

Delegated Report		Analysis sheet	Expiry Date:	20/04/2021
(Members Briefing)		N/A / attached	Consultation Expiry Date:	01/05/2021
Officer			Application Number(s)	
Leela Muthoora			2021/0835/P	
Application Address			Drawing Numbers	
6 Tobin Close London NW3 3DY			See Draft Decision	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of rooflights to front and rear roof slope, alterations to fenestration of front, rear and side elevations of dwellinghouse.				
Recommendation:	Grant conditional planning permission			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice was displayed near to the site on the 07/04/2021 (consultation end date 01/05/2021).			
Adjoining Occupiers:	No. of responses	00	No. of objections	03
Summary of consultation responses:	<p>Letters of objection were submitted from, or on behalf of the owners/occupiers of No's 5 and 7 Tobin Close and 31-55 Fellows Road.</p> <p>Their objections can be summarised as follows:</p> <ol style="list-style-type: none"> 1. The proposed Juliet balcony and full height window to the rear first floor adjacent to no. 7 Tobin Close would overlook and remove privacy to the garden. The patio to no. 5 would be overlooked and privacy compromised. 2. The symmetry of the row of houses would be lost/destroyed. Change the character of the house and the terrace. 3. There is a covenant attached to the houses of 1-8 Tobin Close regarding the fenestration to the front of the house. 4. It would affect the value of properties. 5. The proposals will enable oversight into the block of houses at 31-55 Fellows Road. 6. The proposals will reduce the sunlight to 31-55 Fellows Road. <p><u>Officer's response:</u></p> <ol style="list-style-type: none"> 1. <i>The proposals have been amended by revised drawings to remove the Juliet balcony to the rear first floor from the proposal. Please see section 6.2 of the report's assessment section.</i> 2. <i>The height of the new windows to the first floor rear elevation has been reduced from 1.9m to 1.4m and would be 0.7m from the internal floor level. Please see sections 6.2, 6.3 and 6.4 of the report's assessment section.</i> <p><i>There is variety to the fenestration pattern of the row of houses and the estate as a whole. Please see section 4.3 of the report's assessment section.</i></p> <ol style="list-style-type: none"> 3. <i>Legal covenants are not a material planning consideration and cannot be considered under the assessment of the planning application.</i> 4. <i>Loss of property value is not a material planning consideration and</i> 			

	<p><i>does not form part of this assessment.</i></p> <p>5. <i>The site is located approximately 15 metres from the front building line of 31-55 Fellows Road. Please see section 6.5 of the report's assessment section.</i></p> <p>6. <i>The proposals do not include any extensions or increase in height to the site. Please see section 6.6 of the report's assessment section.</i></p>
CAAC/Local groups comments:	None received

Site Description

The application site refers to a two-storey mid-terrace single dwellinghouse located on the northern side of Tobin Close. The front building line of the property faces north-west towards the rear building line of the terrace of Nos. 29-55 (odd) Fellows Road.

The building is not statutorily listed and is not situated in a conservation area.

There are no trees protected by Tree Preservation Orders within the application site.

Relevant History

No relevant planning history at 6 Tobin Close

Neighbouring Sites

2013/6439/P - 4 Tobin Close - Installation of a side elevation window and rooflight to existing flat roof, in connection with the conversion of a garage within dwelling house (Class C3). **Granted 07/11/2013**

2019/4747/P - 2 Tobin Close - Installation of rooflight and window to side east elevation of converted garage. **Granted 28/11/2019**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- T2 Parking and car-free development

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home improvements (2021)
- CPG Transport (2021)

Assessment

1. Proposal

1.1. Planning permission is sought for the installation of 1 rooflight to the front roof slope and 2 rooflights to the rear roof slope; replacement of garage door with fixed panel to match existing with upper level glazing and installation of new window to side elevation to garage, in association with conversion of garage to habitable room; replacement of all windows from timber to powder coated aluminium, including new window to first floor rear elevation; replacement timber doors to ground floor rear elevation to sliding aluminium doors; enlargement of windows to rear first floor windows by 0.5m in height.

