

Delegated Report		Analysis sheet		Expiry Date:		19/12/2024	
		N/A / attached		Consultation Expiry Date:		21/11/2024	
Officer				Application Number(s)			
Henry Yeung				2024/4659/P			
Application Address				Drawing Numbers			
16 Brocas Close London NW3 3LD				Refer to Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a single storey rear extension measuring 4m deep and 5.1m wide, with a maximum height of 3m and eaves height of 3m.							
Recommendation(s):		Prior Approval not required					
Application Type:		GPDO Prior Approval Class A Householder extensions					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	02	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Letters were sent on 31/10/2024 to the adjacent neighbouring properties at Nos. 15 and 17 Brocas Close to notify them of the proposals. The letters included a reply date of 21/11/2024. No objections were received.					

Site Description

16 Brocas Close is a two storey, mid-terrace property with a flat roof, located on the southern side of the estate.

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

Relevant History

N/A

Relevant policies

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

Assessment

1. Proposal

1.1 The applicant has submitted the details as required under the amended GDPO paragraph A.4 (2) giving the height, depth and all other details necessary to assess the scheme. The rear extension would measure 4m deep and maximum height of 3m in flat roof.

1.2. The proposed extension would be built within a part of the existing rear garden area.

2. Assessment

2.1 Assessment against Class A conditions

Class A: The enlargement, improvement or other alteration of a dwelling house		
If yes to any of the statements below the proposal is not permitted development:		Yes/No
A.1 (a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)	No
A.1 (b)	As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	No
A.1 (c)	The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse	No
A.1 (d)	The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse	No
A.1 (e)	The enlarged part of the dwellinghouse would extend beyond a wall which— (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	No
A.1 (f)	Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	N/A (see para g below)
A.1 (g)	For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	No (depth 4m; height to eaves 3m, and 3m to ridge)
A.1 (h)	The enlarged part of the dwellinghouse would have more than a single storey and—	No (single storey)

	(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse	
A.1 (i)	The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	No (Eaves height 3m)
A.1 (j)	The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would— (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse	No
A.1 (ja)	Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)	No
A.1 (k)	It would consist of or include— (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse	No
A.1 (l)	The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	No
Conditions. If no to any of the statements below then the proposal is not permitted development		
A.3 (a)	The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse	Yes
A.3 (b)	Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be— (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed	N/A
A.3 (c)	Where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse	N/A

2.2 This concludes that the proposed extension would comply with the limitations and conditions (A.1 to A.3) as set out above under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This concludes that the proposed extension complies with the limitations and conditions under Class A of Part 1 of Schedule 2 of the GPDO. Although the extension does exceed 3m in depth as stated in criteria (f), this is subject to criteria (g) as well (which allows 3-6m long extensions). In such cases, according to paragraph A.4 (1), the following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g). In brief, the developer needs to apply for Prior Approval and the Council has to consult neighbours; if any objections are received, then Prior Approval is required, and the Council has to assess the amenity impacts of the scheme. During the consultation process no objections have been received.

2.3 In this case, the extension exceeds 3m in depth but is less than 6m depth and thus is allowed by paragraph (g) subject to the Prior Approval procedure.

3. Summary and Conclusion

3.1. To summarise, the proposed development at 16 Brocas Close falls under the definition of

permitted development and does not require planning permission. As no objections have been received, then in accordance with paragraph A.4 (7) of the GPDO, Prior Approval is not required in order to assess the amenity impacts, and the scheme remains as permitted development.

4. Recommendation: Prior approval not required