

3<sup>rd</sup> September 2020



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Dear Sir/Madam,

**APPLICATION FOR PRIOR APPROVAL FOR A PROPOSED ROOF EXTENSION UNDER CLASS AA (SCHEDULE 1, PART 2) OF THE GENERAL PERMITTED DEVELOPMENT (AMENDMENT) ORDER 2020 AT:  
6 CONYBEARE, LONDON, NW3 3SD**

This letter is submitted in support of an application for a proposed roof extension under Class AA '*enlargement of a dwellinghouse by construction of additional storeys*' of the amended General Permitted Development Order (GPDO) 2020, which came into force on 31<sup>st</sup> August 2020. The proposed roof extension at 6 Conybeare ('the application site') is assessed in the table below against Class AA criteria.

As discussed below, the application site qualifies for an extension under Class AA and the proposed development satisfies all of the requirements. Prior approval should therefore be granted by the local planning authority.

Class AA	Our response
AA. The enlargement of a dwellinghouse consisting of the construction of:	
(a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or (b) one additional storey, where the existing dwellinghouse consists of one storey; immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.	The application site comprises a detached two storey dwelling. The proposed development includes one additional storey, which complies with part (a).  The additional storey is situated above the topmost storey and only includes engineering operations reasonably necessary for the purpose of that construction.
AA.1 Development is not permitted by Class AA if:	
(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);	Permission to use the dwellinghouse was not granted by virtue of Class M, N, O, P, PA or Q of Part 3 of the GPDO.
(b) the dwellinghouse is located on: (i) article 2(3) land; or (ii) a site of special scientific interest;	The dwellinghouse is not located on article 2(3) land or a site of special scientific interest.
(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;	The application site is located within the Chalcot Estate, dating from the 1960's.

(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 existing dwelling house has not been enlarged by the addition of one or more storeys above the original dwellinghouse.
(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;	Following the development the height of the highest part of the roof of the dwellinghouse would be approximately 8.5 metres (i.e. significantly below 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;	Part (i) does not apply as the existing dwelling house has two storeys.  The proposed development complies with part (ii) because 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 approximately 2.6 metres (i.e. comfortably below 7 metres).
(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 dwellinghouse is detached and therefore part g (i) and (ii) do not apply.
(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, measured internally, is 2.4 metres. The floor to ceiling height of the existing ground floor and first floor is 2.59 metres and 2.42 metres respectively. The development therefore complies with part h (i) and (ii).
(i) any additional storey is constructed other than on the principal part of the dwellinghouse;	As confirmed at section AA.4, “principal part” means the main part of the dwellinghouse excluding any front, side or rear extension <u>of a lower height</u> , whether this forms part of the original dwellinghouse or is a subsequent addition.  The existing dwellinghouse is two storeys and the proposed roof extension is to be constructed above a two storey/ 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	As shown on the drawings and confirmed in the accompanying Design Statement, the development would not include any visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development.
(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.	As confirmed in the accompanying Design Statement, the development would not include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

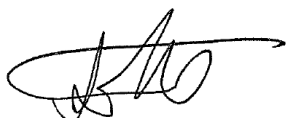
AA.2—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).	
(2) The conditions in this sub-paragraph are as follows—	
(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	The exterior of the proposed extension would match the existing building material pallet and detailing. This is shown on the drawings and confirmed in the Design Statement.
(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;	The extension has no windows in either side wall/ 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 existing dwellinghouse has a flat roof. The proposed extension also has a flat roof.
(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 be used as a dwellinghouse within the meaning of Class C3.
(3) The conditions in this sub-paragraph are as follows—	
(a) 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;	The proposed development does not result in any overlooking or loss of privacy at adjoining premises. The submitted Daylight & Sunlight Assessment also confirms that in all instances the numerical values set out in the BRE guidelines are achieved. The proposals will therefore not have a significant effect on the neighbours' enjoyment of daylight and sunlight.
(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;	The proposed roof extension is set back significantly from the front and principal elevation of the property. It is therefore read as a subservient addition with no adverse visual impact on the principal elevation.  The dwellinghouse does not have a side elevation that fronts a highway.
(iii) air traffic and defence asset impacts of the development; and	The development would have no impact on air traffic and defence assets.
(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;	The development would have no impact on protected vistas.
(b) before beginning the development, the developer must 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	Although not required at application stage, the application is supported by a construction management statement which sets out the hours of operation and how any adverse impact of noise, dust and vibration and traffic on adjoining owners or occupiers will be mitigated.

traffic on adjoining owners or occupiers will be mitigated;	This can nevertheless be dealt with by condition as it is required to be submitted to the Council ' <u>before beginning the development</u> '. I.e. it is not required to be assessed at application stage. As confirmed at AA.3(15), the local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.
(c) the development must be completed within a period of 3 years starting with the date prior approval is granted;	Noted.
(d) the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion; and (e) that notification must be in writing and include— (i) the name of the developer; (ii) the address of the dwellinghouse; and (iii) the date of completion.	Noted.

## Conclusion

In view of the above, it has been demonstrated that the development complies with Class AA (Part 1 of Schedule 2) of the Amended GPDO 2020. The Council is therefore respectfully requested to grant prior approval.

Yours faithfully,



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Planning