

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		12/06/2007	
		N/A		<b>Consultation Expiry Date:</b>		23/05/2007	
<b>Officer</b>				<b>Application Number(s)</b>			
Sheri Waddell				2007/1926/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
31 Abdardare Gardens Kilburn London NW6 3AJ				Refer to draft decision notice.			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use of ground and first floor maisonette and second floor flat into a single-family dwellinghouse.							
<b>Recommendation(s):</b>		<b>Grant conditional permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>20</b>	No. of responses No. electronic	<b>00</b> <b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>		AO's expire 22/5; SN expires 23/5					
<b>Local groups comments:</b>		None received					
<b>Site Description</b>							
A semi-detached residential property within the Swiss Cottage conservation area. Currently laid out as a ground and first floor maisonette and a second floor flat. It lies within a CPZ [Controlled Parking Zone].							
<b>Relevant History</b>							
PP granted 1 <sup>st</sup> September 1975 [21418] for the c/u of the existing ground and first floor maisonette into 2 s/c flats. PP granted 6 <sup>th</sup> February 2004 [2003/3231/P] for the c/u of the existing ground and first floor flats into a single maisonette, and the erection of a single storey rear conservatory. Building Control have confirmed that these works were completed by 7 <sup>th</sup> June 2004.							
<b>Relevant policies</b>							
Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan <u>taken as a whole</u> together with other material considerations.							
<b>London Borough of Camden UDP 2006</b> S1/S2 – sustainable development SD6 – amenity for neighbours and occupiers H3 – protecting existing housing H8 – mix of units B7 – conservation areas T9 – impact of parking  <b>Camden Planning Guidance 2006</b> <b>Swiss Cottage CAS</b>							

## Assessment

This property was originally built as a dwellinghouse, but by 1975 was in use as 2 s/c units – a ground and first floor maisonette and a second floor flat. The maisonette was then split into 2 s/c flats, and the property was used as 3 s/c flats until 2004, when the ground and first floor flats were re-united into a maisonette i.e. a reversion to the pre-1975 situation. The current proposal is to combine the two existing units within the building into one single dwellinghouse, with no external alterations.

It is clear from Building Control records that the 2004 planning permission was implemented by the middle of that year, and that the property has therefore been in lawful use as 2 s/c units since then. The reduction in the number of units in the property from 3 to 2 therefore took place well before the adoption of the Replacement UDP in 2006, and policy H3 needs to be applied on the basis of the lawful use of the property at that time. In this circumstance, the current proposal to further reduce the number of units in the property from 2 to 1 is in compliance with policy H3, as it only involves the net loss of one unit. It also creates a large unit suitable for family occupation, and thus is in conformity with policy H8.

It is also in conformity with policy T9, as it does not add to pressure for on-street parking. However, use as a single dwellinghouse would confer permitted development rights, including those for forecourt parking. The property does not currently have forecourt parking, and the front boundary is enclosed by a wooden fence surmounted by a hedge. Immediately outside the property, there is a marked bay for residents parking within the CPZ. Whilst several of the immediately adjoining properties on this side of the road already have forecourt parking, there are two in the immediate vicinity and a group of four opposite that do not. It is thus considered that the provision of forecourt parking could be problematic in terms of both its visual impact [policies B7 and T9] and the harmful effect that it would have on the CPZ [policy T9], and that the exercise of control over such development can be justified. A condition should therefore be imposed to remove permitted development rights for the provision of forecourt parking and the formation of a means of access to the highway.

There are no external alterations proposed. The proposed development does not raise any amenity issues for neighbours [policy SD6] and does not have any impact on the character and appearance of the conservation area [policy B7]. Whilst, as set out above, use as a single dwellinghouse would confer permitted development rights, many of the other properties in Aberdare Gardens are single dwellinghouses, and it is considered that this property cannot be sufficiently distinguished from them to justify the removal of all Part 1 permitted development rights.

**Recommendation:** Grant permission.