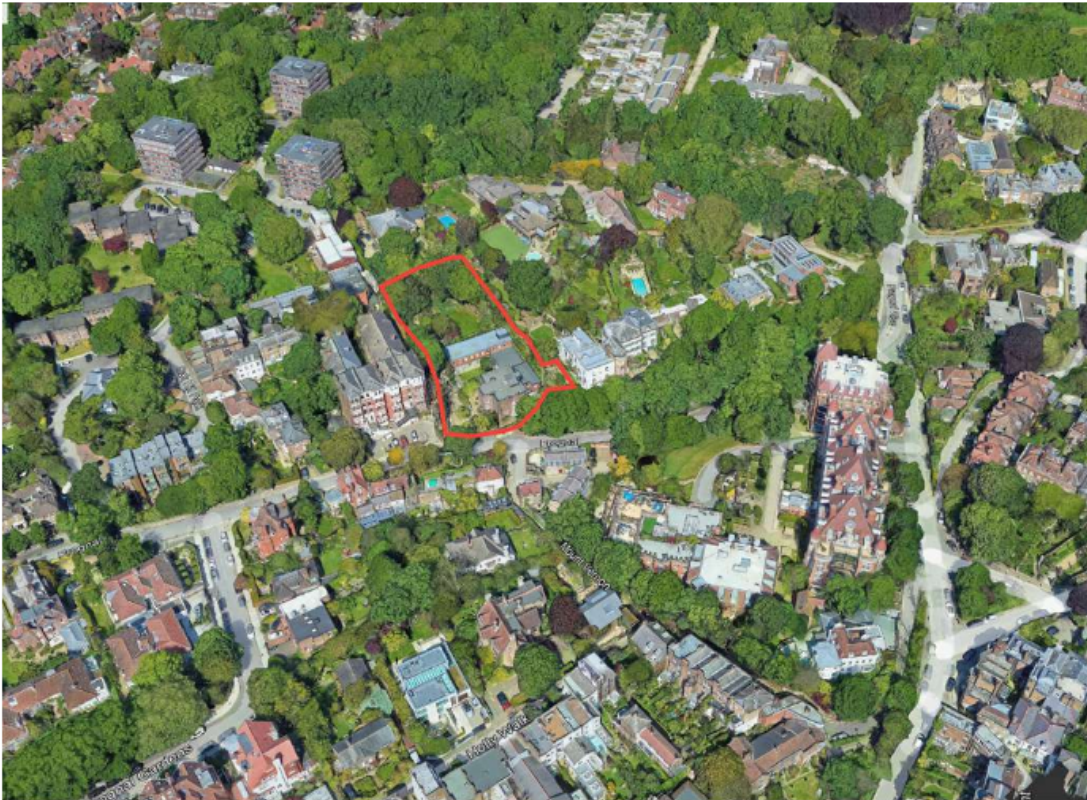


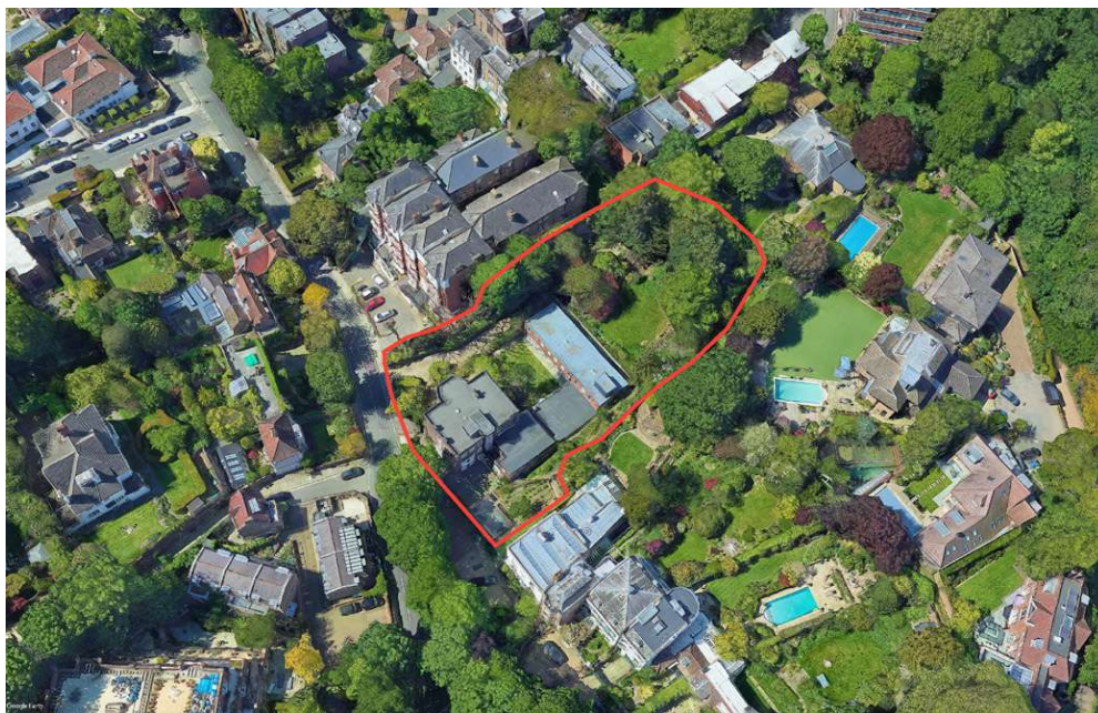
Existing Site Plan



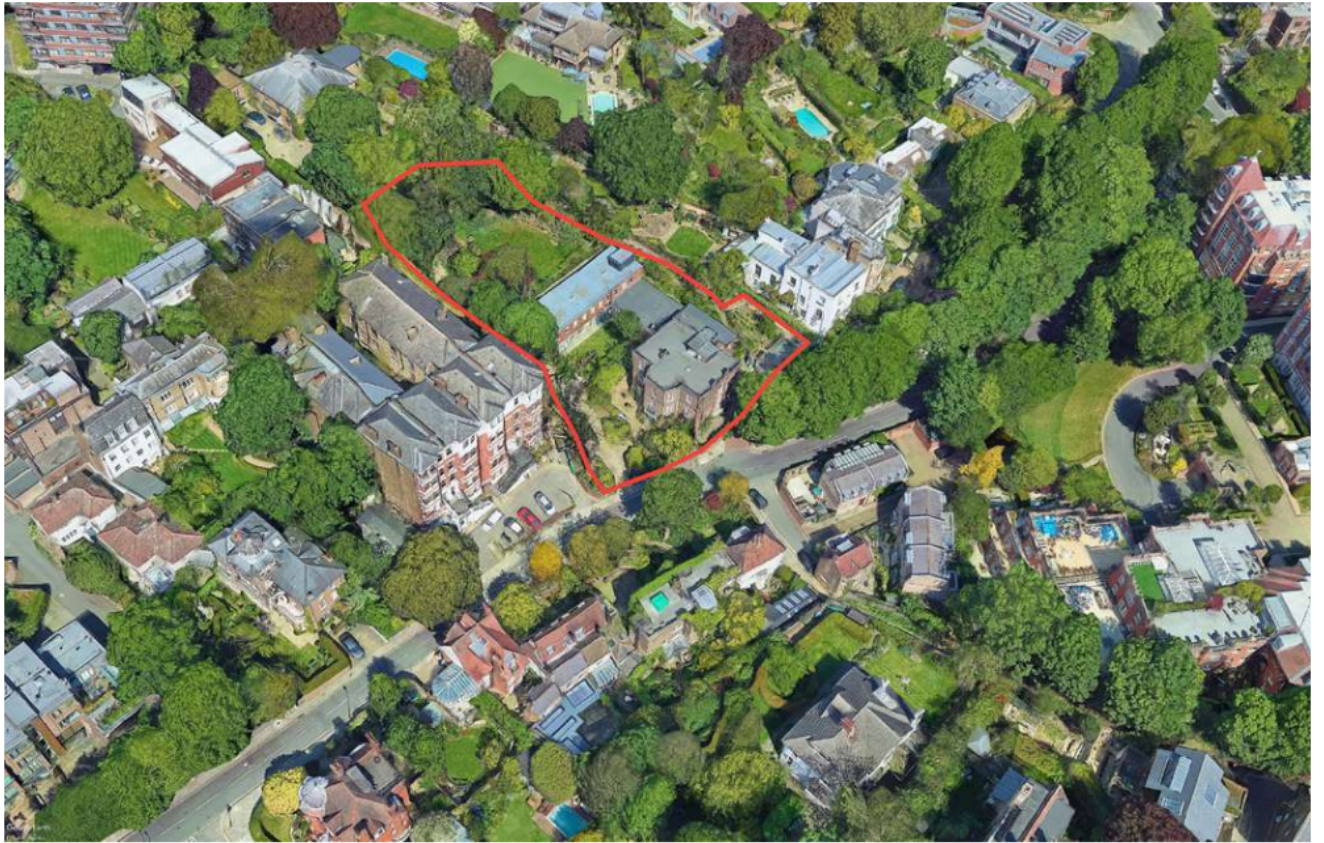
Photo document



Above: Aerial view of 99 Frogmal within Hampstead Conservation Area



Above: Aerial view from North-East



Above: Aerial view from South-East



Photo 1: Approach along Frognal from the south



Photo 5: View of 99 Frognal from road



Photo 6: View of 99 Frognal from rear garden



Above: Existing Section



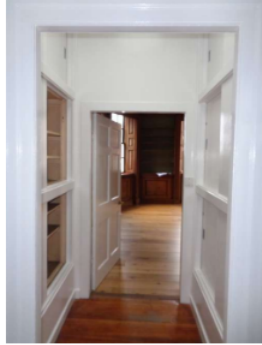
Above: Central room, looking south



Above: Room to south-west corner of second floor



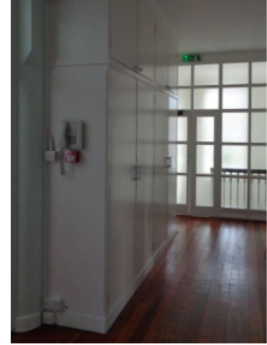
Above: Fireplace on west wall of central room



Above: Lobby subdivided off rear of central room



Above: Western room 2.0



Above: Corridor, looking towards main east staircase



Above: East staircase



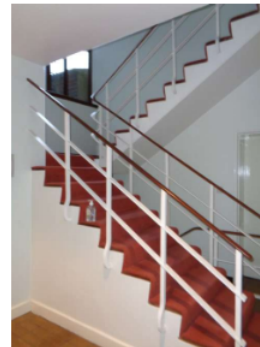
Above: Room to west of ground floor



Above: Room to west of ground floor



Above: Central room, looking south

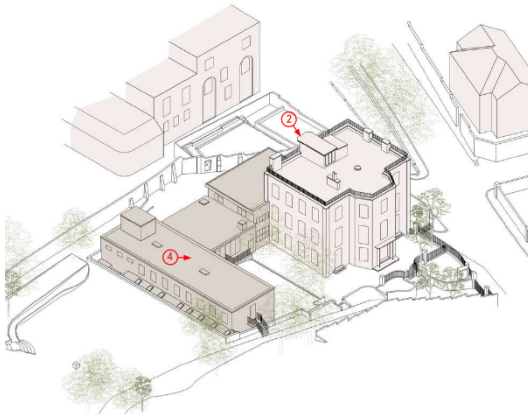


Above: Partition between main house and extension

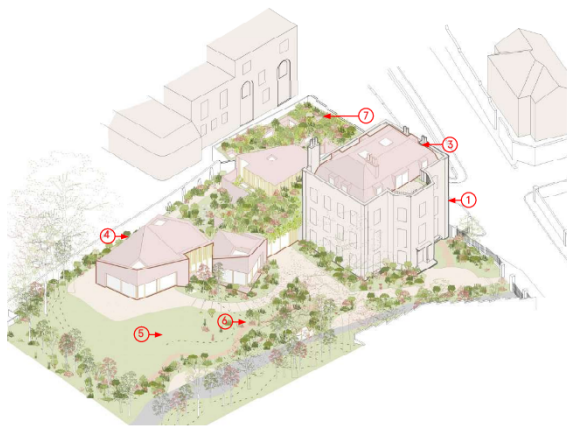


Above: WC and showers to west of ground floor

Proposed Drawings/CGIs



Above: Axonometric drawing - existing



Above: Axonometric drawing - proposed





Above: Photo of existing rear elevation.



Above: Visualisation of proposed rear elevation with oriel window.



Above: Aerial view from south of the site

Intensive green roof:

Verdant and diverse planting to extension roof adjoining main house and wrapping around primary living spaces.



Natural UK stone:

UK-sourced natural stone used structurally for external walls.

Natural texture and quarry cuts give variety in texture between 'strata' of the structure and create a visual gradient of rough to smooth as it emerges from the ground.



Diverse planting:

Diverse native and biodiversity-supporting species to be used throughout the landscape design.

