layout in this part of the street scene. The side extension will maintain the same roofline as the porch and frontage of the building, thereby respecting the size and scale of the main dwelling and appearing subordinate. In terms of materiality and finer

details, the proposed extension will be largely of brick to construction to match the existing building, while the roof form will match the existing extension to the building's east side. The proposed new openings to the front and rear will be well positioned, respecting the existing windows and proportions of the dwelling.

- 4.23 In view of the above, the proposed extension is considered to accord with Local Plan Policies D1 (Design), Neighbourhood Plan Policy DH1 (Design) and the guidance set out in the council's CPG for residential extensions.

Heritage

- 4.24 The application property is identified in the Hampstead Conservation Area as making a positive contribution towards the area, and although the dwelling is not identified as a listed building, it is part of a group of residential properties that are identified as important in their own right.
- 4.25 Policy D2 (Heritage) of the Camden Local Plan states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.
- 4.26 The Hampstead Conservation Area Statement (2001) requires that side extensions that are seen to infill are resisted and that important gaps between buildings should not be compromised. Side extensions are required to be single storey and set back from the front building line.
- 4.27 Policy DH2 (Conservation Areas and Listed Buildings) of the Hampstead Neighbourhood Plan requires development to take advantage of opportunities to enhance the Conservation Area by restoring and adding appropriate architectural features.
- 4.28 As already identified the proposed extension does not detract from the building's existing design and will constitute a modest, respectful addition to the main property. The extension has been carefully designed to be in keeping with the main building and its positive contribution towards the Conservation Area.
- 4.29 The extension does not infill an important gap as it extends out on to an already existing side terrace. In keeping with the Hampstead Conservation Area Character Statement and Camden's CPG for residential extensions, the extension is of one storey and as already established is set back from the front building line.
- 4.30 In view of the above, the proposed extension is considered to accord with Local Plan Policies D2 (Heritage), Neighbourhood Plan Policy DH2 (Conservation Areas and Listed Buildings) and the guidance set out in the council's CPG for residential extensions.

Neighbouring Amenity

- 4.31 Local Plan Policy A1 (Managing the Impact of Development) states that the council seek to ensure that the amenity of communities, occupiers and neighbours is protected.
- 4.32 Camden's CPG 'Altering and extending your home' Para 3.1 states that extensions must not cause a loss of amenity to adjacent properties with regard to daylight, sunlight, outlook, light pollution/spillage, privacy and must retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.
- 4.33 Policy DH1 (Design) of the Hampstead Neighbourhood Plan requires that development protects the amenity and privacy of neighbouring properties.
- 4.34 The proposed extension will be small in size and scale and will be located a considerable distance from nearby neighbouring properties. No new windows are proposed with a significantly different angle of view towards neighbouring properties than those of the existing building.
- 4.35 In view of the above, it is considered that the proposed development will not result in any unacceptable harm to the light, privacy or amenity of neighbouring properties. The proposed extension is therefore considered to accord with Local Plan Policies A1 (Managing the Impact of Development), Neighbourhood Plan Policy DH1 (Design) and the guidance set out in the council's CPG for residential extensions.

5. CONCLUSION

- 5.1 This Planning Statement has been prepared in support of a planning application that would allow for a residential extension at 18 Frognal Way London, NW3 6XE to improve the standard of living within this residential property and make it a more functional family home, while preserving the appearance the main dwelling and the Hampstead Conservation Area.
- 5.2 The proposed development has sought to achieve the following principal development objectives:
- Preserve the character and appearance of the existing building and surrounding Hampstead Conservation area through a modest, subordinate extension and the use of high-quality sympathetic materials.
 - Increase both the amount and quality of residential space provided within the property.
 - Respect the residential amenity of neighbouring properties by making additions which do not harm the light, privacy and amenity of any nearby properties.
- 5.3 Overall, the proposed scheme is considered to comply with the relevant policies of the development plan and deliver a significantly improved residential property. It is therefore considered that the development should be supported and planning permission granted without delay.