

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		16/03/2021	
		N/A		<b>Consultation Expiry Date:</b>		13/03/2021	
<b>Officer</b>				<b>Application Number(s)</b>			
David Peres Da Costa				2021/0453/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
54 Hawtrey Road London NW3 3SS				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 2.8m in height above existing roof level.							
<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>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>		Two site notices were displayed from 17/02/21 to 13/03/21. No comments or objections have been received.					
<b>CAAC/Local groups comments:</b>		N/A					

## Site Description

The site is a three storey property with a flat roof and is located at the junction of two terraces arranged in an 'L' shaped terrace group.

The application site is located within a planned residential estate (known as the Chalcot Estate) dating from the 1960's. The majority of the houses on the estate are terraced.

The surrounding area is residential in character. The application is not within a Conservation Area and the host building is not listed.

## Relevant History

### Application site

**2015/7069/P:** Erection of a single storey rear extension, a roof extension and installation of three replacement rooflights on the main roof, replacement of a garage door with a window to the front elevation and alteration to the fenestrations to the first and second floor to the front and rear elevations to a single dwellinghouse (C3). Granted 03/02/2016

### 13 Hawtrey Road

GPDO Prior Approval – Part 1 – Class AA

**2020/5021/P:** Prior approval for the erection of an additional storey at 2nd floor level on existing dwellinghouse. Grant Prior Approval 05/01/2021

## Relevant policies

### **NPPF 2019**

Paragraphs 95, 124-130

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 which would be 2.8m in height above the existing roof level.
- 1.2. The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 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

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
AA.1 (b)	The dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest?	No
AA.1 (c)	The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018?	No
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 - (approx. 11.4m)

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 (approx. 2.8m above roof and 1.3m above ex storage housing)
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. 2.8m)
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? (in this case 2.48m)	No - (Floor to ceiling height 2.47m)
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? (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 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:*

2.2. Impact on the amenity of any adjoining premises

2.3. Given the relationship between the host property and the neighbouring property (56 Hawtrey Road), a daylight and sunlight report was requested. The submitted report demonstrates that the proposed second floor extension would not have a significant effect on the daylight and sunlight enjoyed by this property, with the numerical values set out in the BRE guidelines for

VSC, No Sky Line and APSH achieved in all instances.

2.4. The design and architectural features of the principal and side elevation

2.5. The proposal would match the existing building's material palette and detailing with brickwork, render and cladding to match existing. This would result in an extension that blends into the existing fabric and the surrounding context. The proposed windows would match the fenestration pattern of the existing windows and would line up with the windows on the lower floors. The proposed additional storey would be sympathetic to the host property and is considered acceptable.

2.6. Air traffic and defence asset impacts

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

2.8. Impact on protected views

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

**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).

3. **Recommendation:** Grant prior approval