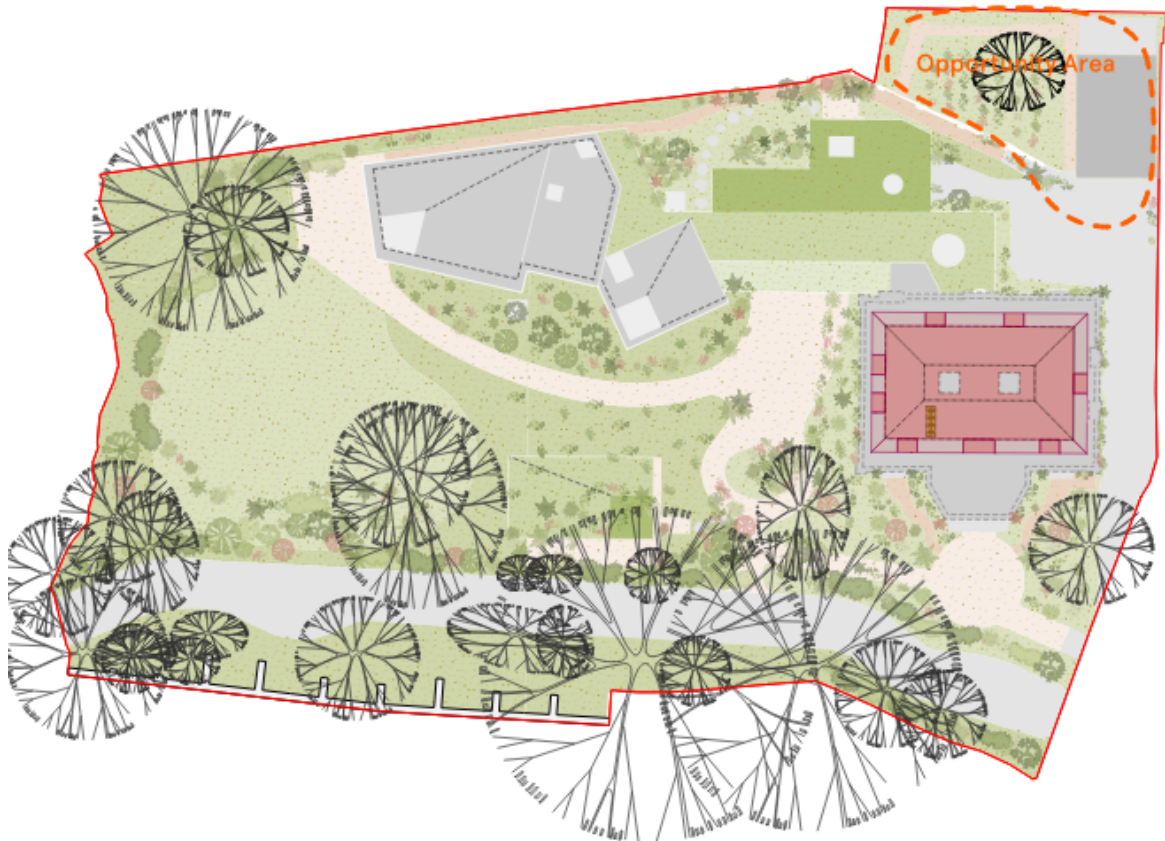




Opportunity Area - north-east



Above: Photograph of the garage area as seen from 99 Frogna







Above: Existing First Floor Plan



Above: Proposed First Floor Plan



Above: Existing Second Floor Plan



Above: Proposed Second Floor Plan



Above: Existing Second Floor Plan



Above: Proposed Second Floor Plan

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	03/07/2024
				Consultation Expiry Date:	09/06/2024
Officer			Application Number(s)		
Ewan Campbell			2024/0030/P and 2024/0267/L		
Application Address			Drawing Numbers		
Frogna! House, 99 Frogna!, London, NW3 6XR			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>Planning Permission: Change of use of convent (Sui Generis) to create four residential units (C3), demolition of existing extension and erection of a part one, part two storey extension with green roof. Erection of roof extension with roof terrace and railings. Excavation of basement with entrance, conversion of garage, new bin and bike stores, hard and soft landscaping and alterations to fenestrations of the main house</p> <p>Listed building consent: Change of use of convent (Sui Generis) to create four residential units (C3), demolition of existing extension and erection of a part one, part two storey extension with green roof. Erection of roof extension with roof terrace and railings. Excavation of basement with entrance, conversion of garage, new bin and bike stores, hard and soft landscaping and alterations to fenestrations of the main house. Internal alterations to main house</p>					
Recommendation(s):		Grant condition planning permission Subject to a Section 106 agreement and grant Listed Building Consent			
Application Type:		Full Planning Permission and Listed Building Consent			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notices			
Informatives:					
Consultations					
		No. of responses	25	No. of objections	22
Neighbour Consultation		<p>Multiple site notices were displayed on 07/02/2024 (which expired on 02/03/2024) and a press advert was displayed 08/02/2024 (which expired on 02/03/2024). The locations of the site notices are listed below:</p> <p>1 x outside Mount Vernon 1 x outside 99 Frogna! 1 x outside 97 Frogna! 1 x outside 109 Frogna!</p> <p>The objections were submitted from nearby and neighbouring residents with</p>			

the majority of them being from the 'The Heights' building at 97 Frognal.

A summary of their concerns is set out below:

Land use

- Creation of 4 residential units is overdevelopment
- Fails to increase housing on site as stated
- More housing could be put on site
- Reduction of housing

Officer Comments: The creation of new dwellings (four units) and delivery of housing is in line with local plan policy H. Further detail and assessment of the housing provision is discussed in section 2.2 below.

Design and Heritage

- Mansard extension is excessive in scale
- Mansard detracts from character of listed building
- Works will detract from character of conservation area
- Works would harm listed building and heritage assets without providing public benefit

Officer comments: Issues in relation to design and heritage and the impacts on the heritage assets are discussed in section 2.4 and 2.5 below

Impact on amenity

- Loss of direct sunlight from mansard extension
- Impact on outlook
- Light spillage
- Impact on 103 Frognal has not been properly assessed
- Visual amenity impacts

Officer comments: The impacts on neighbouring amenity are fully assessed within section 2.6. Further clarification was sought by Officers in relation to light spill and the impact on 103 Frognal and this is set out within the relevant section

Basement impact

- Basement Impact Assessment is not sufficient and does not provide adequate data in relation to flood risk
- Topography of area means that the BIA has not adequately addressed issues of flood risk
- Basement excavation in area of recent subsidence problems
- Potential impact on soil stability
- Concern over the impact on boundary brick walls with 99 Frognal from basement development
- Concern over basement proposal - not in compliance with Camden policy.
- Fails to comply with policy A5 of the local plan and policies BA1 and B2 of the Hampstead Neighbourhood Plan

Officer comments: Full assessment of the basement impacts has been undertaken against Council policy and guidance. The basement development

has also been independently assessed by the Council's basement impact assessment auditors Campbell Reith, to ensure all of the relevant basement issues have been properly considered and are acceptable. The assessment is set out in section 2.7 below.

Transport issues

- Construction management issues
- Noise vibration, pollution issues from traffic
- Air pollution from extended construction periods
- Impact from large vehicles in area
- Impact on residents and driver safety
- Access to site will need to be managed carefully to ensure there is no damage to neighbouring and listed walls and property

Officer comments: Construction management is an important procedure for mitigating against risks op safety and amenity. As part of the assessment (discussed in section 2.9) the Council has agreed a construction management plan will be secured via s106 which ensures these impacts are mitigated as much as possible.

Water and Flooding

- The street has been excavated numerous times by Thames Water due to flooding and leaks and needs to be further explored
- The development could impact groundwater flooding in area

Officer comments: Along with the Basement Impact Assessment which assesses soil stability and ground movement assessment, a Flood Risk Assessment has also been submitted and has been assessed by the Council's Local Lead Flood Authority to ensure the development does not adversely impact the area in terms of flooding. It also important to mention that the application site is within flood risk zone 1 and not prone to flooding.

Biodiversity issue

- Fails to maximise biodiversity net gain on site
- Two new dwellings roof lights will contribute to light spillage and impact biodiversity
- Impact on mature trees on site

Officer Comments:

In terms of biodiversity, the scheme includes the provisions of green roofs and overall it improves the arrangements in terms of green infrastructure and biodiversity. Full assessment has been undertaken in relation to impacts on trees which in section 2.10 below

Historic England

Greater London Archaeology Advisory Service (GLAAS)	GLAAS were consulted and did not object or make any significant comments
Hampstead Conservation Area Advisory Committee	The Hampstead CAAC were consulted and did not comment on the proposal
Hampstead Neighbourhood Forum	<p>The Hampstead Neighbourhood Forum has objected on the following grounds:</p> <ul style="list-style-type: none"> - Overall support for the retrofit and restoration of the listed building - Concern over the balance of the size of the dwellings – three are very small and the other is very large - Thames Water has raised concern over the groundwater discharge and it is recommended that the applicant install a large attenuation tank <p><i>Officer comments: The overall balance between heritage harm, public benefits and the inclusion of housing is discussed in the relevant sections below. An attenuation tank is proposed as part of the SUDS measures and will be secured via condition.</i></p>
The Heath and Hampstead Society	<p>The Heath and Hampstead Society have objected on the following grounds</p> <ul style="list-style-type: none"> - The three small dwellings have no amenity space and do not receive enough light - The mansard roof is excessive and should be reduced in height - The rear extension is very large and could be a separate dwelling - Concern over large swimming pool and soil conditions - Excavation could involve damage to listed building - Scheme overall detracts from the conservation area and listed building - A daylight/sunlight report is recommended to assess the impacts on 103 Frognal. <p><i>Officer comments: The three smaller dwellings do have amenity space proposed as part of the scheme and have been assessed as receiving an acceptable level of light. This is covered in more detail within the relevant sections below.</i></p> <p><i>Issues of design, basement considerations and heritage impact are discussed within the relevant sections below.</i></p> <p><i>In terms of the impact on 103 Frognal, again this has been fully assessed and discussed in the section below. This also includes the rationale for assessing the daylight/sunlight impact on all neighbours and demonstrates why the inclusion of a daylight/sunlight assessment is not required in this instance.</i></p>
Redington and Frognal Neighbourhood Forum	<p>The Redington Frognal Neighbourhood Forum has objected on the following grounds:</p> <ul style="list-style-type: none"> - Overdevelopment of site - No public benefit - Increasing likelihood of flooding for surrounding properties as a consequence of this development - Light pollution in a sensitive site in terms of ecology

- Ecology appraisal is required
- Other nearby sites have provided significant Biodiversity Net Gain scores which should be applied here
- Concern over excavation and impact on surface water
- Basement is contrary to Hampstead Neighbourhood Plan and Camden's Local Plan

Officer comments: Whilst the Council has fully considered all comments made by the Redington and Frognal Neighbourhood Forum, it is important to note that this site is not in or directly adjacent to the neighbourhood forum area.

Issues relating to design, land use, heritage, lack of public benefit, flooding and basement considerations are discussed within the relevant sections below. The scheme actually proposes less above ground development than what is currently on site.

In terms of light pollution, there is no evidence that the proposed development would harmfully increase the level of light pollution compared to the existing building.

In terms of ecology and biodiversity, the application was submitted prior to Biodiversity Net Gain (BNG) legislation and requirements becoming mandatory however the scheme offers a number of ecological benefits including reduce the footprint of building on site, green roofs, replanting of trees and reduction of hard standing meaning that there is an overall positive ecological benefit from the scheme.

Thames Water have the following comments:

Waste Comments

As required by Building Regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

With regard to SURFACE WATER drainage, Thames Water would advise that

Thames Water

if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Site Description

The application site comprises a Grade II-listed 3-storey detached house with basement and gardens around. The house dates back to 1740 and has seen various additions and alterations over the last 280 years.

The site is located on the west side of Frognal and comprises a part 1, 2 and 3 storey (plus

basement) grade II listed property that is currently occupied for residential purposes and has, in the past, been used as a hostel and convent, albeit, the property historically operated as a single dwellinghouse. The property has been unsympathetically extended to the rear and side in the 1970s.

A large 1970s extension has been added unsympathetically to the rear and side of the original house by the previous owners which has been used as student accommodation.

The land slopes steeply up to the west. A courtyard garden sits between the main house and 1970s extension. A higher level rear garden is cut off from the main house by the 1970s part of the building and is accessed along the driveway or along the sloping rear passageway to the north side of the site.

The current primary entrance to the house is located to the rear of the house, accessed from the driveway to the East of the house. A garage with vegetable bed garden at an upper level along the north boundary are also accessed from the rear driveway. A driveway to the south side of the site leads from the road up to 99a Frognal, located at the rear of the site, which has a right of vehicular access over the land. To the south-west, is a 13m-high brick wall built in 1896 to shield the garden from any views from - the then recently constructed - neighbouring Frognal Mansions.

The house was listed on 11 August 1950. The list description from 1999 reads:-

“Detached house, now a convent finishing school. c1740, partly refaced late C19; late C20 alterations. Brown brick with red brick dressings, moulded brick plinth and pilasters supporting a cornice at 2nd floor level. 3 storeys and basement. Single window entrance front and 3 window return to garden. C20 entrance with canopy. Gauged red brick segmental arches to flush framed sashes with exposed boxing. 1st floor sash above entrance, round-arched with a cast-iron guard. Garden front with central full height canted bay, ground and 1st floor windows altered to French windows, 1st floor with early C19 cast-iron balconies. Parapet with C20 plain cast-iron balustrade. INTERIOR: not inspected. HISTORICAL NOTE: following the Crimean War the house became the Sailors' Orphan Girls' Home and was the home of General de Gaulle and family in 1940-2. Converted to a finishing school 1968.”

The site is located within Hampstead Conservation Area and the Hampstead Neighbourhood Forum area,

The site is located approx. 285m from Hampstead tube station and within 700m from numerous services and facilities along Hampstead High Street and Heath Street. The site has a PTAL (Public Transport Accessibility Level) Rating of 2



The existing site

The immediate area comprises primarily detached and semi-detached houses, 3-4 storeys high. They are generally set back from the street with large front gardens, off street parking and brick walls with railing or hedging separating them from the road. The street has a number of mature trees concentrated around the north-western Frognal Biodiversity Corridor. These are primarily oak and lime trees with no veteran or ancient trees known to be in the immediate area of the site. The Hampstead Conservation Area identifies the properties on Frognal as diverse in scale and character, ranging from 18th century houses to 20th century. At the northern end, in the proximity of the site, sit the oldest houses, many of which, like no.99, display a variety of additions and modifications made over their histories.

Relevant History

Relevant planning decisions at the application site:

2022/2859/P and 2022/2869/P - Use of main house and extension as residential accommodation (C3) and separate planning unit and use as two separate planning units; one comprising of the main house (C3) and the other comprising of link and west wing building for student accommodation (Sui Generis) – Withdrawn

Note: The land appears to have been used for two purposes – mixed student accommodation and Convent, together with their ancillary uses. Based on the evidence available, and on the balance of probability these were the two different main activities (student accommodation) and Convent and existed as a composite use and not confined within separate and physically distinct areas of land.

