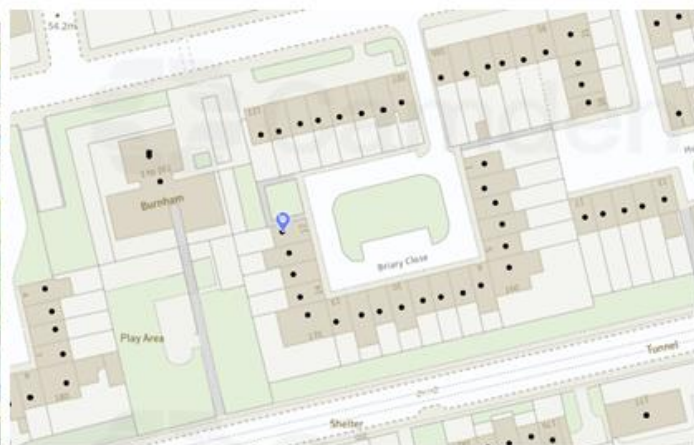


Delegated Report		Expiry Date:	30/10/2023	
		Consultation Expiry Date:	06/11/2023	
Officer		Application Number(s)		
Leela Muthoora		2023/3946/P		
Application Address		Drawing Numbers		
17 Briary Close, London, NW3 3JZ		See decision notice		
Proposal(s)				
Erection of additional storey to the existing dwelling house.				
Recommendation:	Grant Prior Approval			
Application Type:	GPDO Prior Approval - Part 1 - Class AA			
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. notified	01	No. of responses	00
Summary of consultation responses:	<p>A site notice was displayed on 13 October 2023 until 06 November 2023.</p> <p>In accordance with General Permitted Development Order (GPDO) procedure, letters were also sent to adjoining occupiers / owners at number 16 Briary Close.</p> <p>No responses were received.</p> <p>A site visit was carried out on 16 November 2023 where the site context was observed.</p>			
CAAC/Local groups comments:	No responses received			

Site Description

The site is a three-storey end of terrace dwelling house located on the west side of the cul-de-sac, within a planned residential estate (known as the Chalcot Estate) between Fellows Road to the north and King Henry's Road to the south, dating from the 1960's.

The site is within a block of 17 houses which form a U-shaped terrace arranged in a group of five to the east, eight to the south and four to the east. They comprise consecutively of numbers 1 to 17 Briary Close with double fronted houses at each corner forming 160 and 170 Adelaide Road. The application site fronts onto the central parking area and amenity space with its rear garden to the access and play area to Burnham, a block of 161 flats. The group match in terms of their design, scale, form, and materials.



The surrounding area is predominantly residential in character, with community uses to the west. The application site is not a listed building and is not within a Conservation Area.

A tree protected by a Tree Preservation Order is located on the land adjacent to the rear garden on Adelaide Road.

Relevant History

The relevant planning history relating to the site.

Application number	Development Description	Decision	Decision Date
2022/2277/P	Replacement of garage door at front with an aluminium framed window and replacement of rear door and windows with double, aluminium framed sliding doors (all retrospective alterations at ground floor level).	Granted	22/08/2022

The following sites in the Chalcot Estate on the north side of Adelaide Road have been approved since the permitted development rules changed in 2020.

Address	App ref	Development Description	Date
10 Huson Close	2023/0800/P	Erection of an additional storey on the existing dwellinghouse.	09/05/2023
20 Huson Close	2022/5265/P	Erection of additional storey on existing property	09/02/2023

9 Briary Close	2021/3827/P	Erection of an additional storey to dwellinghouse.	26/01/2022
89 Fellows Road	2021/3023/P	Prior approval for the erection of an additional storey on the existing dwellinghouse	09/11/2021
87 Fellows Road	2021/3024/P	Prior approval for the erection of an additional storey to the existing dwellinghouse	09/11/2021
7 Briary Close	2021/2341/P	Erection of an additional storey at 3rd floor level on existing dwellinghouse.	07/07/2021
12 Briary Close	2020/5772/P	Erection of additional storey to dwellinghouse.	29/06/2021
117 Fellows Road	2021/0166/P	Erection of an additional storey (2.9m in height) on the roof of the existing dwelling house	02/03/2021
9 Briary Close	2020/5246/P	Erection of an additional storey (2.9m in height) on the roof of the existing dwellinghouse	02/03/2021
4 Briary Close	2020/5771/P	Erection of an additional storey at 3rd floor level on existing dwellinghouse.	08/02/2021
89 Fellows Road	2020/5564/P	Prior approval for the erection of an additional storey (2.88m in height) on the existing dwellinghouse	04/02/2021
105 Fellows Road	2020/5611/P	Erection of an additional storey 2.88m in height above existing roof level.	26/01/2021
87 Fellows Road	2020/5352/P	Prior approval for the erection of an additional storey (2.9m in height) on the existing dwellinghouse	05/01/2021

