

Delegated Report		Analysis sheet		Expiry Date:		25/09/2006	
		N/A / attached		Consultation Expiry Date:		30/08/2006	
Officer				Application Number(s)			
Matthew Durling				2006/3528/P			
Application Address				Drawing Numbers			
4 Shepherd's Walk London NW3 5UE				See decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date:		
Proposal(s)							
Alterations to the front facade of dwellinghouse including replacement of garage door with window and the installation of two rooflights on front first floor level flat roof.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	05	No. of responses	00	No. of objections	00
Summary of consultation responses:		None received.					
CAAC/Local groups comments:		<u>Hampstead CAAC</u> : No objection.					

Site Description

A part single, part two storey dwelling located on the eastern side of Shepherd's Walk within the Hampstead conservation area.

Relevant History

08/11/1989: PP granted (reference 8905453) for the change of use and works of conversion including the erection of a new porch to provide 2 two bedroom houses. Conditions 2 & 3 removed PD rights and prevented loss of the garage.

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.

Adopted UDP 2006

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

T9 Impact of parking

Assessment

Proposal:

The application seeks planning permission for elevational alterations to the front of the dwellinghouse at ground floor level and the installation of two rooflights. These works require planning permission by virtue of permitted development rights being removed from the property in 1989.

Assessment:

The elevational alterations are considered to be acceptable in principle. The alterations comprise the replacement of a timber garage door with timber boarding and windows. In terms of detailed design, the timber boarding will match the existing garage door and the timber windows will be sensitively located below the existing brick arch. The windows will also respect the existing fenestration by mirroring the form of the prominent gable at the front of the building.

It is also proposed to install two rooflights in the roof of the single storey extension to the front. These rooflights will be concealed behind the existing parapet. Neither of the proposed alterations will have a detrimental impact on the streetscene, or the character or appearance of the property or the conservation area.

Whilst there are no in-principle objections to the replacement of the garage door, there is an issue relating to the lawful use of the garage space. Planning permissions granted in 1979 and 1989 were issued subject to conditions stating that the car parking accommodation (i.e. ground floor level garage) shall be provided and retained permanently for the parking of vehicles. Whilst the floorplans submitted show the garage to be in use as habitable accommodation there is no evidence to substantiate the claim that this use (and breach of condition) has prevailed for over ten years (thereby making the use lawful).

On this basis, and in view of the heavily parked nature and high demand for on-street parking in Shepherd's Walk it is considered that the application should be refused. It is recommended that an informative is added to the decision to suggest that evidence of the lawful use of the garage space as habitable accommodation should be submitted with any further planning application.

Recommend refusal.

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