2. Revisions

2.1. It should be noted that during the course of the assessment revisions to the proposed scheme were requested in order to appease concerns raised by officers. The revisions made to the proposed scheme can be summarised as follows:

- *Proposed glazed balustrade to the Juliet balcony amended to metal balustrade.*
- *Further revised to remove the Juliet balcony, following consideration of consultation objections.*
- *The proposed first floor windows to the rear elevation have been reduced in height from 1.9m to 1.4m with a height of 0.7m from the internal floor level.*
- *The proposed ground floor window to the front garage/snug elevation amended to obscured glazing.*

2.2. The revisions made to the scheme were accepted as amendments under the ongoing application.

3. Assessment

3.1. The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, street scene and local area (Design)
- The implications upon local transport and highways conditions (Transport)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)

4. Design

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character.

4.2. CPG Home improvements states that 'New windows and doors should generally be designed and composed of materials and finishes sympathetic to the original window and/or doors to the building. There are cases where materials and designs which are contrasting contemporary additions would be supported'.

4.3. There is variety to the fenestration pattern of the terrace of houses in which the host building is situated and the wider estate. While there is some enlargement to the size and alteration to the position of some fenestrations, they would be similar in size, detail and proportions to the existing and are not considered to alter the character of the house to the extent that they would detract from the adjoining terrace or wider area as a result.

4.4. The new window to the garage/snug is proposed to be fixed and obscure glazed. The additional window to the first floor rear elevation would not have a negative impact on the overall composition of the host building as it is sympathetic to ratio of solid to void to the façade.

- 4.5. The proposed rooflights would be subordinate in size and number and would have a low profile which would not conflict with architectural roof elements. Due to the shallow roof slope, there would be limited visibility of the rooflights from the street. The rooflight to the ground floor garage or 'snug' would be positioned away from the building line and would have a minimal impact on the appearance of the existing building and street scene.
- 4.6. The alterations to the garage door include a fixed panel to match and high-level windows to allow light into the room. This type of replacement is increasingly common on the estate and complies with the design code produced by the estate management company.
- 4.7. The proposed new and replacement windows and doors replace the existing timber fenestrations with powder coated aluminium. While timber is the preferred window material in terms of design and sustainability, the replacements are high quality and would be sympathetic to the architectural character of the host building. It is also acknowledged by officers that the alterations allow an increase in accommodation space within the existing envelope of the building, which is preferable to an extension given the relatively small capacity within the garden space and curtilage. On balance, the type, proportions, detailing and materials of the proposed fenestrations are considered acceptable.

5. Transport

- 5.1. Policy T2 states the Council will resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking.
- 5.2. The conversion of the integral garage into habitable space and replacement of the garage door with a new window would typically take place under permitted development rights but these rights were restricted by condition on the original planning permission.
- 5.3. The conversion of the integral garage into additional residential floor space is increasingly common on the estate due to the incompatibility of the dimensions of modern vehicles and the garages' capacity. The site has an existing hardstanding to the front which provides space for vehicle parking and the road is privately maintained. In this instance, the loss of the garage would not result in increased hardstanding or contribute to offsite parking stress and is therefore considered acceptable.

6. Residential Amenity

- 6.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, impact on natural light, artificial light spill, odour and fumes, as well as impacts caused from the construction phase of development.
- 6.2. The proposals have been amended by revised drawings to remove the Juliet balcony to the rear first floor from the proposal. As a result, the opportunity for overlooking closest to the boundary of number 7 Tobin Close has been removed
- 6.3. The height of the new windows within the first floor rear elevation has been reduced from 1.9m to 1.4m and would be 0.7m from the internal floor level. This is considered an appropriate size and height to prevent an undue loss of privacy through overlooking into the rear gardens of Nos. 5 and 7 Tobin Close.
- 6.4. Due to its proximity to No. 7 Tobin Close's front door, a condition is recommended to ensure the proposed window to the side elevation of the garage ('snug') will be obscure glazed and retained as such, to prevent overlooking and retain privacy between Nos. 5 and 7 Tobin Close.
- 6.5. There is a separation distance of approximately 15m from the front building line of Nos. 1-8 Tobin

Close and the front building line of Nos. 31-55 Fellows Road to the north-west of the site, on the opposite side of Tobin Close. This can be seen in figure 1, below. The proposed replacement windows to the front elevation are not considered to result in any greater harm than the existing window arrangement, in terms of light spill or loss of privacy through overlooking.

