

2025/1137/P- 41 Ornan Road



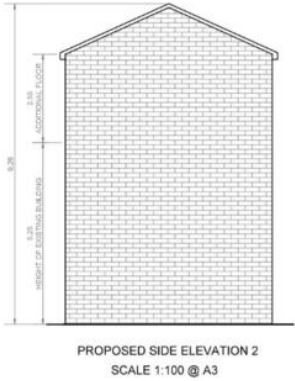
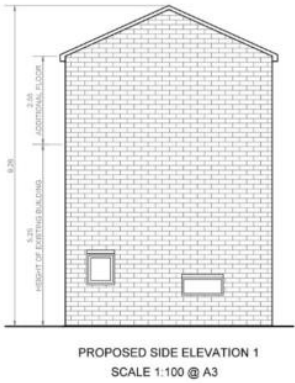
Front of property:



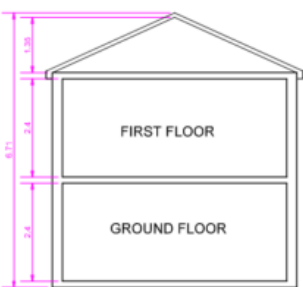
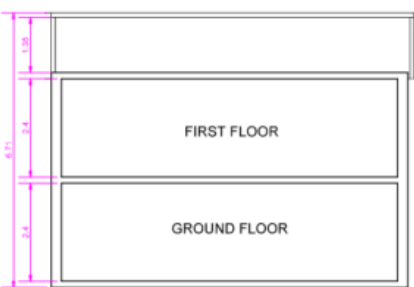
## Existing elevations:



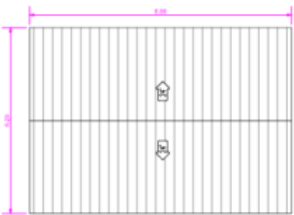
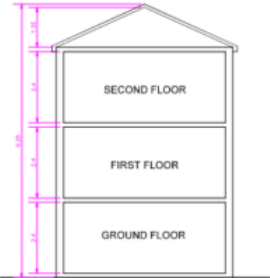
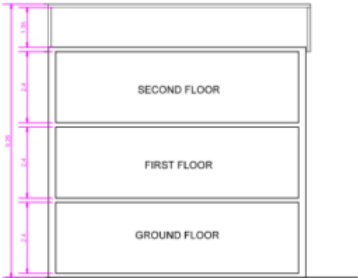
Proposed elevations:



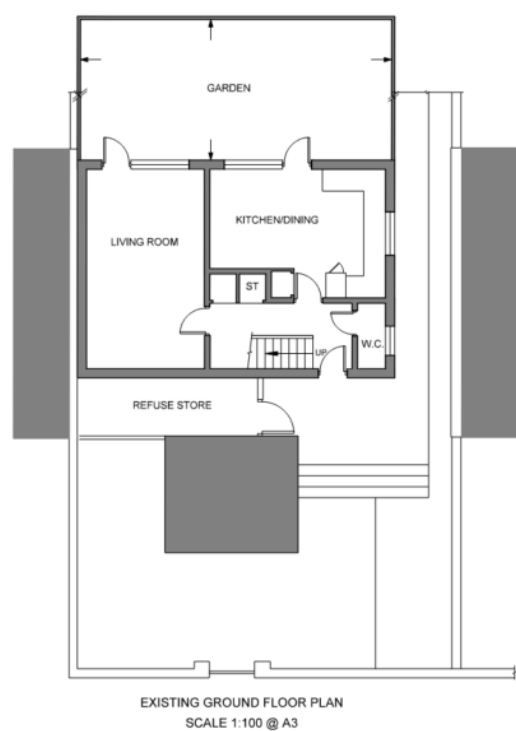
Existing sections and roof plan:



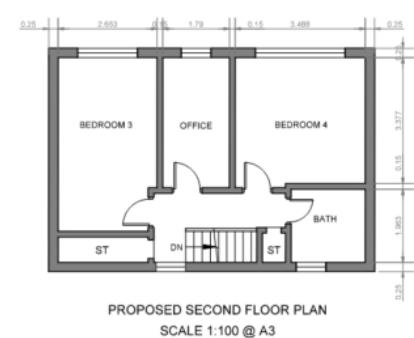
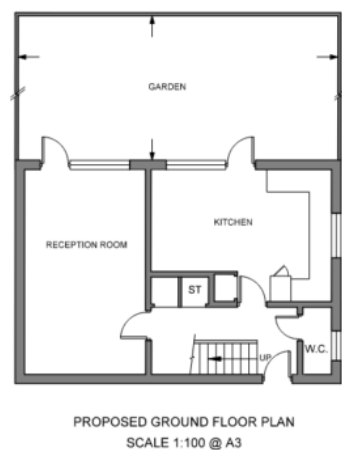
Proposed sections and roof plan:



Existing floor plans:



Proposed floor plans:



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	06/05/2025
		N/A / attached	<b>Consultation Expiry Date:</b>	21/04/2025
<b>Officer</b>			<b>Application Number(s)</b>	
Connie Marinetto			2025/1137/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
41 Ornan Road London NW3 4QD			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 an additional storey to dwellinghouse.				
<b>Recommendation(s):</b>		Grant Prior Approval		
<b>Application Type:</b>		GPDO Prior Approval - Part 1 - Class AA		



Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	3	No. of objections	3
Summary of consultation responses:	<p>Site notices were displayed on 28/12/2024 and expired on 21/04/2025</p> <p>Notification letters to adjoining occupiers were sent on 25/03/2024 and expired on 15/04/2025. Letters were posted to the directly adjoining neighbour at 43 Ornan Road, 39 Ornan Road, and Flats 1-23 at 41-43 Belsize Avenue.</p> <p>3 letters of objections were received and summarised as follows:</p> <p><b>One objection was received from the directly adjoining neighbouring property (no. 43):</b></p> <p><i>‘We have concerns about the extra storey as a result of over-shadowing. The daylight/sunlight report was only carried out for midday; given our garden gets light/sunlight in the afternoon, it is our belief that the additional storey will block the light we currently get. We would want clear confirmation that this is not the case’.</i></p> <p><u>Officer’s response</u></p> <ul style="list-style-type: none"><li>- <i>The Daylight and Sunlight Report was updated to assess the sunlight levels enjoyed by the rear garden of 43 Ornan Road. The analysis’s results demonstrate that following the proposal’s implementation, the garden will see no change in the area that enjoys 2 hours of direct sunlight on 21<sup>st</sup> March.</i></li></ul> <p><b>One objection was received from a resident of a property on the opposite side of the road (no.38):</b></p> <p><i>‘The erection of another storey will block the sunlight to my property. It will also cause significant disruption and noise pollution to us. The house was only recently rebuilt with significant disruption to our lives. In the last 5 years we have had to endure next door and 41 with significant renovations. I strongly object to this planning application due to the negative impact it will have on my hike and my family’.</i></p> <p><u>Officer’s response</u></p> <ul style="list-style-type: none"><li>- <i>The Applicant’s engineer confirmed that in accordance with paragraph 2.2.5 of the BRE guidelines the proposals will not bisect a 25 degree plane drawn from the centre of the lowest window and will therefore not have a significant effect on the daylight and sunlight it will enjoy and no further analysis is required.</i></li></ul>			