<u>HB3165</u>	99 Frognal, NW3	Erection of first floor side extension above existing side addition.	FINAL DECISION	07-04- 1983	Listed Building Consent
<u>35419</u>	99 Frognal, NW3	Erection of first floor extension above existing side addition.	FINAL DECISION	13-12- 1982	Conditional

National Planning Policy Framework 2024 (NPPF)

London Plan 2021

Camden Local Plan (2017) (CLP)

Policy G1 Delivery and location of growth

Policy H1 Maximising housing supply

Policy H2 Maximising the supply of self-contained housing from mixed-use schemes

Policy H4 Maximising the supply of affordable housing

Policy H7 Large and small homes

Policy C1 Health and wellbeing

Policy C2 Community facilities

Policy C3 Cultural and leisure facilities

Policy C5 Safety and security

Policy C6 Access for all

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Policy A4 Noise and vibration

Policy A5 Basements

Policy D1 Design

Policy D2 Heritage

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

Policy CC4 Air quality

Policy CC5 Waste

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Policy T3 Transport infrastructure

Policy T4 Sustainable movement of goods and materials

Policy DM1 Delivery and monitoring

Hampstead Neighbourhood Plan (2018)

DH1 Design

DH2 Conservation areas and listed buildings

NE2 Trees

NE4 Supporting biodiversity

BA1: Basement Impact Assessments

BA2: Basement Construction Plan

BA3: Construction Management Plan

TT4 Cycle and Car Ownership

HC1 Housing Mix

HC2 Community facilities

Supplementary Planning Documents and Guidance

Most relevant Camden Planning Guidance (CPGs):

Access for All CPG - March 2019

Air Quality - January 2021

Amenity - January 2021

Basements - January 2021

Biodiversity CPG - March 2018

Community uses, leisure and pubs - January 2021

Design - January 2021

Developer Contribution CPG - March 2019

Energy efficiency and adaptation - January 2021

Housing - January 2021

Planning for health and wellbeing - January 2021

Transport - January 2021

Trees CPG - March 2019

Water and flooding CPG - March 2019

Assessment

1. PROPOSAL

- 1.1. Full planning permission and listed building consent is sought for the change of use of the convent to a single dwellinghouse and associated conversion works (Use Class C3) and the erection of three (3x) dwelling houses (Use Class C3).
- 1.2. Refurbishment of the main house, including removal of 20th century room sub-divisions and non-original staircases and the reinstatement of a more original plan form, features and detailing.
- 1.3. Removal of the 1930s staircase enclosure from ground to roof to the north elevation and reinstatement and the construction of a new oriel window.
- 1.4. Erection of a historic mansard roof with a simpler, more traditional roof profile.
- 1.5. Deconstruction and material re-use of the incongruous 2-storey 1970s/80s extension and construction of a series of single-storey elements to form an extension to the main 1740s house stepping up along the north side of the site.
- 1.6. New landscaping works to re-connect the rear garden with the house, integrate the new extension within the landscaping and re-instate views back to the main house.
- 1.7. Construction of a basement under the footprint of the existing 1970/1980s building.
- 1.8. The construction of 3 additional homes on the north side of the site: 2 new 1-bedroomed homes in the garage area with green roofs and a new 2-bedroomed home linked to the new extension.

Revisions

- Alterations to the proposed basement and subsequent Basement Impact Assessment have been undertaken
- Further details in relation to SUDS and flooding details which have been assessed by the Local Lead Flood Authority

2. ASSESSMENT

2.1. The material considerations for this application are as follows:

- Land use/Principle of Development
- Affordable Housing
- Dwelling Mix
- Heritage
- Design
- Residential Amenity
- Quality of accommodation
- Basement considerations
- Transport and Highways
- Trees, Landscaping and Biodiversity
- Energy and Sustainability
- Water and Flooding
- Air Quality
- Employment and Training Opportunities
- Head of Terms
- Community Infrastructure Levy

2.2. Land use/Principle of Development

- 2.2.1. Policy H1 of the Local Plan aims to secure a sufficient supply of homes to meet the needs of existing and future households and will seek to exceed the target for additional homes in the borough by regarding self-contained housing as the priority land use of the Local Plan. This runs alongside policy G1 (Delivery and location for growth) which ensures development will use sites that come forward in an optimal fashion.
- 2.2.2. Notwithstanding the recent occupation by students (based on the planning history) the nature of the use, and the provisions of paragraphs 3.235, 3.236 and 3.266 in the Camden Local Plan 2017, the Local Plan policy most relevant to considering loss of the existing use appears to be Policy H10.
- 2.2.3. Under Policy H10, the Council seeks to retain housing with shared facilities where it is capable of meeting relevant standards. The Council would therefore support adaptation of the property to meet HMO standards and provide for continued use as shared accommodation for students or other suitable occupiers. Any proposals for the loss of these would be considered against Policy H10 clauses (g) and (h). Criterion (i) is not considered to be relevant in this case as it relates to conversion of existing social-rented housing in the circumstances explained in Local Plan paragraph 3.284.
- 2.2.4. In terms of the proposal, if the building was converted into a single dwelling house, the evidence available indicates that there would be a loss of 29 bedrooms in shared accommodation. Under London Plan 2021 monitoring arrangements (paragraph 4.1.9) and the Housing Delivery Test rulebook (paragraph 9), this would be equivalent to a loss of 12 (29 divided by 2.5) to 16 (29 divided 1.8) homes (depending on whether the Council concludes that the property should be treated as student housing or shared accommodation available to other groups). Given the heritage considerations of the site, it is accepted by the Council that 12 to 16 homes on site would not be possible unless a significant harm was caused to the listed building, both through its setting or significant interventions with the building fabric itself.
- 2.2.5. Nonetheless, the proposal has provided 4 units (including the main dwelling house) which is welcomed and a notable improvement on the single home initially proposed at pre-application stage. Whilst this number is well below 12 to 16 number calculated above, this involves a balance of both heritage and land use issues as well as the amount of development being proposed on site.
- 2.2.6. The Housing Delivery Test (HDT) is an annual measurement of housing completions introduced by the government. It measures whether Development Plan requirements (or, in some cases, local housing need calculated by the Government's standard method) have been met over the last 3 years. The Government's most recently published figure is for 2022, when the measurement for Camden was 69% - which means that Camden's development plan policies are treated as being out-of-date in relation to housing provision.
- 2.2.7. The presumption in favour of sustainable development in paragraph 11(d) of the NPPF is engaged, and great weight should be given to the provision of housing in decision making. The NPPF indicates that applications should be granted unless their adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.
- 2.2.8. Therefore, the loss of the shared accommodation, and its replacement with 4 new dwellings would result in a net loss of homes on the site for the purposes of HDT figures. However, taking account of the previous use, its ongoing viability, and the site specific circumstances including notable heritage constraints, the four homes would contribute

towards the strategic objectives of the Local Plan and contribute to the borough's housing needs, whilst providing a mix of homes and protecting nationally significant heritage in the borough.

2.3. Affordable Housing

2.3.1. Camden Local Plan policy H4 and the Housing CPG seek provision of affordable housing. Where the uplift in residential floorspace has the capacity for 10 or more new homes (assuming 100sqm per home on average), the council expects affordable housing to be provided on site, subject to viability. Where the capacity is for fewer than 10 homes (less than 950sqm when rounded) then the policy accepts a payment instead of on-site affordable housing.

2.3.2. As per section 2.2, Policy H10 is clear that when a loss of this low cost shared accommodation is being proposed, this should either be adequately replaced with the same accommodation or replaced with affordable housing. This can be secured as a long-term addition to the supply of low cost housing, or otherwise providing an appropriate amount of affordable housing, having regard to Policy H4.

2.3.3. As a result, the requirements for affordable housing for the site have been considered across the entire building in line with the development plan. Due to the heritage and site constraints, the Council considers it challenging to re-provide new low cost shared accommodation or affordable housing with the PiL to be the most appropriate. On site provision was explored in pre-application for several homes at the rear of the site, but this was considered unlikely to be delivered given the access arrangements, listed building setting issues, and practicalities of finding a realistic offer from a Registered Provider for such a small number of homes in this site.

2.3.4. Therefore, taking the floorspace of the proposed development, which would provide 1244sqm of market housing (capacity for 12 homes), the Council will accept a payment-in-lieu of affordable housing. Given the proposed residential floorspace of 1244sqm, the sliding scale in Policy H4 (d) applies, starting at 2% for one home and increasing by 2% for each home added to capacity. The additional residential area would have a home capacity of 12 which equates to a target of 24% affordable housing on the sliding scale.

2.3.5. Applying the payment in lieu of £5,000 per sqm set out in Housing CPG, the total payment under the policy target would be:

Additional residential floorspace (GIA sqm)	Capacity (rounded floorspace addition/100sqm)	Additional housing % target	Affordable housing floorspace target	Payment in lieu required
1244sqm	12 new homes	24%	24% x 1244 = 298.56	298.56 x £5,000 = £1,492,800.00

Dwelling mix

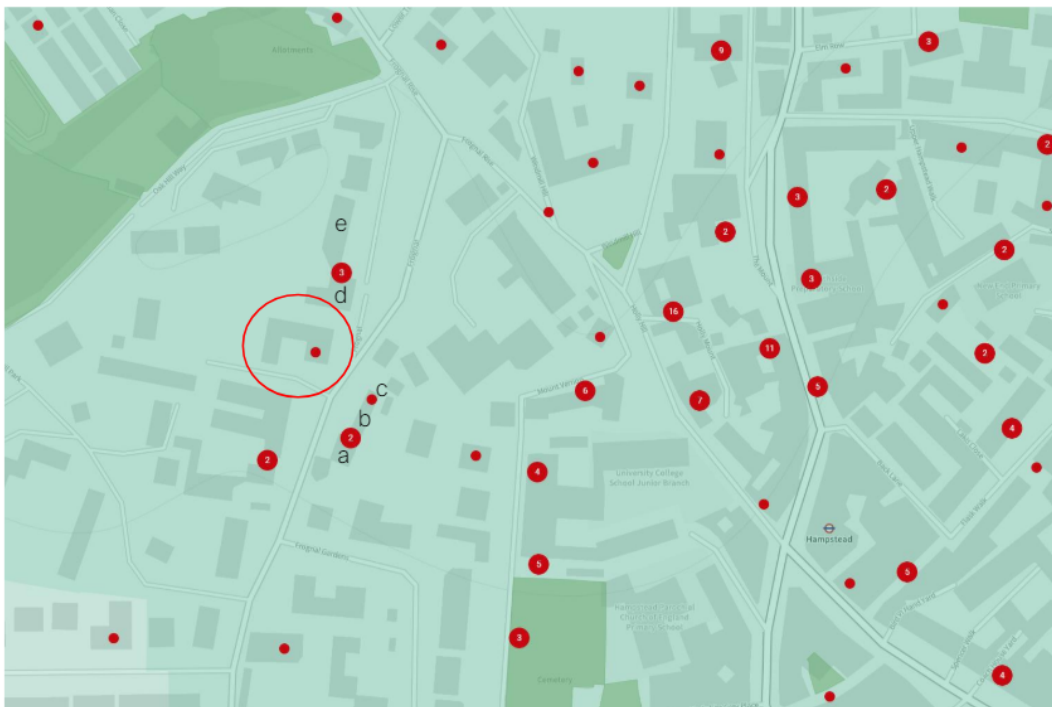
2.3.6. Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.

2.3.7. Whilst the proposal includes 3 x 1 bedroom units and 1 x 4+ bedroom units which are both considered as lower priority, given the site constraints of the site, this is considered acceptable and the Council welcomes the inclusion of housing on site.

2.4. Heritage

The *Designated and non-designated heritage assets*

- 2.4.1. When considering whether to grant listed building consent for any works, under S.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“LBCA Act”) the Council must have special regard to the desirability of preserving the Listed building or its setting or any features of special architectural or historic interest which it possesses. Section 66 of the LBCA Act also sets out that when considering planning applications, special regard must be given to the preservation of a listed building, its setting or its features of special architectural or historic interest. Section 72 of the same Act sets out a general duty that special regard must be given to preserving or enhancing the character or appearance of a conservation area. All are relevant to the proposal.
- 2.4.2. The site is in the Hampstead Conservation Area and there are numerous listed buildings close by. The following map denotes designated heritage assets. Listed buildings are marked with red dots. The Hampstead Conservation Area is shaded in light green, with designated open space in a darker green. The site is ringed in red.



- 2.4.3. Despite the prevalence of listed buildings in the area, the proposals have limited visibility and as will be seen below, they would not visually impact on the setting of many of the surrounding listed buildings.

Significance

- 2.4.4. In assessing the significance of no.99 Frognal it is necessary to examine its origins, history, form, architectural design, layout, materials and relationship with surrounding buildings. In making this assessment, consideration has been given to its intrinsic architectural merit, completeness, the extent of any alterations and their impact, the contribution of the buildings to the character of the area and the degree to which the buildings illustrate aspects of local or national history.
- 2.4.5. In line with the National Planning Policy Framework this assessment is “proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance” (para 207) and to enable the local planning authority to

‘identify and assess the particular significance of any heritage asset that may be affected by a proposal’ (para 208).

2.4.6. The National Planning Policy Framework Annex 2 defines significance as ‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting’.

2.4.7. The development site comprises a Grade II-listed 3-storey detached house with basement and gardens around. The house dates back to 1740 and has seen various additions and alterations over the last 280 years.

2.4.8. The house has a compact rectangular plan with a large, canted bay at all floor levels to the southern facade. This was likely added at the turn of the 18th/19th centuries following the revaluation of the building in either 1788 or 1802 and it was certainly in place by the time of the 1869 Ordnance Survey map. The building’s facades are of brown multi-stock brick with red brick arches and a projecting decorative string course, with a giant order of pilasters to the southern and eastern facades. The statutory listing description for the building indicates that it was ‘refaced in the 19th century’ and this is consistent with the appearance of the brickwork which lacks the patina of age and the plum tones to the brickwork often associated with buildings of the early Georgian period. There are other areas of the building’s facades where the brickwork is mismatching and would suggest a further phase of reconstruction/repair, for example to the full 2nd floor facade on the eastern elevation, possibly in the 1930s and in conjunction with the extensive works at roof level. Whilst it is noted that the building has undergone phases of alteration during its history, these elements, as described, all contribute to its significance and special character.

2.4.9. The house is of three main storeys with a small cellar beneath it which is not expressed externally. It has a regular pattern of painted timber sash windows, in a 6 over 6 configuration, set flush within their reveals and beneath gauged soft red brick arches. This is a significant characteristic of the building. The eastern elevation has a large arched window which lights the main ground to 1st floor staircase, with French doors at ground and 1st floor level on the southern elevation. It is clear that all of the fenestration has been replaced, most likely in the first decades of the 20th century.

2.4.10. Following the purchase of the building in 1933 by Brian McPeake, the building underwent a number of alterations which reflected the Moderne style of the period, but which are out of keeping with the original early Georgian character of the building. The most notable of these was the addition of the full height glazed staircase to the northern façade of the building which extended up to roof level where it provided access to a new glazed sun room (now demolished) and the flat roof itself. To the southern facade the entrance door and surround were altered with a new fully glazed Crittal unit and curved projecting canopy supported on slim metal columns. Although these alterations reflect the period when they were added to the building, they are somewhat discordant in relation to the original early Georgian character of the house and do not contribute significantly to the special character of the building. In particular, the full height glazed stair window disrupts the architectural ratio of solid to void on the northern facade and is out of keeping with the scale and proportions of the traditional sash windows on this facade.

