

Prior Approval Report		Analysis sheet	Expiry Date:	26/09/2019
		N/A / attached	Consultation Expiry Date:	08/09/2019
Officer			Application Number(s)	
Leela Muthoora			2019/4215/P	
Application Address			Drawing Numbers	
22 Chevington Garlinge Road London NW2 3TE			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single storey rear extension 3.3m in depth and 3m in height and 3m to the eaves of the existing dwelling house (Class C3).				
Recommendation(s):		Grant Prior Approval Required – Approval Given		
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	01	No. of objections	01
Summary of consultation responses:	<p>1 letter of objection was received from the occupants of no. 21 Chevington. The objection was on the following grounds:</p> <ul style="list-style-type: none"> • The additional depth over 3m with overshadow the rear garden of no. 21 and impact the light, outlook and visual amenity of property and its value. • Granting prior approval for uneven depths of extensions sets a precedent for varying additions leading to an uneven, overbuilt and ugly estate, detrimental to the neighbours. • The gardens are already compact and the rules should not be misused to turn the estate into a slum like place. • Uniformity of extensions should be prioritised. <p><i>Officer response: This application is for prior approval rather than full planning permission, as such, only matters which impact on the amenity of the adjoining occupiers can be taken into consideration in the assessment of the proposal.</i></p> <p><i>The host building has been granted approval for a 3m depth extension under permitted development, the proposal is for 3.3m depth extension; therefore, the applicant seeks prior approval for an additional depth of 0.3m. The neighbouring property at no. 21 has been granted a 3m depth extension under permitted development. The drawings submitted show that the proposed extension at no. 22 would match the depth of the extension at no. 21.</i></p> <p><i>Permitted development rules for larger extensions, subject to neighbour consultation, were made permanent by the Government in May 2019.</i></p> <p><i>The applicant originally applied for an extension with a depth of 6m, withdrew this proposal and resubmitted the current proposal to match the rear building line at no. 21.</i></p> <p><i>It is within this context that the impact on neighbouring amenity has been assessed. Please see the main body of the report for a full assessment of the proposal's impact on amenity.</i></p>					

**CAAC/Local groups
comments:**

N/A

Site Description

The site is location on the northern side of Garlinge Road within a block of 2 storey terrace houses that form a u-shape block which is part of a wider estate of flats and houses built by the Council in the 1970's.

The rear of the properties have modest individual gardens which lead to shared access road which includes a row of single storey garages.

The site is not located within a Conservation area and is not listed as a heritage asset or subject to restrictions by an Article 4 direction.

Relevant History

This site, 22 Chevington

2019/0726/P - Certificate of Lawful Development - Erection of a single storey rear extension to dwelling house (Class C3). Granted 14/05/2019

2019/3001/P – Prior Approval for Larger Householder Extension - Erection of a single storey rear extension 6m in depth and 3m in height to existing dwelling house (Class C3). Withdrawn 15/08/2019

Neighbouring site, 21 Chevington

2018/4570/P - Certificate of Lawful Development - Erection of a single storey rear extension to dwelling house (Class C3). Granted 15/11/2018

Relevant policies

The proposals can only be assessed against the relevant planning legislation which is The Town and Country Planning Act 1990 and The Town and Country Planning (General Permitted Development) (England) Order 2015 ("GPDO").

The application is to determine whether the proposal is permitted development and can go ahead without the grant of planning permission from the planning authority. This is made by assessing whether the scheme is lawful as defined by criteria set out in the GPDO.

As this is a process of legal determination against the GPDO, an assessment of the planning merits of the proposal under current policies or guidance within the Camden development plans cannot be taken into account.

The GPDO states in A.4(7), where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

The Council must take into account any representations received as a result of consultation and consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

Assessment

1. Proposal

1.1 The applicant has submitted the details required under the amended GDPO paragraph A.4 (2) giving the height, depth and all other details required. The proposed extension would have a depth of 3.3m, a width of 4.8m and a height of 3m to the eaves.

2. Compliance with the limitations and conditions set out in the GPDO

Class A The enlargement, improvement or other alteration of a dwellinghouse		
If yes to any of the questions 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, P, PA or Q of Part 3 of this Schedule (changes of use)	No
A.1 (b)	As a result of the works, will the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	No
A.1 (c)	Will the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse?	No
A.1 (d)	Will the height of the eaves of the part of the dwellinghouse enlarged, improved or altered exceed the height of the eaves of the existing dwellinghouse?	No
A.1 (e)	Will the enlarged part of the dwellinghouse 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 No
A.1 (f) to A.1 (g))	Will the enlarged part of the dwellinghouse 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?	Yes No
A.1 (g)	For a dwellinghouse not on article 2(3) land* nor on a site of special scientific interest, will the enlarged part of the dwellinghouse 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 No
A.1 (h)	Will the enlarged part of the dwellinghouse have more than a single storey and (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 opposite the rear wall the dwellinghouse?	No No
A.1 (i)	Will the enlarged part of the dwellinghouse be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part exceed 3 metres?	No