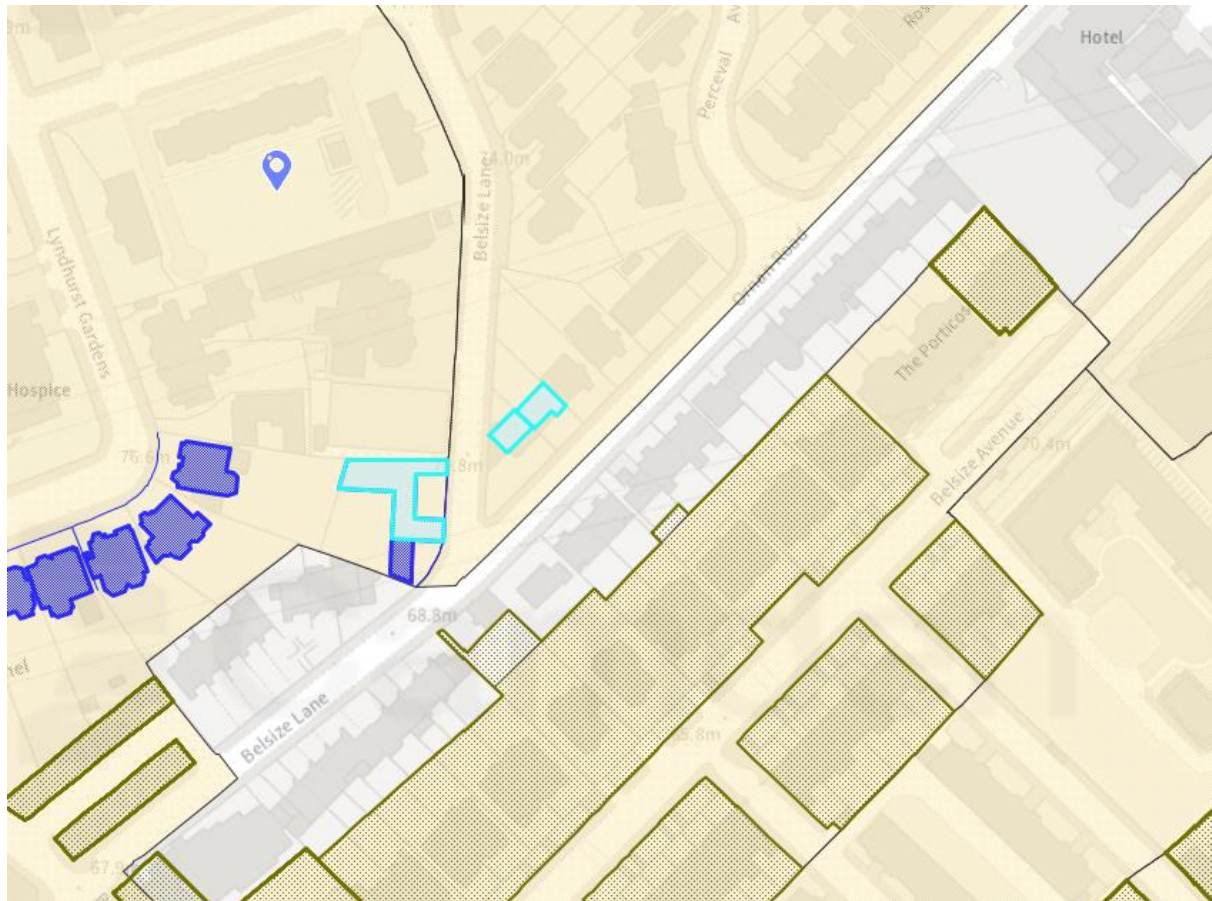
<p><b>Local amenity groups:</b></p>	<p><b>One objection was received from the Belsize Society:</b></p> <p><i>'I would like to register an objection to this proposal. Its location, immediately adjacent to two Conservation Areas - Fitzjohn CA and Netherhall CA - and the two terraces of a characteristic architectural style of mid-to-late 20th century it sits between, requires a careful design. Instead, the proposal completely disregards the streetscape and poses a real danger of creating an unwelcome precedent. Its setting, behind a sub-station and a tree with TPO, draws attention to itself and while its current humble size allows for the existing nondescript architecture to disappear in the background, the proposed domineering and unique height of this application, accompanied by the complete absence of any architectural merit would provide a damaging focus. This should be resisted and the application should not be approved'.</i></p> <p><u>Officer's response</u></p> <ul style="list-style-type: none"> <li>- <i>As the works are being sought and assessed under the Prior Approval process, the proposal 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.</i></li> <li>- <i>Please refer to 2.5 for assessment on design.</i></li> </ul>
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## Site Description

The application property is a 2-storey 20th-century semi-detached dwelling on the southeast side of Ornan Road.

The character of the surrounding area is mainly residential, with similarly scaled residential buildings backing onto properties which face Belsize Avenue.

The property is not listed nor within any Conservation Area. As shown in the heritage map below the Fitzjohns and Netherhall CA is to the north and the Belsize CA is to the south of the site (CA's shown in yellow).