2.4.11. There is currently a flat roof to the building which also dates from the 1930s works to the building. Prior to this the roofscape of the house consisted of a mansard roof structures and a pitched roof element providing access to a southern roof terrace bounded by railings. This can all be seen on the watercolours of the house from 1890. The railings which have been installed around the full perimeter of the roof date from this period and are a dominant feature in views of the building from Frognal and they detract from the building’s character. The glazed sun room which was added to the house in the 1930s has been

removed. Given the lack of structure at roof level, the building has a rather austere appearance and lacks appropriate architectural termination. This also means the special character, originally, would have involved some sort of roof structure.

2.4.12. During the 1970s the site sustained its most significant element of change, with the construction of the large, 'L' shaped two storey accommodation block to the west of the main house. This has had a fundamental impact upon the setting of the house due to its proximity to the listed building and the damaging impact of its scale, massing, architectural design and materiality. This 1970's addition therefore harms the significance as well as the setting of the listed building.

2.4.13. The site is mentioned within the Hampstead Conservation Area Statement and maintains the prevailing character within the area of larger garden plots with mansion properties. The proposed development is not considered to impact this.

2.4.14. There a number of listed buildings to the north and south however they are relatively far away and the proposed development is not considered to impact their setting or special character.

Impact of scheme on significance

2.4.15. The removal of the old 1970's extension, new extension, new residential units and mansard roof extension are fully supported.

2.4.16. Paragraph 215 of the NPPF states:

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

2.4.17. The existing two-storey brick-built flat-roofed extension which has an L-shaped configuration is not recognised as being associated with an eminent 20th century architect, although in its own right it is a relatively well-mannered building. However, its siting, footprint and overall form harms the setting of the grade II listed building and the neighbouring grade II listed building to the north. The extension's positioning on the site carves up the garden space, as stated above, and results in a tightly constrained outdoor area between the main house and the west wing. Although only partially visible from the street, the extension detracts from the listed building and conservation area by impacting on the historic plot layout which is part of the urban grain of this part of Hampstead. The removal of this extension is therefore supported from a heritage perspective and is an enhancement due to the harm the current extension causes.

2.4.18. The replacement extension is considerably smaller than the existing extension in footprint and height. The extension also proposes more sympathetic and less impactful materials including green roofs and natural stone. This means the new extension would have a considerably less of impact on the site's significance compared to the existing situation and therefore is supported.

2.4.19. The introduction of a mansard extension, whilst not an original feature of the building is designed in a traditional and sympathetic manner; with a reduced scale and visibility. There is an adverse impact on Frogmal House's special significance however this is considered small considering there is a historic presence of rooftop development throughout the building's history. As stated, this has been designed sensitively and in the context of the overall scheme this is balanced by the public benefits listed above.

- 2.4.20. The existing 1970's extension as discussed above, harms the building's setting and special architectural character due to its scale, form and positioning. The removal and replacement of a new extension, in heritage terms, is welcomed and provides an enhancement.
- 2.4.21. Due to the high quality design, reduced footprint, reduced GIA, subterranean character and less visible nature, the proposed extension enhances the existing arrangement and provides a much more appropriate and less intrusive extension to what is currently there. Whilst on its own, the extension may cause a degree of less than substantial harm, when read in the context of the existing extension, this is considered an enhancement to the site.
- 2.4.22. In terms of the mansard extension, the detailing and historic precedent will be covered more in the design section below. However, the inclusion of the roof extension in the scheme, whilst traditional in appearance, will cause a small level of harm to the special architectural character of the building due to its scale and public visibility.
- 2.4.23. The proposals include other external alterations including removing a staircase. The removal and replacement of these non-original works is considered to be sympathetic and high quality so overall these do not cause harm.
- 2.4.24. The internal works also include the reinstatement of decorative features such as decorative plasterwork and panelled doors where they are missing. The proposals include the removal of several elements of 1930's alterations to the building, including the north staircase, which contribute little to the special character or significance of the building. This means that on balance the internal works are not considered to harm the special character of the building.

Hampstead Conservation Area [preserves – no harm]

- 2.4.25. Policies H26 and H27 allow for a case-by-case assessment of the suitability of proposals and a need to respond to the circumstances of the site and the effect upon neighbouring properties, particularly in relation to larger extensions.
- 2.4.26. The proposals will remove the 1970's extension which significantly detracts the setting of the listed building, opening up the garden and reinstating green space on the site. The contemporary design of the extension is considered appropriate in this instance, providing a subtle contrast with the form and character of the main house and, being set down lower, it will compete less with the main house. It will be respectful of the built form and historic context of the area, local views, setting of nearby listed buildings and existing features, in compliance with policy H21.
- 2.4.27. The proposed roof extension will also have a visual impact on the character and appearance of this part of the Hampstead Conservation Area. The additional height and bulk on such a prominently positioned building will be visible in views up and down Frognaal to the north and south, as well as from Mount Vernon in the east and from private views from residential properties to the north, west and south-west. The additional storey will, to a certain extent, imbalance the house's relationship with several more modestly sized surrounding properties, including the listed former Frognaal Grove coach house at No 103 to the north, and a number of houses and cottages to the east on the opposite side of Frognaal. However, the refinement of the design which now constitutes a more traditionally proportioned mansard roof form set back from the main building lines of the house with a lower roof ridge is not considered to compromise key views to the extent of previous iterations. As such, the proposal preserves the significance of the Conservation Area and setting the surrounding listed buildings. Overall, the proposal complies with policies D1

(Design) and D2 (Heritage) of the 2017 Local Plan and with policies H31 and H34 of the Hampstead Conservation Statement which focus on roof extension and terrace development.

2.4.28. The proposed new houses have been sensitively designed so they are within the confines of the extension and garage area which provides minimal additional visibility and impact. They have been designed to limit their impact upon the setting of the listed building and the character and appearance of the Hampstead Conservation Area in compliance with policy H21.

2.4.29. For the reasons set out above, the removal and replacement of the 1970's extension is an enhancement and it serves to off-set the small amount of less than substantial harm the mansard extension would cause due to its public nature. That said, the mansard is traditional in design and appearance and it only results in a small amount of harm to the character and appearance of the Conservation Area. Due to the nature of the works the overall impact on the Conservation area is not harmful and they do not negatively impact on setting of the nearby listed buildings in the area. Overall, due to limited public views of the works, the proposal preserves the character and appearance of the conservation area.

2.4.30. Whilst there is a small amount of less than substantial harm caused due to the mansard extension, there are numerous public benefits to the scheme which should also be considered when assessing harm. These include the heritage benefits of the overall enhancement of the Frogmal House's setting, not harming other listed buildings or the Conservation area, bringing the vacant building back into its viable use, and the public benefits of additional housing, affordable housing contribution, improved landscaping scheme, vastly improved energy efficiency and sustainability measures and employment and training opportunities.

2.5. Design

2.5.1. The existing two-storey brick-built flat-roofed extension which has an L-shaped configuration is not recognised as being associated with an eminent 20th century architect, although in its own right it is a relatively well-mannered building. However, its siting, footprint and overall form do little for the setting of the grade II listed building or for the neighbouring grade II listed building to the north. The extension's positioning on the site carves up the garden space, as stated above, and results in a tightly constrained outdoor area between the main house and the west wing. Although only partially visible from the street, the extension detracts from the Conservation Area by impacting on the historic plot layout which is part of the urban grain of this part of Hampstead.

2.5.2. Local Plan policy G1 also aims to secure high quality development making most efficient use of land and resisting development that is contrary to this. These aims and principles are also relayed in policy D1 as well. London Plan policy D3 also instructs development to make 'the best use of land by following a design led approach that optimises the capacity of sites.' The policies seek to ensure that development makes the most efficient use of (urban) land. The removal of the extension allows for further opportunity in optimising the site and making more efficient use of the land, providing a better relationship to the main house and incorporating new residential units on site. Overall, the redevelopment is positive in this regard and welcomed by the Council.

2.5.3. The principle, in terms of design and heritage, of demolishing the extension has been discussed extensively in previous pre-app reports. Overall it is accepted. The principle of the demolition of the extension in terms of sustainability, resource and climate change implications are set out in the sustainability section.

New extension

- 2.5.4. On the proviso that the listed building is converted back to a single-family dwelling and there are other residential units on site, a replacement extension is proposed which will provide above and below-ground accommodation for the house and an additional residential unit to the front of the site. The extension will largely follow the line of the northern section of the existing extension, skirting the northern boundary of the site, with an irregular plan form consisting of a series of angled spaces. It will be slightly drawn away from the northern wall of the main house than the existing extension and whilst there will be a slight increase in height, this move will allow the elevation to be read better as well as the house to read as the principal building on the site. Importantly, the proposed layout will also allow for the garden to be opened up again to create one flowing space leading from the house up the western slope to the boundary with 99a Frognaal. With a number of set-backs on its northern side, it will have a more low-key relationship with the adjacent listed building on Frognaal Grove and create a 'softer' relationship with the gardens, main house but also the surrounding area.
- 2.5.5. Above ground, the extension will manifest itself as a series of low-lying one and two storey angled forms integrated into the landscape, with the central section disguised under a green living flat roof which will merge with the existing garage roof. As such, it is a contemporary interpretation of the garden pavilion concept, housing kitchen and dining facilities, together with living spaces and a cinema room, plus ancillary facilities including the existing garaging. This approach is considered to be a major improvement on the existing extension and it will generally be read as contrasting and subservient to the main house.
- 2.5.6. Below ground, it is proposed to create one level of basement containing a swimming pool which will lie on a north-south axis. As this will be some distance from the main house, it is unlikely to impact on the structure and fabric of the property and it will not alter the existing hierarchy or spatial character of the house.
- 2.5.7. As outlined in the Design and Access Statement, the extension will be built out of natural stone, timber and it will include an intensive green roof. These represent high quality materials, which are sympathetic and will contribute to the positive impact the extension has on site compared with the existing. The materials used also are very sustainable which provides an additional benefit. The final materials, including the green roof will be secured via condition.

Roof extension

- 2.5.8. As existing, the listed building is topped by a large asphalt-covered flat roof bounded by metal railings, which is accessed from the 1930s stair tower situated on the north side of the house. Likewise, the neighbouring listed building to the north, the former Frognaal Grove coach house, also has a large flat roof. Both buildings which are situated on the west side of Frognaal comprise three storeys above ground level. To the south is The Heights, a 19th-century five-storey mansion block which reads as a separate large-scale entity in the townscape, as do the extensive former 19th century hospital buildings of Mount Vernon which rise up the hill to the north-east. Otherwise, the majority of buildings in the immediate vicinity are of a smaller scale, including on the east side of Frognaal, which mainly consists of two-storey buildings with pitched roofs including some with attic storeys.
- 2.5.9. Whilst there clearly is historic precedent for additions at roof level, the roof forms that existed most likely in the 18th century and for definite in the 19th and early 20th centuries were low-lying and of an informal ad hoc character rather than adhering to one large and uniform design.
- 2.5.10. The initial pre-application design proposed a sizeable asymmetrical design

appearing to be inspired by the 'ad hoc' and 'informal nature' of how the building roof form had evolved over time. This approach was not accepted and Officers were concerned that the asymmetric form with traditional materials would appear incongruous and poorly designed. The scale was also excessive and too much for the building. During pre-app meetings Officers recommended that a more traditional form should be used, albeit at a small scale, in order to minimise harm.

2.5.11. The proposed mansard extension represents a form which is found in other Georgian building examples. The form and proportions mean that it sits much more comfortably within the context of the building and reads as much more subservient. Compared with other pre-application options, the extension design does not mean it provides any particular interest at this level seemingly intending to merely 'finish' the building. Whilst this may seem slightly reserved, this approach is welcomed and supported by the Council and it is seen as the appropriate direction for a roof extension.

2.5.12. Additionally, it is set back from the front and angled appropriately to be as minimal as possible. The fenestration details are small and in line with the hierarchy of the building and the materials, using pre-weathered clay tiles and timber sash windows, reflecting a traditional approach which is supported by the Council.

External alterations

2.5.13. It appears from the submitted information that other than at roof level, only a limited number of alterations are proposed to the external envelope of the listed building, the majority of which is seen to be of high significance in heritage terms. Since the building has evolved historically over nearly three centuries, a number of alterations have been made which may be seen to contribute to its architecture in a positive manner. Such an example is the south entrance door in the 19th-century canted bay, which is a quite refined 1930s addition with a copper sheet canopy and Crittall-style doors with fine profiles; the retention of this feature is welcomed.

2.5.14. As with the previous design iteration, in conjunction with the erection of a mansard roof extension, it is proposed to demolish the 1930s tower which houses a contemporaneous streamlined staircase and a full-height metal framed glazed window on the north side of the house. The tower projects up to roof level to access the existing flat roof. This feature is a later alteration to the house, and although it adds an early 20th century layer to the building's evolution, the principle of its removal is accepted.

2.5.15. The proposed timber oriel which follows the rhythm of the windows on this elevation would work successfully and be sympathetic to the building and elevation. The materials will be secured as part of the materials condition. However, overall, this represents a discrete addition which is supported.

2.5.16. The demolition of the 1970s extension provides an opportunity to improve the setting of the northern elevation of Frogmal House, and allows for the potential reinstatement of historic features on the lower floors of this façade.

Internal alterations

2.5.17. As previously stated, the building largely retains its historic floorplan and many historic features. However, it has been altered over time as a result of its previous use. As a result, the proposed internal alterations are generally supported.

2.5.18. The principle of reinstating the majority of elements making up the original plan form on the three main levels of the house is to be welcomed; through the removal of non-original 20th-century internal partitions, fittings and fixtures, and out-of-date services,

reinforced by the revealing of historic features such as decorative plasterwork, fireplaces, panelling, doors, staircases, flooring, and other joinery items, together with the sensitive reinstatement of decorative features such as decorative plasterwork and panelled doors where they are missing. In its current form, in connection with the convent use, the house contains a number of reception and communal areas in the larger ground-floor rooms, with the remainder of the house largely used as bedrooms and bathrooms, often in subdivided rooms. Kitchen and dining functions are currently housed in the northern wing of the 1960s extension. The intention is to continue this, with the principal rooms on the ground floor used as reception rooms, and large suites of bedroom and bathroom accommodation distributed across each level of the house. It is proposed to locate the main kitchen and dining area of the property in the new extension, although there will be some ancillary kitchen and utility spaces reintroduced into the main house.

