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| Delegated Report Prior Approval GPDO Part 1, Class AA | | Analysis sheet | Expiry Date: | 16/09/2024 (EOT agreed) |
| | | N/A | Consultation Expiry Date: | 19/08/2024 |
| Officer | | | Application Number(s) | |
| Gary Wong | | | 2024/3045/P | |
| Application Address | | | Drawing Numbers | |
| 58 Hawtrey Road London NW3 3SS | | | <i>Refer to Draft Decision Notice</i> | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Erection of an additional storey on the existing dwellinghouse. | | | | |
| Recommendation(s): | Grant Prior Approval | | | |
| Application Type: | GPDO Prior Approval Part 1, Class AA | | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 02 | No. of responses | 01 | No. of objections | 01 |
| Summary of consultation responses: | <p>Site notices were displayed from 26/07/2024 until 19/08/2024, and notification letters were sent to adjoining occupiers on 24/07/2024 and expired on 17/08/2024.</p> <p>1 objection was received and can be summarised as follows:</p> <ul style="list-style-type: none"> The image of the terraced houses would be adversely affected by a single storey upwards extension; The development would be expected to result in disruption caused by noise, dust, and pollution from construction, which would affect the physical and mental health of neighbouring residents. <p><u>Officer response</u></p> <ul style="list-style-type: none"> <i>As the proposal is an application for Prior Approval, it needs to be assessed against the requirements as set out in Class AA of the General Permitted Development Order, as opposed to the Council's policies. As such, issues regarding character and appearance do not form part of this assessment. A daylight/sunlight report has been submitted which demonstrates that the proposal would cause no undue loss of light.</i> <i>Impact from construction would be subject to Camden Minimum Requirements, of which the applicant is reminded by way of an informative attached to this decision.</i> | | | | | |

Site Description

The application site is located within the Chalcots Estate on Hawtrey Road. The site is a three-storey, mid-terrace, residential property which was built in the 1960s. It is constructed with brick and finished in white render.

The surrounding area is residential in character. The application is not within a Conservation Area and the host building is not listed.

Relevant History

Application site

2024/3027/P – Proposed single storey rear extension and replacement of a garage door with a window – **Pending decision.**

Neighbouring properties

54 Hawtrey Road

2022/5360/P – Erection of an additional storey on the existing dwellinghouse – **Prior Approval Granted 09/03/2023**

78 Hawtrey Road

2022/5363/P – Erection of single storey roof extension. **Prior Approval Granted 30/01/2023**

82 Hawtrey Road

2022/1712/P – Erection of an additional storey above existing roof level to the existing dwellinghouse. **Prior Approval Granted 16/06/2022**

104 Hawtrey Road

2021/1663/P - Prior approval for the erection of an additional storey (2.85m in height) on the existing dwellinghouse. **Prior Approval Granted 12/07/2021**

106 Hawtrey Road

2022/5229/P – Erection of an additional storey on the existing dwellinghouse – **Granted Prior Approval 21/02/2023**

Relevant policies

National Planning Policy Framework (2023)

General Permitted Development Order (2015)

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

Assessment

1. Proposal

- 1.1. The proposal seeks prior approval for the erection of an additional storey above the existing flat roof of the dwellinghouse.
- 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 a number of conditions 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.1 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 (approx. 11.6m)

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 (approx. 2.9m)

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 (approx. 2.9m)

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 (approx. 2.44m)

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

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| 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? (existing and proposed- 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 (an informative will be included on the decision) |

Assessment against Class AA.2 criteria:

Impact on the amenity of adjoining premises

- 2.2. A daylight/sunlight report has been submitted which demonstrates that the proposal would cause no undue loss of light. The report covers 5, 7, 66, 68, and 70 Hawtrey Road. All windows tested would satisfy BRE guidelines. The proposed scheme would have a negligible impact on daylight and sunlight to the neighbouring residential properties with full adherence with the methodology recommended in the BRE guidelines.
- 2.3. This row of terrace properties from No.56-60 (even) Hawtrey Road would benefit from east facing rear gardens and these two neighbours (No.56 and 60) would have no windows visible to the proposed additional storey. As such, it is not considered the proposed additional storey would cause any undue loss of light to these adjoining neighbours given the orientation.
- 2.4. The additional storey would not unduly obstruct the outlook of neighbouring habitable windows, is of a sufficient distance (approx. 15.15m) from neighbouring properties, and of a scale as to not be considered overbearing in nature. No new views into neighbouring habitable windows would be afforded beyond what has been established by existing fenestration.

The design and architectural features of the principal and side elevation

- 2.5. The proposal would match the existing materials and colour including proposed bricks and render to match the existing brickwork and render finish. The proposed extension would therefore blend into the existing fabric of the host property and surrounding context. The proposed windows would be sympathetic to the existing and arranged in line, reflecting the fenestration of the windows on the lower floors. Therefore, the proposed design and architectural features of the extension are considered acceptable.

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. Conclusion:

The Council has taken into account the responses from the consultation process and the guidance in the NPPF 2023, 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 by No.2 Order 2020).

4. **Recommendation:** Grant Prior Approval