

Delegated Report		Analysis sheet		Expiry Date:		22/02/2021	
Prior Approval GPDO Part 1, Class AA		N/A		Consultation Expiry Date:		20/02/2021	
Officer				Application Number(s)			
Angela Ryan				2021/0166/P			
Application Address				Drawing Numbers			
117 Fellows Road London NW3 3JS				Refer to Draft Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of an additional storey (2.9m in height) on the roof of the existing dwelling house							
Recommendation(s):		Grant Prior Approval					
Application Type:		GPDO Prior Approval - Part 1 - Class AA					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	0	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed on 27/01/2021 to 20/02/2021 No objections received					
CAAC/Local groups* comments: *Please Specify		N/A					

Site Description

The site comprises a three-storey terraced dwelling house located on the south side of Fellows Road.

The site is surrounded by residential dwellings and lies within a joint terrace with Nos.107 to 121 Fellows Road, which appear exactly the same as the application site in terms of their design, scale, form and materials. 107-121 Fellows Road all have private gardens towards the rear which back onto a car park and piece of open space located in Briary Close.

Relevant History

There is no relevant planning history relating to the site.

Relevant policies

National Planning Policy Framework (NPPF) 2019

Paragraphs 95, 124-130

Camden Planning Guidance

CPG Amenity (2018)

Assessment

Proposal:

Prior approval is sought for an additional storey on the flat roof of this existing three-storey dwelling house. The proposed additional storey would increase the height of the building to 11.7m high, resulting in an overall height increase of 2.9m from the existing highest part of the roof to the proposed highest part of the roof.

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 dwelling house consisting of the construction of up to two additional storeys (where the existing dwelling house consists of two or more storeys).

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 dwelling house, including the design and architectural features of—

(aa) the principal elevation of the dwelling house, and

(bb) any side elevation of the dwelling house 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 dwelling house, 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.

Assessment against Class AA.2 Prior Approval criteria:

Design

The proposal seeks to extend the main part of the building by one storey to create 2 additional bedrooms/dressing rooms, with ensuite bathrooms. The proposed additional storey would be positioned on the principal front and rear elevations of the building and would not extend beyond the principal rear building line. The proposed floor to ceiling height would be approximately 2.4m high. Three rooflights are proposed to be inserted on flat roof of the additional storey.

The proposed additional storey would match the existing building material palette and detailing with white painted render, brickwork, wooden shuttering and white uPVC windows. This would result in an extension that blends into the existing fabric and be in keeping with the surrounding context. The proposed windows would be positioned to line up with the existing windows located on the lower floors and would be of the same style as the existing windows.

As the additional storey will reflect the design of the existing building and be in keeping, the proposal is considered to be appropriate in design terms.

Impact on the amenity of adjoining premises:

The applicant has submitted a daylight and sunlight report which assesses the impact on Nos. 111 to 121 Fellows Road and Nos. 1 to 17 Briary Close. 74 windows serving 57 habitable rooms were assessed. The parameters assessed were daylight (vertical sky component), sunlight (annual probable sunlight hours) and overshadowing (amenity space). The report follows the BRE guidelines e.g. less than 27% and less than 0.8 times its former value, a minimum of 25% annual probable sunshine hours, and at least 50% of any garden or open space receiving no less than 2 hours of direct sun. The results of the analysis demonstrate that in all instances the numerical values set are achieved. The proposals would therefore not have any significant detrimental effect on the neighbours' enjoyment of daylight and sunlight.

Condition AA.3 of the GPDO requires the developer to 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. This must be provided before the beginning of the development. An informative noting this will be added to the decision.

Air traffic and defence asset impacts

Given the location of the development, there would be no impact on air traffic or defence assets.

Impact on protected views

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

Assessment against Class AA.1 conditions:

Class AA: The enlargement, improvement or other alteration of a dwelling house		
If yes to any of the questions below the proposal is not permitted development		Yes/no
AA.1 (a)	Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	No
AA.1 (b)	The Dwelling House is located on – (i) Article 2(3) land; or (ii) A site of special scientific interest	No
AA.1 (c)	The dwelling house was constructed before 1st July 1948 or after 28th October 2018	No
AA.1 (d)	The existing dwelling house has been enlarged by the addition of one or more storeys above the original dwelling house, 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 dwelling house would exceed 18 metres	No (approx. 11.7m)

AA.1 (f)	Following the development the height of the highest part of the roof of the dwelling house would exceed the height of the highest part of the roof of the existing dwelling house by more than— (i) 3.5 metres, where the existing dwelling house consists of one storey; or (ii) 7 metres, where the existing dwelling house consists of more than one storey	No (approx. 2.9m)
AA.1 (g)	The dwelling house 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)
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 dwelling house	No (Proposed floor to ceiling height 2.4m)
AA.1 (i)	Any additional storey is constructed other than on the principal part of the dwelling house	No
AA.1 (j)	The development would include the provision of visible support structures on or attached to the exterior of the dwelling house upon completion of the development	No
A.1(k)	The development would include any engineering operations other than works within the curtilage of the dwelling house to strengthen its existing walls or existing foundations	No
Conditions. If no to any of the statements 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 dwelling house	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	No
AA.2(c)	The roof pitch of the principal part of the dwelling house following the development must be the same as the roof pitch of the existing dwelling house (Existing: flat roof)	Yes (proposed flat roof)
AA.2(d)	Following the development, the dwelling house must be used as a Dwelling house 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 dwelling house.	Yes (an informative will be included on decision notice)

Conclusion-

The Council has taken into account the responses from the consultation process and the guidance in the NPPF 2019, as required by para 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).

Recommendation: Grant prior approval.