2.5.19. The application proposals include the creation of jib doors in wooden panelling at first-floor level. The proposed drawings indicate in elevation that panelling will be cut vertically to create jib doors, whilst this will cause some degree of harm, evidence has been provided to indicate that the panelling is a later replacement and not original.

2.5.20. Therefore, subject to design detail, this part of the works is acceptable.

2.5.21. As stated at pre-application stage, the introduction of new bathroom and kitchen facilities on each floor of the historic house requires the careful integration of service runs within the structure of the historic building so as to avoid the loss of fabric or structural integrity. As existing, these facilities are limited to certain areas of the house as none of the existing bedrooms have ensuite facilities, so it will be necessary for the applicant to provide service layout drawings demonstrating that there will be no irreversible impacts. Where feasible, existing service runs and features such as historic radiators should be reused so as to minimise disturbance to the building fabric and structure.

2.5.22. The retention, restoration and thermal upgrading of historic sliding sash windows is welcomed. Where working internal shutters are to be reinstated or reintroduced, it is imperative that historic window reveals are retained in situ and adapted as necessary. Notwithstanding, it is likely to be acceptable to remove modern reveals, further survey information will need to be supplied to the Council to justify such works. A methodology detailing the installation techniques and impacts on existing fabric will be required upon application.

2.5.23. Previously raised by Officers as a potential area of contention is the proposed internal ground-floor link between the new extension and the historic house, which takes the form of a contemporary corridor with angled forms making closer references to the design of the proposed extension than to the historic house which has a rectilinear character. However, the application submission demonstrates that there will be minimal loss of historic fabric in an area of the ground-floor retaining no historic features, and the proposal is justified in design terms as it provides a reversible transitional link between the historic house and the new extension and employs panelling of a contemporary style in deliberate contrast to the traditional panelling of the historic building. Overall, the proposal provides a number of public benefits which outweigh this harm.

2.5.24. Overall, the proposed design is welcomed by Officers and positively balanced in terms of the amount of harm to the designated assets compared with the enhancements. The proposal therefore complies with D2 (Heritage) of the 2107 Local Plan and DH1 Design and DH2 (Conservation areas and listed buildings) of the 2018 Hampstead Neighbourhood Plan. To ensure the high quality nature of the design is secured, conditions for facing materials, green roofs, joinery, windows, balustrading will all be secured by condition.

2.6. Residential Amenity

2.6.1. Camden Local Plan policies A1 and A4 and the Amenity CPG are relevant with regards to the impact on the amenity of residential properties in the area, requiring careful consideration of the impacts of development on light, outlook, privacy and noise. Impact from construction works are also relevant but dealt with in the 'Transport' section. The thrust of the policies is that the quality of life of current and occupiers should be protected and development which causes an unacceptable level of harm to amenity should be refused.

Privacy and overlooking

2.6.2. As per the design section above, the extension still covers only ground and first floors and most of the windows are facing 'inwards' to the garden. There are some windows which face outwards but these are at ground floor meaning there would be no additional overlooking of neighbouring rooms or gardens.

2.6.3. Two out of three units are contained within the old garage and therefore do not impact on privacy of other neighbours, the other unit, which is two storeys does have windows facing eastwards however these face onto Froggnal and not into any neighbour. The external amenity space is small and not considered to incur any harmful additional impacts in terms of privacy and overlooking.

2.6.4. The new roof extension would provide habitable accommodation would include a roof terrace to the front of the building. However, the windows are sensitively designed and relatively small and the roof terrace is over 20m away from its nearest neighbour (no.97) as well as being moderately sized. This is not considered to significantly increase overlooking and therefore is acceptable.

Outlook and enclosure

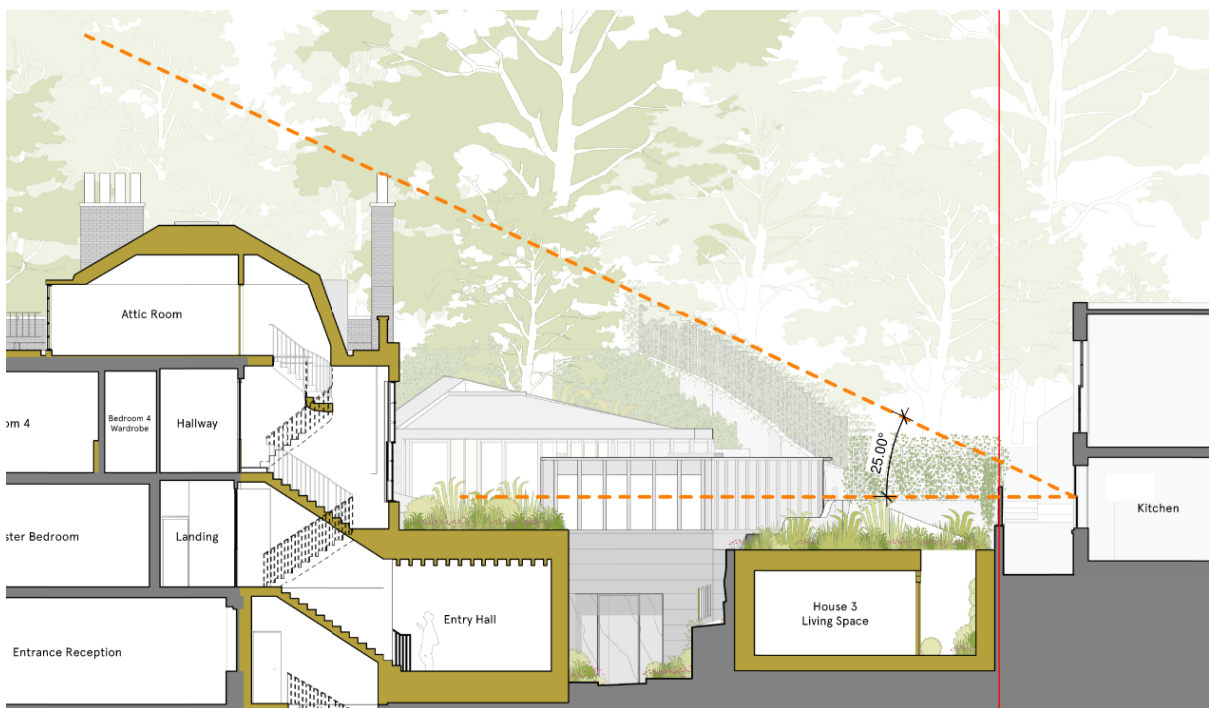
2.6.5. The proposed extension will mostly be below the height of the existing extension and therefore it will engender very little, if any, loss of outlook or increase sense of enclosure. The large boundary wall means that most of the works will not be seen from neighbours' properties and gardens. The additional unit to the north would result in a slight increase in height closer to the boundary of no.103, however the difference is minor. Whilst the new extension is now slightly closer to the shared boundary, the first floor element is adjacent to the existing garages (where the other proposed residential units are located) where the boundary wall steps back. This means the distance from the first floor element of the extension is still 9.1m from the shared boundary with 103 and therefore there would not be any considerable impact upon the amount of outlook this neighbour has. This is compounded by the level difference meaning the extension is only just over the boundary wall anyway. The sectional drawing below demonstrates this relationship.



2.6.6. The mansard extension is a considerable distance away from the neighbouring properties and is well under the 25 degree line, meaning any impact will not be adverse.

Daylight and sunlight

2.6.7. As explained above the majority of the rear extension is actually lower than existing extension meaning that any impacts to daylight/sunlight would be minimal. As shown above the level change means that the extension would just exceed the height of the shared boundary and as such, it would be within the 25 degree line, which is taken as a measure of how much buildings potentially overshadow neighbouring buildings. The mansard is situated far away enough so as to not engender a significant impact on daylight/sunlight, as shown in the figure below:



2.6.8. An objection was received from a neighbour specifically referencing loss of

daylight/sunlight and light spill from the living spaces in the new mews houses.

2.6.9. When considering the potential sunlight effect upon a neighbouring properties, Paragraph 3.2.3 in the BRE Guidelines states:

“To assess loss of sunlight to an existing building, it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun. Normally loss of sunlight need not be analysed to kitchens and bedrooms, except for bedrooms that also comprise a living space, for example a bed sitting room in an old people’s home.”

2.6.10. Paragraph 3.24 in the BRE guidance states:

“To calculate the loss of sunlight over the year, a different metric, the annual probable sunlight hours (APSH), is used. Here ‘probable sunlight hours’ means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness for the location in question (based on sunshine probability data). The sunlight reaching a window is quantified as a percentage of this unobstructed annual total.”

2.6.11. The APSH calculation is assessed on the centre of a main window within 90 degrees of due south. The BRE guidelines recommend windows should receive at least 25% APSH, with 5% APSH in the winter months. It is suggested that a noticeable effect would likely occur if a window receives less than 0.8 times its former sunlight hours and if there is a reduction in total APSH which is greater than 4%.

2.6.12. Based on these statements, it would not normally be considered necessary to assess the kitchen for sunlight as the use is considered a non-primary living space. It is acknowledged that 103 Frognaal is located due north of the proposed mansard extension, however the methodology detailed in the objection does not take into consideration the above BRE guidelines. A section drawing has been submitted to demonstrate that the top of mansard easily passes the 25 degree line measuring approximately 18 degrees.

2.6.13. This would also mean that in accordance with BRE guidelines and based upon the angle of obstruction of 18 degrees, the corresponding VSC score would be 31% which is above the suggested target of 27%

2.6.14. Overall, the proposals would have limited impacts on 103 Frognaal in relation to daylight/sunlight.

Noise and vibration

2.6.15. Policy A1 notes that when development that is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application. Policy A4 seeks to ensure that noise sensitive uses (such as residential homes) are not negatively impacted by noise and vibration and states that the Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. In assessing applications likely to generate noise, the Council will have regard to noise and vibration thresholds, set out in Appendix 3 of the Local Plan and other relevant national and regional policy and guidance and British Standards

2.6.16. An acoustic assessment has been submitted to assess noise from the proposed redevelopment of 99 Frognaal, London. The site is located in a residential area bounded to the east by Frognaal, to the north, west and south by a number of noise sensitive residential properties, which are separated from the site by a boundary solid wall.

2.6.17. Appropriate noise guidelines have been followed within the report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, BS 8233 Guidance on sound insulation and noise reduction for buildings, Camden Council’s Local Plan, version June 2017 and BS 4142:2014 “Methods for rating and assessing industrial and commercial sound”.

2.6.18. The following noise standards should be achieved internally for the residential units:

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35 LAeq, 16hour	-
Dining	Dining Room / Area	40 LAeq, 16hour	-
Sleeping (daytime resting)	Bedroom	35 LAeq, 16hour	30 LAeq, 8hour 45 LAfmax

2.6.19. These levels are required in BS8233:2014 and also World Health Organization values.

2.6.20. It is also expected that individual noise events shall not exceed 45dB LAFmax on a frequent basis.

2.6.21. Good acoustic design has been shown by the provision of sound insulation of the building envelope to ensure residents are adequately protected from noise. However, the applicant will also have to ensure adequate sound insulation is provided between separate units to ensure future occupiers are protected from internal noise transfer.

2.6.22. The Council is satisfied that the submitted acoustic submission meets Local Plan guidelines and is therefore acceptable in environmental health terms. There are no objections to the application and two compliance conditions will be placed on the application. Overall, the proposal complies with A1 and A4 of the 2017 Local Plan

2.7. Quality of accommodation

2.7.1. Camden Local Plan policy H6 concerns housing choice and mix, and it aims to minimise social polarisation and create mixed, inclusive, and sustainable communities, by seeking high quality accessible homes and a variety of housing suitable for Camden’s existing and future households.

2.7.2. In line with London Plan policy D6 and Camden Local Plan policies H6 and D1, housing should be high quality and provide adequately sized homes and rooms, and maximise the provision of dual aspect dwellings. Camden Local Plan policy A2 encourages opportunities to provide private amenity space which is reflected in a requirement to provide amenity space in London Plan policy D6. Local Plan policy A1 seeks to protect the amenity of occupiers in relation to a number of factors, including privacy, outlook, light, and noise. Local Plan policy A4 says suitable noise and vibration measures should be incorporated in new noise sensitive development.

2.7.3. London Plan policy D5 says development should provide the highest standard of accessible and inclusive design, which allows them to be to be used safely, easily and with dignity by all, also reflected in Camden Local Plan policies D1, H6, and C6.

Design and layout

2.7.4. Local Plan policy H6 confirms that new residential development should conform to the Nationally Described Space Standards, and this is reflected in London Plan policy D6 which sets the same minimum space standards in Table 3.1 of the London Plan 2021. The relevant excerpt from the table is reproduced below.

Type of dwelling		Minimum gross internal floor areas ⁺ and storage (square metres)			
Number of bedrooms (b)	Number of bed spaces (persons(p))	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *	N/A	N/A	1
	2p	50	58	N/A	1.5
2b	3p	61	70	N/A	2
	4p	70	79	N/A	2
3b	4p	74	84	90	2.5
	5p	86	93	99	2.5
	6p	95	102	108	2.5

Minimum internal space standards (London Plan Table 3.1, Policy D6)

2.7.5. All the residential units in the detailed scheme meet or exceed the minimum standards. The new units would have good ceiling floor to heights (around 2.5 metres) and good room sizes. They are well laid out with a simple and rational plan form. All flats have access to some private amenity space.

Noise and vibration

2.7.6. Whilst two of the houses are located in the garage, they are all considered to be set sufficiently away from each other and are designed not to cause a harmful level of noise which may affect other occupiers. The houses are in a residential area and will be subject to Building Regulation measures meaning there should be no undue noise levels for future occupiers

Dual aspect units

2.7.7. LP policy D6 says the number of dual aspect homes should be optimised. The policy does however support a design-led approach where single aspect units are considered a more appropriate design solution to meet the requirements of Policy D3 - Optimising site capacity through the design-led approach. It can be acceptable where it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

2.7.8. Two out of the four homes would be dual aspect. 'House 3' and 'House 4' located in place of the existing garage would not have any outward facing windows due to the boundary and existing garage walls. Whilst, in normal circumstances, this arrangement would not be ideal, they are designed in a bespoke fashion, with the units facing out on to the courtyard as well as containing numerous roof lights. Overall, it is clear that the layout, amenity space and roof lights overcome the issues of outlook and therefore the standard of accommodation is acceptable.