Relevant policies

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Class AA of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended by (Statutory Instrument) 2020 No. 755)

National Planning Policy Framework (NPPF) 2023

Camden Planning Guidance

Design (2021)

Amenity (2021)

Home Improvements (2021)

Assessment

1. Proposal

- 1.1 The proposal seeks prior approval for an additional storey above the existing second floor flat roof. The additional storey would be approximately 2.6 meters taller than the existing roof. The proposed additional storey would increase the overall height of the building to 12.7 meters.
- 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 dwelling house consisting of the construction of up to two additional storeys (where the existing dwelling house consists of two or more storeys).
- 1.3 This is subject to a number of conditions listed within sub-paragraph AA.1 (a)-(k) set out in the table below, and subsequent conditions in sub-paragraph AA.2(3)(a) 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 dwelling house, including the design and architectural features of—
 - (aa) the principal elevation of the dwelling house, and
 - (bb) any side elevation of the dwelling house 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 dwelling house, 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

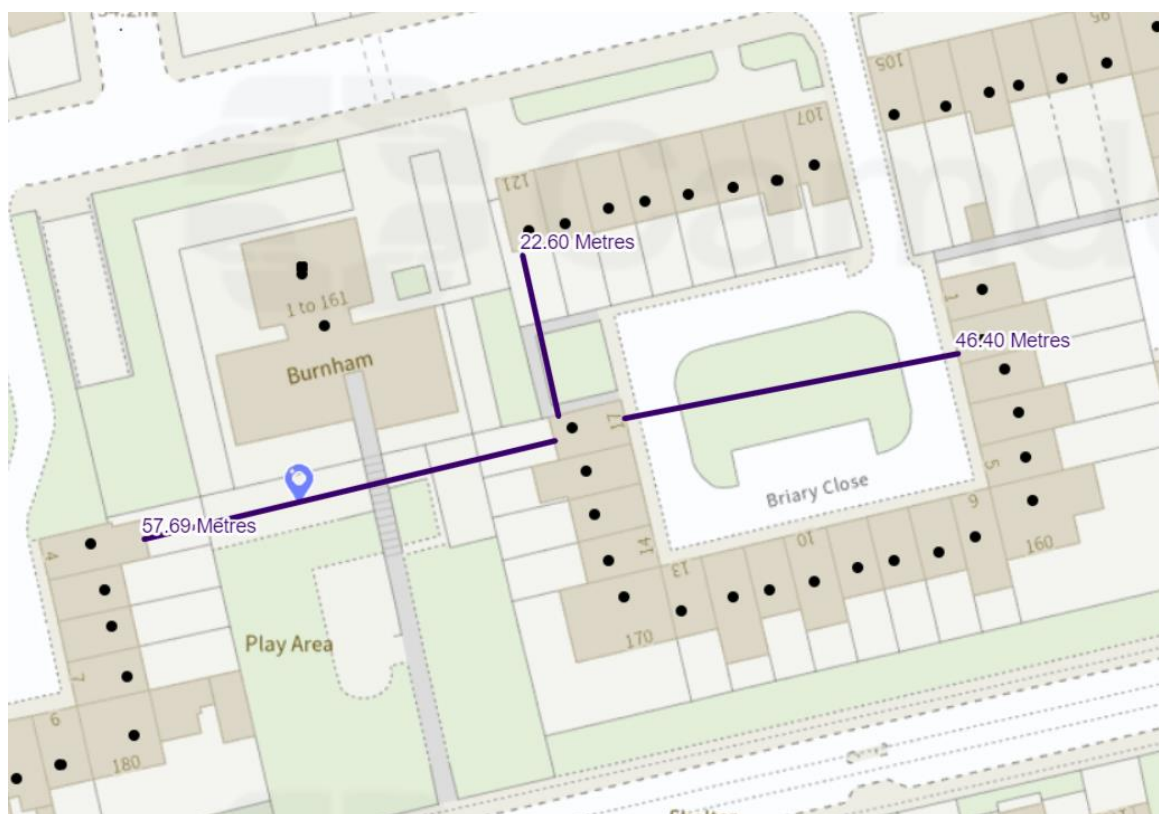
2.1 Assessment against Class AA.1 conditions:

Class AA: The enlargement, improvement or other alteration of a dwelling house		
If yes to any of the questions below the proposal is not permitted development		Yes/No
AA.1 (a)	Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M, N, P, PA, or Q of Part 3 of this Schedule (changes of use).	No
AA.1 (b)	The Dwelling House is located on – (i) Article 2(3) land; or (ii) A site of special scientific interest.	No No
AA.1 (c)	The dwelling house was constructed before 1st July 1948 or after 28th October 2018.	No
AA.1 (d)	The existing dwelling house has been enlarged by the addition of one or more storeys above the original dwelling house, 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 dwelling house would exceed 18 metres.	No - approx. 13m
AA.1 (f)	Following the development the height of the highest part of the roof of the dwelling house would exceed the height of the highest part of the roof of the existing dwelling house by more than— (i) 3.5 metres, where the existing dwelling house consists of one storey; or (ii) 7 metres, where the existing dwelling house consists of more than one storey.	No - approx. 3m above roof
AA.1 (g)	The dwelling house 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.	N/A No - approx. 3m
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 dwelling house.	No - Floor to ceiling height 2.75m same as lower storeys
AA.1 (i)	Any additional storey is constructed other than on the principal part of the dwelling house.	No
AA.1 (j)	The development would include the provision of visible support structures on or attached to the exterior of the dwelling house upon completion of the development.	No
AA.1 (k)	The development would include any engineering operations other than works within the curtilage of the dwelling house to strengthen its existing walls or existing foundations.	No
Conditions. If no to any of the statements 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 dwelling house.	Yes - decision will include an informative
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 complies: no window to side
AA.2 (c)	The roof pitch of the principal part of the dwelling house following the development must be the same as the roof pitch of the existing dwelling house.	Yes: Existing & Proposed: flat roof
AA.2 (d)	Following the development, the dwelling house must be used as a dwelling house 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 dwelling house.	Yes - decision will include an informative

2.2 Assessment against Class AA.2 Prior Approval criteria:

Impact on the amenity of adjoining premises in terms of overlooking, privacy, and the loss of light

- 2.3 The Council's GIS (Geographical Information Systems), shown in the image below, demonstrates there is a separation distance of more than 22m from the building line of the property to the nearest properties opposite at 121 Fellows Road to the north, 2 Briary Close to the east, and 4 Hornby Close to the west. Burnham is a high-rise block of flat on higher ground that lies north-west of the site. Communal gardens and parking are located between the terraces.



- 2.4 Given the relationship between the host property and the neighbouring properties, and the generous separation distances, the proposed upward extension would be unlikely to result in loss of light to neighbouring properties.
- 2.5 The additional storey would include windows to the front and rear and would be positioned at the same distance from neighbouring properties as the existing. Given the separation distances exceed those required by Camden's Planning Guidance for Amenity, while this may result in some mutual overlooking, it would not significantly worsen the existing arrangement, in terms of loss of privacy.

Design and architectural features of the principal and side elevation

- 2.6 The proposal seeks to extend the main part of the building by one storey to create two additional bedrooms and an additional bathroom. The proposed additional storey would be positioned flush with the front and rear elevations of the building and would not extend beyond the principal rear building line. The proposed floor to ceiling height would be approximately 2.6m high.

2.7 The proposed additional storey would match the existing building material palette and detailing with white painted render, brickwork, timber weatherboard. The proposed windows would match the style and fenestration pattern of the existing, aligned with the windows on the lower floors. As the additional storey will reflect the design of the existing building, the proposal is considered appropriate in design terms.

2.8 Air traffic and defence asset impacts

Given the location of the development, there would be no impact on air traffic or defence assets

2.9 Impact on protected views

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

3 **Conclusion-**

The Council has considered the responses from the consultation process and the guidance in the NPPF 2021, as required by paragraph AA.3 regarding procedure.

The additional storey is permitted under Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: Grant prior approval