

November 2024
Our Ref: 24.5066

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Planning Department
London Borough of Camden
Crowndale Centre
218 Eversholt Street
Somers Town
London
NW1 1BD

Dear Sir/Madam.

Re: 47 Ornan Road, London, NW3 4QD – Prior Notification

On behalf of our client, South Hampstead Synagogue, we enclose a submission seeking Prior Approval for the construction of an additional storey on the existing residential property at 47 Ornan Road, London, NW3 4QD ('Site'). This Prior Approval application is submitted under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020.

Section AA.3. of the Order sets out the procedure for applications for Prior Approval. It states (AA.3.(2)) that an application submitted to the local authority for Prior Approval under Class AA must be accompanied by:

- (a) A written description of the proposed development, including details of any works proposed;
- (b) A plan which is drawn to an identified scale and shows the direction of North, indicating the site and showing the proposed development; and
- (c) A plan which is drawn to an identified scale and shows –
 - (i) The existing and proposed elevations of the dwellinghouse; and
 - (ii) The position and dimensions of the proposed windows.

This Cover Letter includes a written description of the development. Enclosed with the application are a Site Location Plan, showing the direction of north and plans showing both the existing and proposed elevations of the dwellinghouse and the position and dimensions of the proposed windows (prepared by Zoe Donoff).

A Daylight/Sunlight Report (prepared by MES Building Solutions) has also been submitted in support of this request for Prior Approval.



The Application Site

The Site comprises a two storey, modern, semi-detached residential dwelling, located on the south eastern side of Ornan Road.

An application (Ref: 2013/1178/P) was approved in May 2013 for use of part of the existing flat roof as a roof terrace and installation of roof level fencing and balustrade. However, this application is not considered to preclude the Site from benefiting from Class AA Prior Approval for the erection of an additional storey.

The existing property is in the style typical of other properties on Ornan Road and is not considered to be of any significant architectural merit.

The character of the surrounding area is residential with neighbouring properties typically being between 2 to 3 storeys in height. Nos. 43 and 45 Ornan Road benefit from a stepped back third storey.

The Site has a PTAL score of 4. The Site is not listed, nor does it fall within a Conservation Area. The Site is identified as falling within Flood Zone 1, meaning it has a low probability of flooding.

Written Description of the Proposed Development (AA.3.(2)(a))

It is proposed to construct an additional storey on the existing residential dwelling at 47 Ornan Road, NW3 4QD, in line with the standards set out within Class AA, Schedule 2, Part 1 of the GPDO. The proposed storey would be constructed on the principal part of the existing dwelling. In line with the requirements, no windows will be located on the side elevations of the additional storey. Additional windows will be located in the front and rear elevations in order to provide the new rooms with good levels of light. Due to the Site's location and the fact that front and rear elevation windows already exist, the additional storey will not result in any negative impacts to neighbour amenity. The total height of the additional storey, at 3.4m, falls well within the parameters set by the Guidance.

As demonstrated on the accompanying plans, the materials proposed to be used for the additional storey have been carefully selected in order to match the materials of the existing dwellinghouse. This ensures that the additional storey will be seen as a holistic extension of the existing dwelling and not as a separate element.

The additional storey has been carefully and sensitively designed to ensure that it is in complete compliance with all the criteria outlined within Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020.

Compliance

Paragraph AA.1 of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020 sets out the criteria for which development is not permitted under Class AA. This includes:

- (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).

The house was originally built as a Class C3 dwelling and has not been authorised by any Class under Part 3 of Schedule 2.

- (b) The dwellinghouse is located on –
 - (i) Article 2(3) land; or
 - (ii) A site of special scientific interest;

The dwellinghouse is on neither Article 2(3) land or a SSSI.

- (c) The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

The dwellinghouse was built between 1st July 1948 and 28th October 2018.

- (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;

The dwellinghouse has not been enlarged by the addition of any additional storeys.

- (e) Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

The development would not result in the height of the highest part of the roof exceeding 18 metres.

- (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;

The development would not exceed 7 metres at the highest part of the roof

- (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;

The highest part of the development would not exceed the roof of every other building in the row in which it is situated by more than 3.5m.

(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;

The floor to ceiling height of the additional storey would not exceed the floor to ceiling height of any storey of the principal part of the existing dwellinghouse.

