

Delegated Report		Analysis sheet	Expiry Date:	13/03/2024
		N/A	Consultation Expiry Date:	01/04/2024
Officer		Application Number(s)		
Christopher Smith		2024/0298/P		
Application Address		Drawing Numbers		
118 King Henry's Road London NW3 3SP		Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Prior approval for the addition of one additional storey to the main house.				
Recommendation(s):		Grant Prior Approval		
Application Type:		GPDO Prior Approval Schedule 2, Part 1, Class AA		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations				
Adjoining Occupiers:	No. of responses	01	No. of objections	00
Summary of consultation responses:	Site notice: 02/02/24 – 26/02/24. Press notice: 08/03/24 – 01/04/24. CAAC response: no comments.			

Site Description
The application site is located within the Chalcots Estate which dates from the 1960's. The site contains a two-storey end-terrace residential property. The subject property is not located within a conservation area and the host building is not listed. The building is located opposite the Elsworth Conservation Area.

Relevant History
2023/5090/P. Replacement of garage door with window to front elevation. Granted - 06/03/2024

Relevant policies
National Planning Policy Framework (2023) General Permitted Development Order (2015, as amended) The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 (GPDO)

Assessment

1. Proposal

- 1.1. The proposal seeks prior approval for an additional storey above the existing third floor flat roof above the existing flat roof level.
- 1.2. The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 (GPDO) came into force on 31st August 2020 and introduced Class AA to Part 1 of Schedule 2, which allows for the enlargement of a dwellinghouse consisting of the construction of up to two additional storeys (where the existing dwellinghouse consists of two or more storeys).
- 1.3. This is subject to several conditions as listed within sub-paragraph AA.1 [(a)-(k)] and a subsequent condition in sub-paragraph AA.2 relating to the need for the developer to apply to the local planning authority for prior approval as to:
- (i) *impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;*
 - (ii) *the external appearance of the dwellinghouse, including the design and architectural features of—*
 - (aa) *the principal elevation of the dwellinghouse, and*
 - (bb) *any side elevation of the dwellinghouse that fronts a highway;*
 - (iii) *air traffic and defence asset impacts of the development; and*
 - (iv) *whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State;*

2. Assessment

2.1. Assessment against Class AA conditions

Class AA: The enlargement of a dwellinghouse consisting of the construction of up to two additional storeys, where the existing dwellinghouse consists of two or more storeys

If yes to any of the questions below the proposal is not permitted development: Yes/no

AA.1 (a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use)?	No
AA.1 (b)	The dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest?	No
AA.1 (c)	The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018?	No
AA.1 (d)	The existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise?	No
AA.1 (e)	Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres?	No

AA.1 (f)	Following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than— (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or (ii) 7 metres, where the existing dwellinghouse consists of more than one storey?	No
AA.1 (g)	The dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres— (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated?	No
AA.1 (h)	The floor to ceiling height of any additional storey, measured internally, would exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse?	No
AA.1 (i)	Any additional storey is constructed other than on the principal part of the dwellinghouse?	No
AA.1 (j)	The development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development?	No
AA.1 (k)	The development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations?	No
Conditions. If no to any of the below then the proposal is not permitted development		
AA.2 (a)	The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	Yes
AA.2 (b)	The development must not include a window in any wall or roof slope forming a side elevation of the dwelling house?	Yes
AA.2 (c)	The roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse? (flat roof)	Yes
AA.2 (d)	Following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.	Yes

Impact on the amenity of adjoining premises

- 2.2. The additional storey would not unduly obstruct the outlook of neighbouring habitable windows, it is of a sufficient distance from neighbouring properties and of a scale as to not be considered overbearing in nature nor result in an undue loss of light.
- 2.3. No properties currently sit directly to the rear of the existing property. The nearest habitable room windows would be located to the rear of 116 King Henry's Road. These windows are far enough away so as not to be significantly affected by an additional storey at the host dwelling.

The design and architectural features of the principal and side elevation

- 2.4. The proposed upper extension would match the existing building's material palette and detailing, including matching concrete horizontal bands, 75mm recess, black painted weather boarding and white bricks, and white aluminium windows.
- 2.5. This would result in an extension that blends into the existing fabric and the surrounding context. The proposed additional storey would be sympathetic to the host property and is considered acceptable in design terms. It follows a consistent approach being taken elsewhere on the estate, including nearby at 106 King Henry's Road, and is considered appropriate for the typology of this 2-storey block.

Air traffic and defence asset impacts

- 2.6. Given the scale and siting of the development, there would be no impact on air traffic or defence assets.

Impact on protected views

- 2.7. The site does not fall within any views identified by the London View Management Framework.

3. Recommendation

- 3.0 Grant prior approval