

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		21/01/2025	
		N/A / attached		<b>Consultation Expiry Date:</b>		18/12/2024	
<b>Officer</b>				<b>Application Number(s)</b>			
Henry Yeung				2024/4788/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
16 Brocas Close London NW3 3LD				Refer to Draft Decision Notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of one additional storey above the existing roof level of dwellinghouse including rooflights.							
<b>Recommendation(s):</b>		Grant Prior Approval					
<b>Application Type:</b>		GPDO Prior Approval Part 1, Class AA					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>02</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>		Letters were posted to the adjacent neighbours at nos. 15 and 17 Brocas Close to notify them of the proposals.  No responses were received.					

## Site Description

16 Brocas Close is a two storey, mid-terrace property with a flat roof. The surrounding estate features terraces of a matching age and design.

The surrounding area is residential in character. The subject site is not statutorily or locally listed, nor located within a conservation area.

## Relevant History

**2024/4659/P** – *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. Prior Approval not required, dated on 03/12/2024*

## Relevant policies

**National Planning Policy Framework (2024)**

**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 an additional storey above the existing third floor flat roof, measuring 2.9m in height with rooflights.

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 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 M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use)?	No
A.1 (b)	The dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest?	No
A.1 (c)	The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018?	No
A.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
A.1 (e)	Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres?	No (Approx 11.8m)
A.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) (ii) 7 metres, where the existing dwellinghouse consists of more than one storey?	No (Approx. 2.9m)
A.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)
A.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. 2.4m)
A.1 (i)	Any additional storey is constructed other than on the principal part of the dwellinghouse?	No
A.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
A.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
<b>Conditions. If no to any of the statements below then the proposal is not permitted development</b>		
AA.2 (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
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? (existing and proposed- flat roof)	Yes (flat roof)
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	Yes (an informative

no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

will be included on the decision)

Assessment against Class AA.2 criteria:

Impact on the amenity of adjoining premises

2.2. The property is a mid-terrace dwelling, and it is considered that the additional storey would not impact significantly on the daylight and sunlight of neighbouring properties as no.15 and neighbouring 17 are east-west orientated. No. 9 Brocas Close is located approx. 19m away to the north, and no contains no flank windows to be impacted upon. As such, no daylight/sunlight report is required in this instance.

2.3. The additional storey would not unduly obstruct the outlook of neighbouring habitable windows nor create any new views into them.

2.4 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).

The design and architectural features of the principal and side elevation

2.4. The proposal would match the existing materials and colour, including the proposed bricks to match the existing. This would result in an extension that blends into the existing fabric of the host property and surrounding context. The proposed windows would be sympathetic and would align with and reflect the fenestration of the windows on the lower floors.

Air traffic and defence asset impacts

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

Impact on protected views

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

**3. Summary and Conclusion**

3.1. The proposed development 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.

**Recommendation: Grant Prior Approval**