Daylight and sunlight

2.7.9. The internal daylight/sunlight report applies the relevant BRE guidelines to the proposed units. The leading industry guidelines on daylight and sunlight are published by the Building Research Establishment in BR209 'Site Layout Planning for Daylight and Sunlight: A Guide

to Good Practice' (third edition, 2022) (BRE).

2.7.10. In accordance with newly published guidance, detailed recommendations for daylight in new buildings have been produced in line with The British Standard "Daylight in buildings" (BS EN 17037). The UK National Annex recommends that median illuminances be exceeded in more than half the assessment points (a plane at table top height - 0.85 meters from the floor level) in a room for more than half of the daylight hours for a typical year. Median illuminances:

- 100 lux in bedrooms
- 150 lux in living rooms
- 200 lux in kitchens/living kitchen diners

2.7.11. Sunlight is desired in most homes as it offers warmth and a glow to all rooms, making them feel welcoming and cheery. Whilst sunlight is required in conservatories and living spaces any time of day, it is less desired in bedrooms and kitchens as these spaces are preferred cooler, especially in the afternoon.

2.7.12. The BS EN 17037 standard recommends that a space should receive a minimum of 1.5 hours of direct sunlight in cloudless conditions between the 1st February and 21st of March. The 21st of March is highly recommended as it is the vernal equinox date. Although the BS EN 17037 applies to all rooms, if a room faces north of due east or west, it is unlikely to demonstrate enough sunlight. Within homes, at least one living space should meet the minimum criteria.

2.7.13. The development plan supports the use of the BRE guidance for assessment purposes, however, it should not be applied rigidly and should be used to make a balanced judgement.

2.7.14. Paragraph 130 of the NPPF supports making efficient use of land and says that authorities should take a flexible approach in applying policies or guidance relating to daylight/sunlight where they would otherwise inhibit making efficient use of a site, as long as the resulting scheme would provide acceptable living standards.

2.7.15. An internal daylight/sunlight study has been submitted in support of the application and confirms that all of the new dwellings comply with the standards above. Below is a table confirming that the lux levels for each unit well exceed the minimum for the room type

				Daylight			
				Target illuminance for 2190 hours (50% of daylight hours)			
Floor Ref	Room Ref	Room Use	Room Area m ²	Median Lux	Target Lux	Area Meeting Req Lux	% of Area Meeting Req
House A							
Ground	R1	Studio	31.42	489	200	18.91	86%
House B							
Ground	R1	Studio	28.80	501	200	18.20	91%
House C							
Ground	R1	Bedroom	10.95	438	100	7.27	100%
First	R1	LKD	35.33	618	200	27.35	100%
First	R2	Bedroom	8.25	322	100	5.16	100%

2.7.16. In terms of sunlight the assessment confirms that all of the rooms and units have an acceptable sunlight exposure and all exceed the minimum of 1.5 hours.

Outlook and privacy

- 2.7.17. As stated above, houses 3 and 4 are within the dimensions of the existing garage and as such, they have reduced aspects and outlook. However, the bespoke nature of the units as well as the existence of the internal courtyard and roof lights mean the low level of outlook is mitigated and the views within the site of the courtyard and from the rooflights mean the overall outlook is acceptable. This also means these are very private units with no overlooking thereof.
- 2.7.18. For house 2 the first floor provides a good level of outlook (east) and the amenity space to the North West also provides an outlook. The units have been designed to face away from the main house and extension meaning that there are scant views into the unit or across to the main house. Overall the outlook and privacy for house 2 is acceptable.
- 2.7.19. Overall the siting and design mean that a reasonable degree of outlook and privacy can be provided, even in a denser environment.

External amenity space

- 2.7.20. Local Plan policy A2 states developments should seek opportunities for providing private amenity space, and Local Plan policy D6 says that 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 2.7.21. All units benefit from private amenity space which is in excess of 5 sqm meaning all units meet the LP policy requirements.

Accessible homes

- 2.7.22. The flats have been designed to a high standard of accessible and inclusive design.
- 2.7.23. Local Plan policy H6 requires 90% of new-build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair units).
- 2.7.24. Notwithstanding this, Policy H6 does stipulate this is optional and the criteria should be implemented 'wherever possible'. In this instance the site is naturally constrained by the gradient of the land which means that compliance with M4(2) is not physically possible. This difficulty of compliance is further complicated by the constraints of the site, which include the listed status of the property and its location within the Hampstead Conservation Area. This means there are no practicable or reasonable measures that would negate these constraints. Therefore, it is not possible for the additional residential development at the site to comply with M4(2). It naturally follows therefore, that compliance with M4(3) is not necessary and in any case, the supporting text to Policy H6 states that the council would not expect the provision of M4(3) in developments that propose five units or less.
- 2.7.25. The proposed homes are considered acceptable in terms of aspect, outlook, noise, light, and amenity space and they would provide a good quality of accommodation.

2.8. Basement Considerations

- 2.8.1. Camden Local Plan policy A5 (Basements) seeks to permit basement development where it is demonstrated that it will not cause harm structurally, in amenity terms, environmentally or in conservation/design terms.
- 2.8.2. The site is located within the Hampstead Neighbourhood Forum area and is subject to the

policies of the Hampstead Neighbourhood Plan 2018. There is also an emerging neighbourhood plan coming into force from 2025. Both have policies in relation to basement development. Policy BA1 requires a Basement Impact Assessment (BIA) to be submitted when basement development is proposed. It also requires all proposes to aim for no higher than 1 (very slight) on the Burland Scale and seeks to limit damage to neighbouring properties to Burland Scale 1. Basement development is also required to leave a minimum distance from vegetation or boundaries (unless it can be demonstrated that harm could be mitigated). BA2 and BA3 require basement and construction management plans to be secured if basement development is proposed.

2.8.3. A new basement level is proposed as part of the development across part of the site, as shown on the image below. The basement development actually covers most of the space that is occupied currently by the 1960's extension.



2.8.4. The application was accompanied by a Basement Impact Assessment authored by individuals with appropriate qualifications. An independent review was carried out by the Council's Basement consultants (Campbell Reith) who reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development.

2.8.5. The BIA audit review concludes the following:

- It can be confirmed that the development will not have a significant impact on the hydrogeology and hydrology of the area
- It is accepted that the development will not have a significant impact on the stability of the surrounding area
- It is accepted that the proposed development will not adversely affect the hydrology of the local or wider environment.
- The Ground Movement Assessment (GMA) has been amended and considers ground movements arising from the development. The corresponding building damage assessment indicates damage to neighbouring buildings will not exceed Category 1 (Very slight).
- The northern boundary wall, short section of the southern wall and some of the

host building are anticipated to experience Category 2 damage. This has been discussed with Camden planning officer and it has been agreed that, for this application, the assessed outcomes are acceptable.

- The GMA indicates that a movement monitoring scheme is to be adopted to ensure that movements generated are maintained within predicted limits.

2.8.6. It is noted that the audit notes there will be small amount of category 2 damage however it is clear that efforts have been made to reduce damage as much as possible with different construction techniques. The affected areas are very small and the level of damage is still considered to be very small. A condition will be placed on the listed building consent application to ensure that a strategy is provided for repairing the main house.

2.8.7. Furthermore, whilst the Hampstead Neighbourhood Plan stipulates that category 2 damage is not allowed, this is only for neighbouring properties and the category 2 damage is only confined to neighbourhood walls, therefore complying with this policy requirement.

2.8.8. Campbell Reith concludes that the BIA is adequate and in accordance with the criteria laid out in policy A5 and guidance contained in CPG Basements. In line with the Hampstead Neighbourhood Plan a Basement Construction Plan (BCP) will also be secured and should be informed by additional ground investigation work. The appointment of a suitably qualified engineer to oversee the works will be secured by condition.

2.8.9. In conclusion, the proposal complies with policy A5 (Basement) of the 2017 Local Plan.

2.9. Transport and Highways

2.9.1. In line with Policy T1 of the Camden Local Plan, developments should be provided with cycle parking in accordance with the standards set out in the London Plan. For 1 bedroom residential units the requirement is for 1 space per unit, whilst for units with 2 or more bedrooms the requirement is for 2 spaces per unit. This gives a requirement for 6 cycle parking spaces for this development. The proposed ground floor plan shows that the garage would be converted for use as a combined 6 space cycle (3 Sheffield stands) and bin store. The provision of this facility will be secured by condition.

2.9.2. In accordance with Policy T2 of the Camden Local Plan, which seeks car free development across the Borough, all 4 residential units should be secured as on-street residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupiers from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. The proposed ground floor plan shows a large area of hardstanding adjacent to the driveway on the east side of the main house which could be used for car parking. Concerns were raised previously that this could be used for multiple parking spaces however a revised transport note has been submitted which confirms the suitability of the size and why it's required. Overall, the Council accepts this position and the removal of parking permits further reduces car stress on the street.

2.9.3. Given the extensive demolition, excavation and construction works proposed, it is recommended that this development be subject to a Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 which will be secured by means of the Section 106 Agreement. This will help ensure that the proposed development is carried out without unduly harming neighbouring amenity, or the safe and efficient operation of the local highway network, in line with Policies A1 and T4 of the Camden Local Plan.

2.9.4. Given the distance of the proposed basement excavation from the public highway

(footway) it is considered that an Approval in Principle will not be necessary for this development.

2.9.5. Overall, the proposal complies with T1 and T2 of the 2017 Local Plan.

2.10. Trees, Landscaping and Biodiversity

2.10.1. Policy A2 (Open space), Policy A3 (Biodiversity) aim to protect existing trees, garden areas and green infrastructure. The policies aim to resist the loss of trees and vegetation due to amenity, historic and ecological contributions they have, including preserving natural habitats.

2.10.2. The scheme involves the removal of 8 trees, 5 of which are proposed for removal irrespective of development due to their poor condition. These trees are low significance with minimal public visibility and low significance to the character and appearance of the Conservation area. 2 of the 5 trees are already approved for removal via s.211 Conservation area tree works notifications.

2.10.3. Whilst acceptable in itself, this loss of canopy cover and amenity would be mitigated through a replacement planting scheme which will be secured via condition.

2.10.4. Overall, the most significant trees are proposed to be protected and retained and the impact of the scheme on the trees to be retained will be of an acceptable level. The tree protection details are considered sufficient to demonstrate that the trees to be retained will be adequately protected throughout development and further details will be secure via condition

2.10.5. A landscaping report has been included but it contains few specifics. Landscaping details including replacement tree planting can be secured by condition. A green roof is proposed and is welcomed but further details will be secured via condition.

2.10.6. In February 2024, Biodiversity Net Gain (BNG) became mandatory for all developments in England under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires a net gain of 10%. This application was submitted prior to the requirement being established. As such, this application is exempt.

2.11. Energy and Sustainability

2.11.1. In November 2019, Camden Council formally declared a Climate and Ecological Emergency. The council adopted the Camden Climate Action Plan 2020-2025 which aims to achieve a net zero carbon Camden by 2030.

2.11.2. In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation to climate change, minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

2.11.3. The Development Plan promotes circular economy principles and Local Plan policy CC1 and London Plan policy SI7 require proposals involving substantial demolition to demonstrate that it is not possible to retain and improve the existing building and to optimise resource efficiency.

2.11.4. It is important to mention that as per the Circular Economy Statements LPG para 2.4.4 '*There may be other planning reasons that necessitate the demolition or retention of*

existing buildings, such as heritage considerations, which the process set out in Figure 4 cannot and does not override.'

Redevelopment strategy

2.11.5. The proposal includes demolition of the 1960's annex extension which forms an 'L' shape to the rear of the building. The demolition is fully justified in terms of design and heritage impacts as the building is considered to negatively impact the special character and setting of the Grade II listed Frogmal House. The removal and subsequent replacement extension and associated works are a significant improvement on the current situation and, as assessed above, are considerably more sympathetic.

2.11.6. However, whilst the design and heritage case to remove the extension is clear, the Council has requested further information in relation to the sustainability implications of this demolition to ensure planning policy and sustainability principles are adhered to. The demolition is removing a large two storey extension and therefore would fall under 'substantial demolition'. A condition and feasibility study along with a pre-demolition audit have been submitted in support of the application.

Condition and Feasibility Study

2.11.7. The 70's extension was built as accommodation for students and includes 17 x 5.9sqm student rooms and associated facilities. The building currently fails Building Regulations and space standards for any form of residential accommodation.

2.11.8. The study details how the mechanical and electrical services are out-dated and inefficient. Issues remain in terms of hot water usage, visible electrical wires connecting electricity to the house and the lack of any insulation within the existing walls meaning that there is a lot of thermal transmittance and poor efficiency.

2.11.9. The existing extension is sunk into the ground and therefore the rear retaining walls prone to dampness. Following investigation, the walls were found to be damp and the vertical damp proof membrane has been breached. The study indicates this is fairly minimal at present but it will only worsen and ultimately deteriorate. Whilst it is accepted that structurally the extension appears to be fine, these issues are considerable and mean the retention of the building would mean retaining the structure only as there would have to be significant removals and alterations to ensure the building can provide viable residential space.

2.11.10. The external alterations needed to overcome the structural issues would also have heritage implications on the setting and special character of the listed building and mean the reformed extension would continue to harm the listed building.

Pre-demolition audit

2.11.11. As well as the condition and feasibility study a pre-demolition audit has also been compiled. This reports upon the materials on site and level of removal, reuse and recycling of on-site materials.

2.11.12. The report estimates a total of 800 tonnes of material to be at the site of 99 Frogmal (Hampstead House). This includes estimations for all structure, hard surfaces, FF&E and MEP for the existing house and 1970's extension. Of the items identified in the audit currently 54% (by weight) is to be retained in-situ, 14% (by weight) is designated for on-site reuse, 2% (by weight) to be recycled on-site, 3% (by weight) for off-site reuse, and 28% (by weight) designated to the waste stream/off-site recycling.

2.11.13. There is currently 225 tonnes of material designated to recycling/waste stream. The majority of the material will arise from the demolition of the entire 1970's extension, which consists of a concrete and brick frame. Brick and concrete are therefore materials which present the highest weight and embodied carbon loss on this project if removed from the site or downcycled.

