

Delegated Report		Analysis sheet		Expiry Date:		22/03/2007	
		N/A		Consultation Expiry Date:		01/03/2007	
Officer				Application Number(s)			
Matthew Durling				2007/0107/P			
Application Address				Drawing Numbers			
12 Tobin Close London NW3 3DY				See decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Continued use of integral garage as habitable accommodation (in non-compliance with condition 3 of planning permission dated 02/10/72 requiring the retention of garages for the parking of motorcars), plus retention of a 'dummy garage door' and two windows at ground floor level on the front elevation of the dwellinghouse.							
Recommendation(s):		Grant planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	04	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:	None received.						
CAAC/Local groups comments:	None consulted.						

Site Description

A 3-storey terraced building on the south side of Tobin Close. The rear of the building backs onto Adelaide Road. The site does not lie within a conservation area and is not listed. Tobin Close does not lie within a CPZ as it is a private road. At the time of the Officer site visit on 27th February 2007, the works which form part of this application had been carried out.

Relevant History

02/10/1972: PP granted for the erection of 2 terraces of 3 storey houses with integral garages comprising 5 houses on Block 9, and 6 houses on Block 16 of the Quadrangles, Chalcot Estate, Adelaide Road. (The 6 houses on Block 16 were subsequently named and numbered as 9-14 Tobin Close).

13 Tobin Close

03/05/2005: PP granted for the continued use of the integral garage as additional habitable accommodation and the retention of the ground floor front window, in non-compliance with condition 03 of planning permission dated 2/10/72 requiring the retention of garages for the parking of motor cars.

5 Tobin Close

03/04/2001: PP granted for the conversion of integral garage to a habitable room in non-compliance with condition 03 of PP dated 2/10/72 which requires the retention of garages for the parking of motor cars.

11 Tobin Close

22/10/2000: PP granted for the conversion of internal garage to habitable room in non-compliance with condition 03 of PP dated 2/10/72 which requires the retention of garages for the parking of motor cars.

Relevant policies

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 taken as a whole together with other material considerations.

Replacement Unitary Development Plan 2006

B1 General design principles

B3 Alterations and extensions

T9 Impact of parking

Camden Planning Guidance 2006

Assessment

Proposal:

The application seeks permission for the change of use of the existing integral garage to additional living accommodation, and also for the replacement of the garage door with a 'dummy door' with windows above. As noted in the site description above, these works have already been carried out and therefore this application is for their retention.

Assessment:

Planning permission for the existing dwellinghouse was granted in 1972 and was subject to the following condition:

Condition 03: The garages shall be retained and used for the accommodation of a private motorcar.

Reason: Any other use of the garage would be prejudicial to the amenities of the residential buildings or of the area generally.

The use of the garage as a habitable room is in non-compliance of this condition and as such planning permission is required.

It should be noted that the integral garages at 5, 11 and 13 Tobin Close have been granted permission for change of use of into habitable accommodation (see relevant history above), largely on the basis that there is sufficient parking capacity on the site. In recognition of this and the availability of parking immediately outside the building and in the designated residents parking bays opposite the site, the loss of a further off street parking space is considered acceptable. Tobin Close does not lie within a CPZ and as such no harm can be demonstrated to residential amenity in terms of parking stress or congestion.

The external manifestation of the change of use of the garage is limited to the replacement of the garage door on the front elevation of the building. The replacement fenestration comprises a 'dummy door' with two windows above and matches the alterations approved to the adjacent property (no. 11). The PVCu windows and door match the existing windows in the property and are consistent with materials used elsewhere in the terrace. The alterations are considered to be in keeping with the style of these modern properties such that no harm is caused to the character or appearance of the buildings or the area generally.

The change of use does render the existing crossover redundant, however it is not considered reasonable to request its reinstatement to a level footway as the Close is a private road, and is not a major thoroughfare. It is also noted that the planning permissions at no. 5, 11 and 13 did not require this and therefore in the interests of consistency this is not considered appropriate.

Recommend approval.

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