- (i) any additional storey is constructed other than on the principal part of the dwellinghouse;

The additional storey will be constructed on the principal part of the dwellinghouse.

- (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; or

The development will not include any visible support structures to the exterior upon completion.

- (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.

The development would not include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or foundations.

The development is therefore compliant with the requirements to benefit from Class AA permitted development – enlargement of a dwellinghouse by construction of additional storeys.

Conditions

AA.2. – (1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows –

- (a) the materials used in any exterior works must be of a similar appearance to those used in the construction of the exterior of the dwellinghouse;

The materials to be used in the construction of the additional storey are of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

- (b) the development must not include a window in any wall or roof slope forming a side elevation of the dwellinghouse;

The development does not include a window in any wall or roof slope forming a side elevation.

- (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; and

The roof pitch of the principal part of the dwellinghouse following the development will be the same as the roof pitch of the existing dwellinghouse.

- (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.

Following the development, the dwellinghouse will only be used as a dwellinghouse in accordance with Class C3 of the Schedule of the Use Class Order.

The development is therefore in complete accordance with the criteria outlined within sub-paragraph (2) of paragraph AA.2.

Prior Approval

Sub-paragraph (3) of paragraph AA.2 states that before beginning the development, the developer must 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 Direction Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State.

We address each of these points, in addition to points in regards to transport, contamination and flood risk, below with further detail provided in the supporting documents.

- (i) Impact on the amenity of any adjoining properties including overlooking, privacy and the loss of light

The existing dwellinghouse, due to its position and setting, does not result in any detrimental impacts on neighbouring properties.

The erection of an additional storey will therefore not result in any further impact on neighbour amenity. There is a significant distance between the rear of the subject property and the rear of the property behind as well as shielding by trees, meaning that there will be no noticeable difference in terms of overlooking than already exists, especially given that the Site currently has a roof terrace. The additional storey will therefore not result in any detrimental impact or an increase in overlooking to neighbouring properties than that which already exists.

Furthermore, due to the position of the existing dwellinghouse, the erection of an additional storey will not have any impact on sunlight or daylight levels to neighbouring properties.

The development is therefore in full compliance with criteria (i) of Paragraph AA.2 (3) (a) of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020.

(ii) The external appearance of the dwellinghouse

The existing dwellinghouse comprises a two storey, semi-detached property constructed in brick with wooden shuttering. The property is reflective of the style of other properties situated along Ornan Road.

The external appearance of the proposed additional storey is respectful of the established appearance of the dwellinghouse and uses materials to match and compliment the existing. This allows the additional storey to be seen as a cohesive part of the existing building and not as a separate element.

The additional storey has been carefully and sensitively designed so as to allow the neighbouring property at no. 49, if they wish, to build a similar extension up to the boundary of the proposed extension with no gaps between. This will help to ensure and create consistency within this location.

The external design has therefore taken into consideration, and included, the architectural features of the existing dwellinghouse and its surroundings. As such, the proposed additional storey is in full agreement and compliance with the Guidance.

(iii) Air traffic and defence impacts of the development

The Site is not within an airport or defence asset safeguarding zone and so will not result in any impact to either air traffic or defence assets.

The development is therefore in full accordance with criteria (iii) of paragraph AA.2 (3) of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020.

(iv) Impact on a protected view identified in the Directions Relating to Protected Vistas

The property is not identified as falling with any Protected Vista and, as such, will not result in any impact on Protected Vistas.

Notwithstanding this, it is worth noting that given the minor scale of the development, even if the property was situated within a Protected Vista, the proposal would still not have any impact on the view due to its small scale of development.

The proposed development is therefore in full compliance with criteria (iv) of paragraph AA.2 (3) of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020.

Conclusion

In conclusion, the submitted documents demonstrate that the Site is suitable in terms of amenity and external appearance. The enlargement of the existing dwellinghouse by the construction of an additional storey is considered acceptable and fully complies with the requirements of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020.

As such, the Council should grant Prior Approval without delay. Whilst I trust the contents of this Letter to be useful, as well as information supplied in the supporting documentation, if you do have

any queries or would like to discuss any aspect of the application in greater detail, please do not hesitate to contact me on the details below.

Yours sincerely

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