A.1 (j)	Will the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse, and either (i) exceed 4 metres in height, (ii) have more than one storey, or (iii) have a width greater than half the width of the original dwellinghouse?	No No No
A.1(ja)	Will any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed the limits set out in A.1(e) to A.1(j)?	No
A.1(k)	Would it consist of or include either: (i) the construction or provision of a veranda, 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 No No No
Is the property in a conservation area (article 2(3) land)? If yes to any of the questions below then the proposal is not permitted development		
A.2(a)	Would it consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?	N/A
A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse?	N/A
A.2(c)	Would the enlarged part of the dwellinghouse have more than a single storey and extend beyond the rear wall of the original dwellinghouse?	N/A
A.2(d)	Would any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed the limits set out in sub-paragraphs A.2(b) and A.2(c)?	N/A
Conditions. If no to any of the below then the proposal is not permitted development		
A.3(a)	Would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	Yes
A.3(b)	Would any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse 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 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, would the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse?	N/A

* The land referred to as article 2(3) land is the land described in Part 1 of Schedule 1 to Town and Country Planning (General Permitted Development) (England) Order 2015/596 (National Parks, areas of outstanding natural beauty and conservation areas etc).

2.1 This concludes that the proposed extension complies with the limitations and conditions within the

GPDO. However, for the application to gain prior approval, as an objection has been received, it must also be demonstrated that the extensions would not harm neighbour amenity.

3. Impact on amenity

- 3.1** An objection has been received from an adjoining neighbour; therefore, prior approval is required in accordance with paragraph A.4 (7) of the amended GPDO. In accordance with the same paragraph the one matter which can be taken into consideration when assessing the prior approval is impact on the amenity of any adjoining neighbours. My assessment will address protecting the amenity, or quality of life, of existing and future neighbours, in terms of the potential negative impacts on visual privacy, outlook, artificial light, sunlight, daylight and overshadowing.
- 3.2** The visual privacy and outlook of occupiers is the quality of their surrounding environment which is impacted by the quality, scale and character of the built environment. The current level of visual amenity enjoyed by the neighbouring properties is formed by the grain of development in the area. This comprises of two storey properties with modest rear gardens, adjacent (east and west) of the host property, with single storey garages to the rear of the gardens and three and four-storey flats to the rear (north), separated by a shared access road.
- 3.3** Due to the layout of the neighbouring properties within the u-shaped block, the neighbouring property at No. 23 Chevington forms the corner of the block, and its orientation in relation to the host property has a side elevation facing the proposed extension. It is considered that this property would be most affected by the development at no. 22 Chevington as the proposed extension would be visible from the garden and rear window of no. 23 Chevington and would have some impact on the rear amenity space in terms of creating a sense of enclosure. Officers are aware that application site has been granted an extension to a depth of 3m under permitted development, the proposed extensions' depth of 3.3m is not considered to result in such an overbearing impact that would result in any further significant harm to the occupiers of this property than that allowed under permitted development.
- 3.4** The proposed extension would match the depth and height of the extension built at no. 21 Chevington. This extends the rear building line of the pair and would result in the same footprint. The constructed extension affects the outlook of no. 22 Chevington to the same extent as the proposed extension would affect the outlook of no. 21 Chevington. Therefore, the proposal cannot be considered to significantly harm the visual amenity to the neighbouring property any more than the existing arrangement.
- 3.5** The proposed extension would extend approximately 3 metres beyond the rear elevation of No. 23 Chevington. This elevation has an inset door closest to the proposed extension with a window at ground floor level. The proposed extension would not intersect at 45 degree line drawn from the centre of this window, therefore, the height of the extension it is unlikely to result in loss of daylight or sunlight to the room within.
- 3.6** The side elevation of No. 23 Chevington that would face the proposed extension are at a high level and therefore the single storey extension would be unlikely to impact these windows in terms of impact on daylight/sunlight, overlooking or artificial light spill. There are no windows proposed in the side elevation of the extension, therefore there would be no overlooking from the proposal to No. 23 Chevington.
- 3.7** The proposed extension would match the depth and height of the extension built at No. 21 Chevington. In effect, this extends the existing arrangement and therefore cannot be considered to impact the neighbouring amenity in terms of impact on daylight/sunlight or overlooking.
- 3.8** There is sufficient distance, between the flats to the rear of the property and the proposal that

would be considered to result in a significant harm in terms of light spill or loss of privacy or outlook.

3.9 To summarise, it is considered that proposed extension at no. 22 Chevington would not impact on the amenity of the adjoining neighbours significantly more than the approved extension under permitted development at the host property. As such, the application is recommended for approval.

4. Recommendation: Prior approval required – approval given