## Relevant History

### Application site

2025/0894/P – Erection of single storey rear extension measuring 5.78m deep, 3.74m wide and 2.7m high. – **Granted prior approval 14/04/2025**

### 47 Ornan Road

**2024/5389/P** – Erection of an additional storey to dwellinghouse. **Granted prior approval 30/01/2025**

### 61 Ornan Road

**2022/5387/P** - Erection of additional storey to dwellinghouse. – **Granted prior approval 07/03/2023**

## 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

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

## Assessment

### 1. Proposal

- 1.1. The proposal seeks prior approval for the erection of an additional storey above the existing 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
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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
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AA.1 (b)	The dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest?	No
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AA.1 (c)	The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018?	No
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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 (9.26m)
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 (2.55m)
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. 2.3m)
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 dwellinghouse?	No (approx. 2.4m)
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
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 identifies and analyses windows at no. 40 Ornan

Road and 43 Belsize Avenue and the rear garden of no. 43 Ornan Road. All windows and rear garden space tested would satisfy BRE guidelines. Therefore, the proposed scheme will not significantly impact daylight and sunlight to the neighbouring residential properties with full adherence to the methodology recommended in the BRE guidelines.

- 2.3. No new views into neighbouring habitable windows would be afforded beyond what has been established by existing rear fenestration. The additional storey will include three front and three rear windows. They are not considered to result in any undue loss of privacy to the neighbouring properties above what already exists from the existing rear fenestration.

#### The design and architectural features of the principal and side elevation

- 2.4. The proposal would match the existing materials of the lower floors. The extension would be constructed using bricks to match the existing brickwork of the house. Therefore, the proposed extension would blend into the existing fabric of the host property and surrounding context. It would appear as an unobtrusive design that would not cause visual harm to the appearance of the building or broader context. The proposed windows would be sympathetic to the existing fenestration of the windows on the lower floors. Therefore, the extension's proposed design and architectural features are considered acceptable.

#### 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. Conclusion:**

The Council has taken into account the responses from the consultation process and the guidance in the NPPF 2024, 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.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 21<sup>st</sup> April 2025, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2025/1137/P  
Contact: Connie Marinetto  
Tel: 020 7974 8012  
Email: [connie.marinetto@camden.gov.uk](mailto:connie.marinetto@camden.gov.uk)  
Date: 15 April 2025

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Earlham Homes Ltd  
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London  
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# DRAFT

## DECISION

Dear Sir/Madam

Town and Country Planning Act 1990  
Class AA of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended by SI 2020 No. 755)

The Council, as local planning authority, hereby confirm that their **prior approval is granted** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

**Address of the proposed development:**  
**41 Ornan Road**  
**London**  
**NW3 4QD**

**Description of the proposed development:**  
Erection of an additional storey to dwellinghouse.

**Details approved by the local planning authority:**

Drawing Nos: Existing Elevations (dated 28/02/25), Existing Floor Plans (dated 28/02/25), Proposed Floor Plans (dated 28/02/25), Proposed Elevations (dated 11/04/25) (Rev 1), Existing Sections and Roof Plan (dated 21/03/25), Proposed Sections and Roof Plan (dated 21/03/25), Daylight and Sunlight Report (dated 09/04/25), Site Location Plan.

Informative(s):



- 1 This written notice indicates that the proposed development would comply with condition AA.3 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended by SI 2020 No. 755 ).
- 2 It is a requirement of the above condition AA.3 that the developer shall notify the local planning authority of the completion of the development as soon as reasonably practicable after completion. Such notifications shall be in writing and include (a) the name of the developer, (b) the address of the dwellinghouse, and (c) the date of completion.
- 3 It is a requirement of the above condition AA.3 that before beginning the development, the developer shall provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.
- 4 In accordance with condition AA.2:
  - (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
  - (b) the development shall not include a window in any wall or roof slope forming a side elevation of the dwelling house;
  - (c) the roof pitch of the principal part of the dwellinghouse following the development shall be the same as the roof pitch of the existing dwellinghouse; and
  - (d) following the development, the dwellinghouse shall 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line. Just go to [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning).



It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address:  
[www.camden.gov.uk/dmfeedback](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.