2.11.14. The report also confirms that of the materials entering the waste stream, it can be estimated that the contractor can realistically aim to divert 95-98% of material designated to the recycling/waste stream from landfill through appropriate recycling and waste sorting.

2.11.15. To ensure greater resource efficiency through recycling and reuse of materials as explained above, a condition is attached requiring 95% of construction and demolition waste to be reused, recycled, or recovered, and 95% of excavation waste to be put to beneficial use

Energy and carbon reductions

2.11.16. The following summary table shows how the proposal performs against the policy targets for carbon reductions in major schemes, set out in the London Plan and Camden Local Plan.

Policy requirement (on site)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	15%	-7.9%
Be green stage (renewables): CLP policy CC1	20%	61.1%
Total carbon reduction: LP policy SI2 and LP CC1	35%	58%

2.11.17. The table below is taken from the energy statement and provides more in-depth detail on these figures.

	New build residential (assessed under Part L1)		Residential Refurbishment (assessed under Part L1)		Overall area weighted reductions	
	Total tCO2	% reduction at each stage	Total tCO2	% reduction at each stage	Total tCO2	% reduction at each stage
Baseline	9.98	-	5.18	-	15.16	-
Be Lean	9.61	3.7	6.74	-30.2	16.36	-7.9
Be Clean	9.61	-	6.74	-	6.36	-
Be Green	3.11	67.6	3.25	51.8	6.36	61.1
TOTAL	6.87	68.8	1.93	37.2	8.79	58.0

2.11.18. In this case, the development significantly exceeds the policy target of 35% reductions, achieving an overall on-site reduction of 58.0% below Part L requirements across the refurbished building, new build and overall site as shown in the table above

Be lean stage (reduce energy demand)

- 2.11.19. London Plan policy SI 2 sets a policy target of at least a 10% residential reduction through reduced energy demand at the first stage of the energy hierarchy.
- 2.11.20. In this case, the new build would reduce the notional baseline by 3.7% which is under the 10% reduction required. However the Energy Statement has outlined that due to the heritage value of the façade, the amount of thermal insulation that can be applied is limited. Considering the new dwelling will meet the baseline in each element this position is accepted.
- 2.11.21. The residential refurbishment has an increase of 30.2% at this stage. The Energy Assessment has been carried out in accordance with GLA Energy Assessment guidance (clause 6.18) which states “*Applicants are required to generate baseline CO2 emissions assuming the notional specification for existing buildings, shown in Appendix 4, and which is based on Approved Documents L1 and L2.*” An increase in carbon emissions at Be Lean stage is due to the Grade II listed building, historic fabric performs worse than the notional specification used to estimate baseline emissions. At the first stage of the energy hierarchy, the existing building is modelled with the proposed fabric improvements (roof, floor insulation and double glazed windows) which results in a higher carbon emission compared to baseline model. Therefore, this figure is accepted.

Be clean stage (decentralised energy supply)

- 2.11.22. London Plan Policy SI3 requires developers to prioritise connection to existing or planned decentralised energy networks, where feasible, for the second stage of the energy hierarchy. Camden Local Plan policy CC1 requires all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network.
- 2.11.23. In this case an assessment of the existing London heat map has been made and demonstrated that there are no existing local networks present within connectable range of the scheme. The site heat demands would be met by ASHPs and details of these system would be secured by condition.

Be green stage (renewables)

- 2.11.24. Camden Local Plan policy CC1 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (after savings at Be Lean and Be Clean), where feasible, for the third stage in the energy hierarchy.
- 2.11.25. The Energy Statement confirms that the development will incorporate ASHP’s, and potentially PV panels. The overall development exceeds the policy target of 20%, reducing emissions by 61.1% at this stage through renewables, in compliance with the Development Plan. As above, this is in accordance with the GLA. The proposal includes the provision of ASHP’s for both uses.
- 2.11.26. Considering the overall saving is a good score and with the conditions in place, the Council accepts this position.

Be seen (energy monitoring)

- 2.11.27. The London Plan policy SI 2 requires the monitoring of energy demand and carbon emissions to ensure that planning commitments are being delivered. As this is not a major development this is not required and therefore will not be taken up as part of the proposal. However an energy and sustainability plan will be secured via s106 to capture the proposed

measures.

Climate change adaption and sustainable design

2.11.28. The Development Plan (Camden Local Plan policy CC3 and London Plan policies SI12 and SI13) also seeks to ensure development does not increase flood risk, reducing the risk of flooding where possible. Development should incorporate sustainable drainage systems (SUDS) and water efficiency measures.

2.11.29. In this case, the development incorporates SUDS, green and blue roofs which will be secured via condition. PV panels were explored however due to the heritage sensitivities, this was not included within the proposal. A condition will secure water efficiency measures, ensuring a maximum internal water use of 105 litres per day (plus an additional 5 litres for external water use) for each home. Flood risk is covered in the 'Water and Flooding section of this report.

2.12. Water and Flooding

2.12.1. Policy A5 and CPG Basements outline that the Council will not allow habitable rooms and other sensitive uses for self-contained basement flats and other underground structures in areas at risk of flooding.

2.12.2. The applicant has submitted a site-specific Flood Risk Assessment (FRA) to assess the flood risk of the property. The site is located within the Frognal Lane Local Flood Risk Zone; and is an area which has experienced sewer flooding in the past. In consultation with the Local Lead Flood Authority, who assessed the scheme and supporting FRA, it is confirmed that the proposed attenuation features would be provided: green roofs, an attenuation tank, permeable paving and flow control devices. The FRA also confirms an acceptable greenfield run off rate and the ability for the scheme to accommodate 1:100 year storms with a 40% provision for climate change.

2.12.3. A SUDS proforma has been submitted and assessed by the Council's Local Lead Flood Authority. This demonstrates that the basements would not contribute to an increase in flood risk. Conditions are also attached requiring details of flood risk emergency plan, and further details of SUDS, to ensure that surface water run-off from the buildings do not contribute to flood risk, including details of attenuation tanks, rainwater harvesting, and green/blue roofs. These details shall demonstrate that the site run-off rate would conform to no more than 0.98l/s.

2.12.4. As such, it has been sufficiently demonstrated that the proposed development would not be at a risk of flooding, and mitigation measures would be in place to ensure the safety of future occupiers. Further details of SUDS and evidence of their installation, green roof details and rainwater harvesting details are secured via condition

2.13. Air quality

2.13.1. The site is located within the borough-wide AQMA declared by Camden due to known or anticipated breaches of the annual mean NO₂ and 24-hour PM₁₀ AQOs in 2002. Policy CC4 of the Camden Local Plan requires a basic Air Quality Assessment (AQA) to be provided. All developments are expected to meet the Mayor's Air Quality Neutral requirements. The applicant has submitted an AQA which reviews the existing air quality conditions in the vicinity of the proposed development site, and the likely air quality impacts resulting from the proposed development.

2.13.2. The Air Quality Assessment confirms that the air quality has been assessed in line with the Environmental Protection UK & the Institute of Air Quality Management, 2017:-

Land-Use Planning & Development Control: Planning for Air Quality and *Environmental Protection UK & the Institute of Air Quality Management, 2017. Land-Use Planning & Development Control: Planning for Air Quality*, in terms of air quality and dust from construction and demolition.

2.13.3. Table below shows the background pollutant concentrations for the site

Pollutant	Annual Mean Concentration ($\mu\text{g.m}^{-3}$)							
	2020	2021	2022	2023	2024	2025	2026	2027
NO₂	24.8	24.0	23.3	22.8	22.2	21.6	21.4	21.2
PM₁₀	17.4	17.2	17.0	16.7	16.5	16.3	16.3	16.3
PM_{2.5}	11.4	11.2	11.1	11.0	10.8	10.7	10.7	10.7

2.13.4. Based on the monitored and estimated background data presented above, it is considered that the development site is located in an area where the annual mean NO₂, PM₁₀ and PM_{2.5} AQOs are unlikely to be exceeded and the proposed residential uses are unlikely to result in these figures increasing or being breached. This is accepted by the Council.

Construction Phase

2.13.5. During the construction phase dust emission magnitudes are measured for four construction related activities; demolition, earthworks, construction and track-out. The table of dust risk summary is set out below:

Stage	Dust Impact Risk		
	Dust Soiling	Human Health	Ecology
Demolition	Medium	Negligible	Negligible
Earthworks	Low	Negligible	Negligible
Construction	Low	Negligible	Negligible
Trackout	Low	Negligible	Negligible

2.13.6. Because the proposal includes basement excavation and concrete batching the dust soiling risk is labelled as medium. Every other metric is considered to be low risk or negligible risk. Conditions will be placed on the application to ensure air quality monitoring takes place. An informative will also be placed on the application to ensure full details of mitigation measures to control construction-related air quality impacts are secured within the Construction Management Plan as per the standard Construction Management Plan (CMP) Pro-Forma.

Air quality neutral assessment

2.13.7. The proposed development would be car-free. The residential aspect of the development will make use of either Mechanical Ventilation with Heat Recovery (MVHR) or natural vents with a variable refrigerant flow (VRF) system. For the residential apartments, heat pumps will be used for cooling, heating and hot water, along with MVHR for domestic ventilation/extract. As any generator will only be used during emergencies to operate any sprinkler system, these are not required to be considered within the assessment according to the MOL AQN guidance. As such, the development can be classified as air quality neutral

2.13.8. Conditions are placed on the application for air quality monitoring during development works and to ensure that Non Road-Mobile Machinery (NRMM) used on the

site complies with the relevant air quality criteria.

2.14. Employment and Training Opportunities

2.14.1. The proposed development would generate increased employment opportunities during construction and operational phases. To ensure local people benefit from these opportunities in line with CLP policy E1, appropriate obligations have been negotiated and will be secured by Section 106 agreement. The scale of benefits would be tied to the build cost but would include the following:

Construction phase:

2.14.2. The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs.

2.14.3. The applicant should advertise all construction vacancies and work placement opportunities exclusively through the Council's Euston Skills Centre (formally Kings Cross Skills Centre) for a period of 1 week before marketing more widely.

2.14.4. As the build cost for this scheme will exceed £3 million the applicant will recruit 1 construction apprentice paid at least London Living Wage and pay the council a support fee of £1,700 per apprentice. Recruitment of construction apprentices should be conducted through the Council's Euston Skills Centre.

2.14.5. The applicant must sign up to the Camden Local Procurement Code.

2.14.6. The applicant should provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

2.15. Heads of Terms

2.15.1. If the proposal is considered to be acceptable it would be the subject of a Section 106 legal agreement. The obligations required have been discussed and below is a summary of the Heads of Terms that would be sought if permission were granted:

- Construction management plan (CMP)
- Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000
- Car free
- Affordable housing payment of £1,492,800.00
- Basement Construction Plan (BCP)
- Energy and Sustainability Plan
- Local employment and procurement package and contribution

2.16. Community Infrastructure Levy

2.16.1. If the proposal is deemed acceptable it would be liable for both Mayoral and Camden CIL. This would be based on Mayor's CIL2 (MCIL2) and Camden's latest CIL charging schedule from 2020.

2.16.2. Officers note that the floor areas and calculations above are approximate and the sums are indicative. Final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers.

RECOMMENDATION

- 2.16.3. Grant condition planning permission to Section 106 Legal Agreement
- 2.16.4. Grant conditional Listed Building consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 10th February 2025 nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2024/0030/P
Contact: Ewan Campbell
Tel: 020 7974 5458
Date: 3 February 2025

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
Frognal House
99 Frognal
London
NW3 6XR

DECISION
Proposal: Change of use of convent (Sui Generis) to create four residential units (C3), demolition of existing extension and erection of a part one part two storey extension with green roof. Erection of roof extension with roof terrace and railings. Excavation of basement with entrance, conversion of garage, new bin and bike stores, hard and soft landscaping and alterations to fenestrations of the main house

Drawing Nos: 298-A001, 298-A002

298-A003, 298-A004, 298-A005, 298-A006, 298-A007, 298-A008

298-A010, 298-A011, 298-A012, 298-A013, 298-A014

298-A015, 298-A016, 298-A017

298-A020, 298-A021, 298-A022, 298-A023, 298-A024, 298-A025

298-A030, 298-A031, 298-A032, 298-A033, 298-A034, 298-A035, 298-A036

298-A050, 298-A051, 298-A052, 298-A053, 298-A054

298-A060, 298-A061, 298-A063, 298-A064

298-A071, 298-A07, 298-A073

298-A102, 298-A110, 298-A111, 298-A112, 298-A113, 298-A114, 298-A115

298-A120, 298-A121, 298-A122, 298-A123

298-A130, 298-A131, 298-A132

298-A160, 298-A161, 298-A163, 298-A164

298-A170, 298-A171, 298-A172, 298-A173, 298-A174, 298-A175

298-A180, 298-A181, 298-A183

298-A190, 298-A191, 298-A192, 298-A193, 298-A194

298-A200, 298-A201, 298-A202, 298-A203, 298-A204, 298-A205

298-A300, 298-A301, 298-A302, 298-A303, 298-A304, 298-A305, 298-A305

C-002 REV T6, C-009 REV P3

Documents:

Design & Access Statement by Hayhurst & Co dated December 2023

Planning Statement by SM Planning dated December 2023

Heritage Statement by The Heritage Practice dated December 2023

Basement Construction Structural Report by Structure Workshop dated 30.11.2023

Basement Impact Assessment REV 04 by A2 Site Investigation dated August 2024

Internal Daylight & Sunlight Report by The Chancery Group dated 24 November 2023

Sustainability Statement Rev P04 dated December 2023

Energy Statement by Max Fordham dated 16 July 2024

Noise Impact Assessment by Cass Allen dated 06 December 2023

Fire Strategy Report by Marshall Fire dated 01 November 2023

Arboricultural Impact Assessment & Method Statement by Simon Pryce Arboriculture dated 01 November 2023

Landscape Report by TLG Landscape dated 28 November 2023

Flood Risk Assessment & Drainage Strategy REV G by Civilistix dated 30/10/2024

Confirmation of Sufficient Capacity Letter from Thames Water dated 22 October 2024