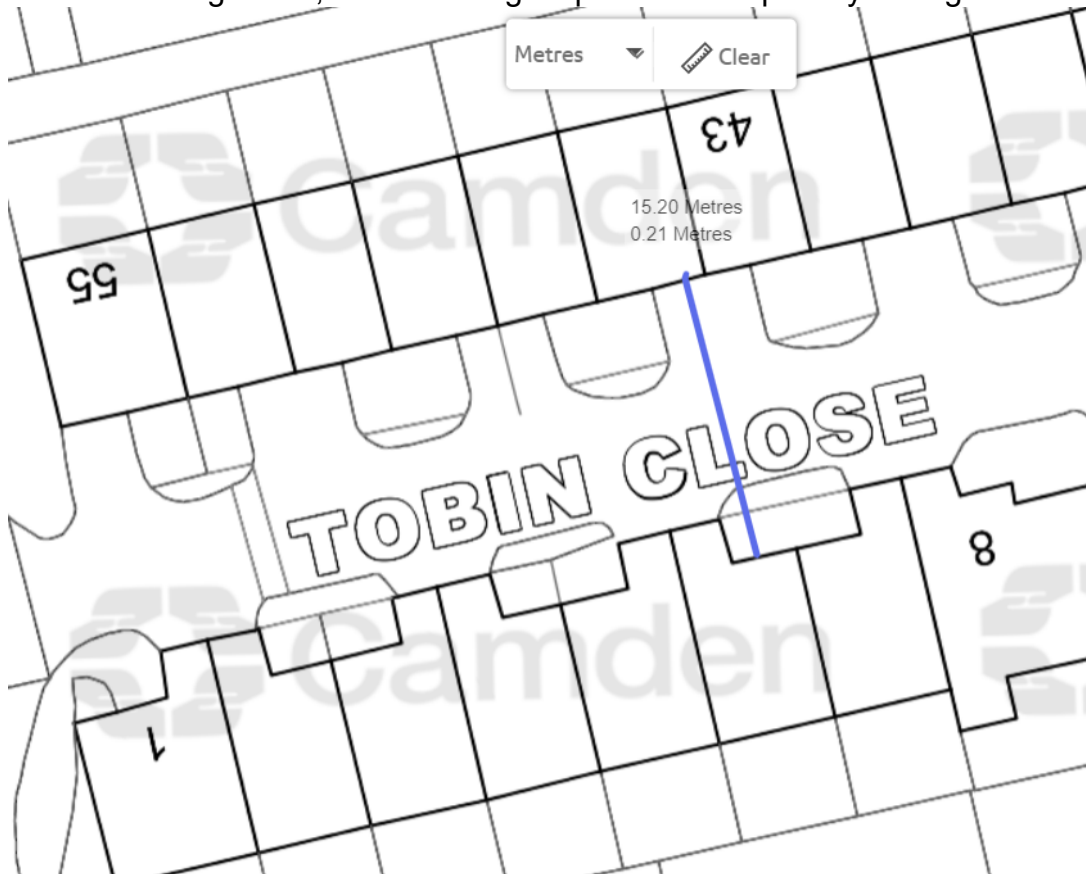


Figure 1. Distance between 6 Tobin Close and number 45 Fellows Road.

- 6.6. The proposals do not include an increase in height to the property and would not result in any reduction to the daylight or sunlight to Nos. 31-55 Fellows Road.
- 6.7. On balance, whilst the proposal includes installation of new windows, due to their size and location and given the garage or 'snug' elevation would be obscure glazed, they would result in no greater harm to the amenity of neighbouring residential occupiers, in terms of light spill or overlooking, than the existing window arrangement.

7. Recommendation

- 7.1. Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 5th July 2021, 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'.