Pre-Demolition Audit by Material Index dated 23/07/2024

Off-Site Reuse Asset Register by Material Index dated 08/07/2024

On-Site Reuse Asset Register by Material Index dated 08/07/2024

Parking Transport Note by RGP dated September 2024

Air Quality Assessment by Greenavon dated July 2024

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

298-A001, 298-A002

298-A003, 298-A004, 298-A005, 298-A006, 298-A007, 298-A008

298-A010, 298-A011, 298-A012, 298-A013, 298-A014

298-A015, 298-A016, 298-A017

298-A020, 298-A021, 298-A022, 298-A023, 298-A024, 298-A025

298-A030, 298-A031, 298-A032, 298-A033, 298-A034, 298-A035, 298-A036

298-A050, 298-A051, 298-A052, 298-A053, 298-A054

298-A060, 298-A061, 298-A063, 298-A064

298-A071, 298-A07, 298-A073

298-A102, 298-A110, 298-A111, 298-A112, 298-A113, 298-A114, 298-A115

298-A120, 298-A121, 298-A122, 298-A123

298-A130, 298-A131, 298-A132

298-A160, 298-A161, 298-A163, 298-A164

298-A170, 298-A171, 298-A172, 298-A173, 298-A174, 298-A175

298-A180, 298-A181, 298-A183

298-A190, 298-A191, 298-A192, 298-A193, 298-A194

298-A200, 298-A201, 298-A202, 298-A203, 298-A204, 298-A205

298-A300, 298-A301, 298-A302, 298-A303, 298-A304, 298-A305, 298-A305

Documents:

Design & Access Statement by Hayhurst & Co dated December 2023
Planning Statement by SM Planning dated December 2023
Heritage Statement by The Heritage Practice dated December 2023
Basement Construction Structural Report by Structure Workshop dated 30.11.2023
Basement Impact Assessment REV 04 by A2 Site Investigation dated August 2024
Internal Daylight & Sunlight Report by The Chancery Group dated 24 November 2023
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On-Site Reuse Asset Register by Material Index dated 08/07/2024
Parking Transport Note by RGP dated September 2024
Air Quality Assessment by Greenavon dated July 2024
Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 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 2018 Hampstead Neighbourhood Plan

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all proposed and replacement windows (including jambs, head and cill), proposed glazing, ventilation grills, external doors and gates;

b) Plan drawings, elevation drawings and manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 2018 Hampstead Neighbourhood Plan

- 5 No meter boxes, flues or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

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 2018 Hampstead Neighbourhood Plan

- 6 The development hereby approved shall not commence other than demolition, site clearance and preparation, 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 BA1, BA2 and BA3 of the 2018 Hampstead Neighbourhood Plan

- 7 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment Basement Impact Assessment 38823-A2SI-XX-XX-RP-Y-0004-03 June 2024, Ground Movement Assessment 38823-A2SI-XX-XX-RP-Y-0005-02 hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and 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 BA1, BA2 and BA3 of the 2018 Hampstead Neighbourhood Plan

- 8 The sustainable drainage system as approved (1-664-Frognaal House 99 Frognaal_DS&FRA Report_16-10-2024) shall be installed as part of the development to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve a runoff rate of 2 l/s from two connections (total 4l/s). The system shall include 272m² green roofs, 1.06m³ rainwater harvesting attenuation volume, 35m³ pervious paving attenuation volume, and 75.81 m³ attenuation tank volume, as stated in the approved drawings and shall thereafter retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies

- 9 Prior to commencement of development, full details to demonstrate:
- a. the proposed internal water efficiency and/or water recycling equipment to ensure that the development will pose no additional strain on adjoining sites or the existing drainage infrastructure; and
 - b. the proposed internal measures to ensure the development has been designed to mitigate flood risk and cope with potential flooding;
- Should be submitted to the Local Planning Authority and approved in writing.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies

- 10 Prior to commencement of development other than site clearance & preparation, details of rainwater recycling proposals should be submitted to the local planning authority and approved in writing. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC2 and CC3 of the London Borough of Camden Local plan Policies

- 11 Prior to occupation, evidence that the drainage system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Planning Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan

- 12 Prior to commencement of above-ground development, full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan policies.

- 13 Prior to first occupation, full, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS 4142:2014 "Methods for rating and assessing industrial and commercial sound at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The plant needs to be installed in accordance with the details thus approved and maintained to ensure it continues to meet the specified noise levels.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 14 Prior to use, machinery, plant or equipment 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 15 Prior to commencement of relevant works, details, drawings and data sheets showing the location SCOP of 3.4 or more and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The details shall demonstrate the ASHP system and any ventilation either has no active cooling function, or cooling deactivated by the manufacturer, or that it is an air to water heat pump system only supplying underfloor heating and/or oversized radiators. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local plan Policies.

- 16 Prior to commencement of above ground works (other than demolition, site clearance and preparation), full details of the long-stay including accessible and cargo bike provision, shall be submitted to and approved in writing by the local planning authority.

The approved cycle parking facilities shall thereafter be provided in their entirety prior to the occupation of the relevant part of the development and shall thereafter be retained.

Reason: To ensure the scheme makes adequate provision for cycle users in accordance with policies T1 and T2 of the London Borough of Camden Local Plan 2017.

- 17 The demolition hereby approved shall divert at least 95% of demolition waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017, Camden Planning Guidance, and Policy SI 7 of the London Plan 2021.

- 18 No later than 38 months from first occupation or at least 12 months before demolition whichever is sooner, a Reuse and Restoration strategy should be submitted to the local planning authority and approved in writing.

The strategy should include details of:

- a) how the building, materials and plant equipment will be disassembled and reused
- b) timings for disassembly and the site restoration/build out.

The disassembly and site restoration must be undertaken in accordance with the approved details.

Reason: In order to ensure that the materials are reused in accordance with circular economy principles and to ensure that the land is cleared and left in a reasonable state to retain the visual amenity of the area in accordance with policies D1, D2 and CC2 of the London Borough of Camden and Policy S17 of Intend to publish London Plan (2019)

- 19 The flat roofed areas of the proposed building approved under 2024/0030/P shall not be used as a roof terrace, sitting out area or other amenity space and only be accessed for maintenance purposes.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policies A1 and D1 and D2 of the Camden Local Plan 2017

- 20 No development shall take place until:

a. prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;

b. a confirmation email should be sent to airquality@camden.gov.uk no later than one day after the monitors have been installed with photographic evidence in line with the approved details.

c. prior to commencement, a baseline monitoring report including evidence that the monitors have been in place and recording valid air quality data for at least 3 months prior to the proposed implementation date shall be submitted to the Local Planning Authority and approved in writing. The monitors shall be retained and maintained on site in the locations agreed with the local planning authority for the duration of the development works, monthly summary reports and automatic notification of any exceedances provided in accordance with the details thus approved. Any changes to the monitoring arrangements must be submitted to the Local Planning Authority and approved in writing.

Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan Policies.

- 21 Prior to the occupation of the development hereby permitted, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site, to promote sustainable modes of transport, and so safeguard the visual amenity of the area in accordance with policies A1 and T1 of the Camden Local Plan 2017 and policy TT4 of the 2018 Hampstead Neighbourhood Plan.

- 22 Prior to the occupation of the development hereby permitted, details of waste and recycling storage for the development shall be submitted to and approved in writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated use.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management and collection of waste, and to safeguard the visual amenity of the area in accordance with policies A1, A4, D1, CC5 [xx and TC4 if town centre use xx] of the Camden Local Plan 2017.

- 23 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled BS5837:2012 Arboricultural Impact Assessment and Method Statement ref. 21/109 AMS dated 1st November 2023 by Simon Pryce Arboriculture. 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 BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan and policies NE2 and NE4 of the 2018 Hampstead Neighbourhood Plan

- 24 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details [by not later than the end of the planting season following completion of the development or any phase of the development whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies NE2 and NE4 of the 2018 Hampstead Neighbourhood Plan

- 25 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding, other changes in ground levels and details of at least 8 trees. 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 achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies NE2 and NE4 of the 2018 Hampstead Neighbourhood Plan

Informative(s):

- 1 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).
- 2 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.
- 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, 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 5 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 6 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.

- 7 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 3900 or www.naturalengland.org.uk.
- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 9 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.
- 10 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 11 Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.
- 12 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

13 + Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Supporting Communities Directorate

Application ref: 2024/0176/L
Contact: Ewan Campbell
Tel: 020 7974 5458
Email: Ewan.Campbell@camden.gov.uk
Date: 3 February 2025

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

SM Planning
80-83 Long Lane
London
EC1A 9ET

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
Frognal House
99 Frognal
London
NW3 6XR

DECISION

Proposal:

Change of use of convent (Sui Generis) to create four residential units (C3), demolition of existing extension and erection of a part one part two storey extension with green roof. Erection of roof extension with roof terrace and railings. Excavation of basement with entrance, conversion of garage, new bin and bike stores, hard and soft landscaping and alterations to fenestrations of the main house. Internal alterations to main house

Drawing Nos: 298-A001, 298-A002

298-A003, 298-A004, 298-A005, 298-A006, 298-A007, 298-A008

298-A010, 298-A011, 298-A012, 298-A013, 298-A014

298-A015, 298-A016, 298-A017

298-A020, 298-A021, 298-A022, 298-A023, 298-A024, 298-A025

298-A030, 298-A031, 298-A032, 298-A033, 298-A034, 298-A035, 298-A036

298-A050, 298-A051, 298-A052, 298-A053, 298-A054

298-A060, 298-A061, 298-A063, 298-A064

298-A071, 298-A07, 298-A073

298-A102, 298-A110, 298-A111, 298-A112, 298-A113, 298-A114, 298-A115

298-A120, 298-A121, 298-A122, 298-A123

298-A130, 298-A131, 298-A132

298-A160, 298-A161, 298-A163, 298-A164

298-A170, 298-A171, 298-A172, 298-A173, 298-A174, 298-A175

298-A180, 298-A181, 298-A183

298-A190, 298-A191, 298-A192, 298-A193, 298-A194

298-A200, 298-A201, 298-A202, 298-A203, 298-A204, 298-A205

298-A300, 298-A301, 298-A302, 298-A303, 298-A304, 298-A305, 298-A305

C-002 REV T6, C-009 REV P3

Documents:

Design & Access Statement by Hayhurst & Co dated December 2023
Planning Statement by SM Planning dated December 2023
Heritage Statement by The Heritage Practice dated December 2023
Basement Construction Structural Report by Structure Workshop dated 30.11.2023
Basement Impact Assessment REV 04 by A2 Site Investigation dated August 2024
Internal Daylight & Sunlight Report by The Chancery Group dated 24 November 2023
Sustainability Statement Rev P04 dated December 2023
Energy Statement by Max Fordham dated 16 July 2024
Noise Impact Assessment by Cass Allen dated 06 December 2023
Fire Strategy Report by Marshall Fire dated 01 November 2023
Arboricultural Impact Assessment & Method Statement by Simon Pryce Arboriculture dated 01 November 2023
Landscape Report by TLG Landscape dated 28 November 2023
Flood Risk Assessment & Drainage Strategy REV G by Civilistix dated 30/10/2024
Confirmation of Sufficient Capacity Letter from Thames Water dated 22 October 2024
Pre-Demolition Audit by Material Index dated 23/07/2024
Off-Site Reuse Asset Register by Material Index dated 08/07/2024
On-Site Reuse Asset Register by Material Index dated 08/07/2024
Parking Transport Note by RGP dated September 2024
Air Quality Assessment by Greenavon dated July 2024

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

298-A001, 298-A002

298-A003, 298-A004, 298-A005, 298-A006, 298-A007, 298-A008

298-A010, 298-A011, 298-A012, 298-A013, 298-A014

298-A015, 298-A016, 298-A017

298-A020, 298-A021, 298-A022, 298-A023, 298-A024, 298-A025

298-A030, 298-A031, 298-A032, 298-A033, 298-A034, 298-A035, 298-A036

298-A050, 298-A051, 298-A052, 298-A053, 298-A054

298-A060, 298-A061, 298-A063, 298-A064

298-A071, 298-A07, 298-A073

298-A102, 298-A110, 298-A111, 298-A112, 298-A113, 298-A114, 298-A115

298-A120, 298-A121, 298-A122, 298-A123

298-A130, 298-A131, 298-A132

298-A160, 298-A161, 298-A163, 298-A164

298-A170, 298-A171, 298-A172, 298-A173, 298-A174, 298-A175

298-A180, 298-A181, 298-A183

298-A190, 298-A191, 298-A192, 298-A193, 298-A194

298-A200, 298-A201, 298-A202, 298-A203, 298-A204, 298-A205

298-A300, 298-A301, 298-A302, 298-A303, 298-A304, 298-A305, 298-A305

C-002 REV T6, C-009 REV P3

Documents:

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On-Site Reuse Asset Register by Material Index dated 08/07/2024
Parking Transport Note by RGP dated September 2024
Air Quality Assessment by Greenavon dated July 2024

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) details of proposed underfloor heating
- b) detailed window schedule to be submitted including proposals for existing glazing
- d) details of proposed flooring alterations, including build up
- e) details of proposed new skirting

Notwithstanding the proposed plans, any proposed works to the existing brickwork, including renewing flashing or repointing, details shall be submitted in writing and approved prior to undertaking these works.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 5 Before the start of the relevant part of the works, proposals for any structural works shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out accordingly. The required detail is the submission of a detailed report and method statement by a suitably qualified and experienced chartered structural engineer, addressing the following areas:

- a) Detailing the engineer's qualifications, relevant experience and supervisory role;
- b) Explaining how the existing structure stands;
- c) Detailing the method by which the existing structure is to be supported and protected during the works so as to ensure the structural stability and integrity of all the elements which are to be retained (the temporary works);
- d) Confirming how damage to the building or surrounding buildings and structures will be avoided and how the safety and stability of the historic building fabric will be ensured;
- e) Detailing the structural interventions to ensure that the building will stand in the future, including details (for example and not limited to) of any new foundation design, underpinning, steelwork and other strengthening and their locations and methods of fixing and installation, with sketches as necessary (the permanent works).

All excavation and structural works shall be carried out strictly in accordance with the details so approved and not otherwise. All excavation and structural works shall be carried out by hand. No other excavation or structural works are authorised by this consent without prior approval of the details.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, December 2023, Paragraphs 195 to 214; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Local plan policy D2

- 6 Before work begins, the position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt this includes communications and information technology servicing) including details of all electrical, drainage and plumbing and heating services for each floor plan and an appraisal how the proposal will impact on any historic fabric (including detail of any new notching of beams and perforations to walls, floors and ceilings), shall be specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The works shall be implemented only in accordance with such approval.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework 2024 and Local Plan policy D2

- 7 No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority. The works shall not be carried out otherwise than in accordance with the approved details.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, December 2023, Paragraphs 195 to 214; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Local plan policies D2

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer