

# London. NW3 3DG



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**Photo 1 (above):** Front elevation of 37 Primrose Hill Road



**Photo 2 (above):** Rear elevation of 37 Primrose Hill Road



**Photo 3 (above):** Side elevation of 37 Primrose Hill Road



**Photo 4 (above):** View of flank elevations of 67 Quickswood taken from first floor rear window of 37 Primrose Hill Road





**Photo 5 (above):** Front elevation of terrace



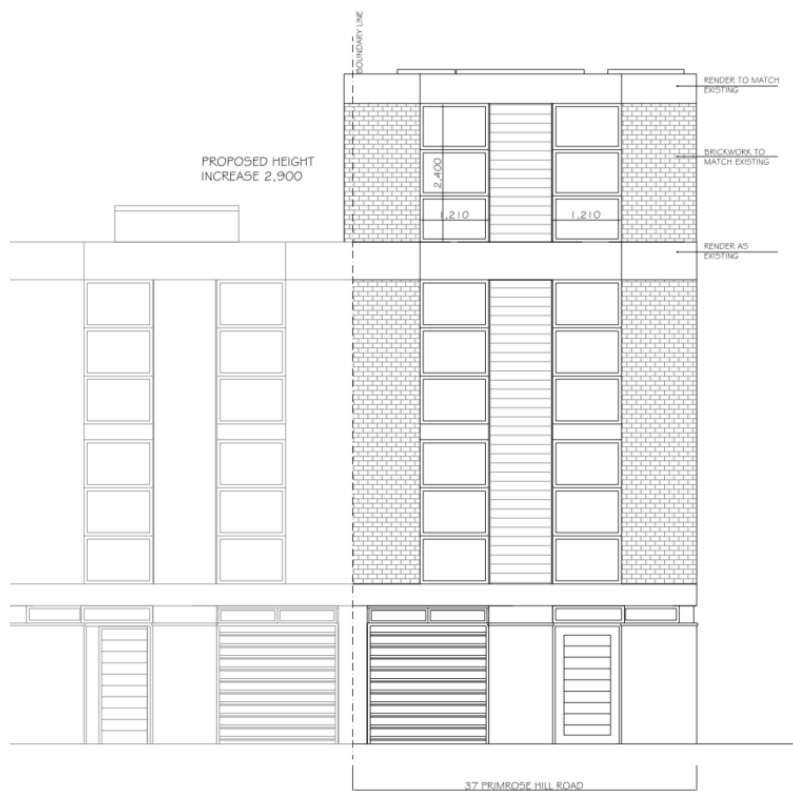
**Photo 6 (above):** Rear elevation of terrace



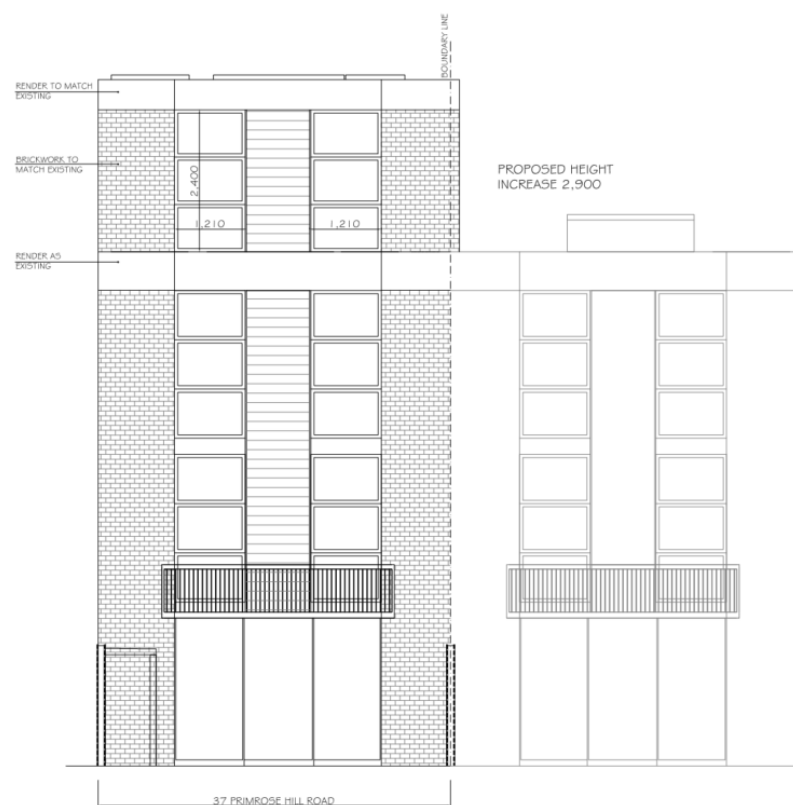
**Photo 7 (above):** Communal garden to rear between private rear gardens of Primrose Hill Road and Quickwood



**Photo 8:** Aerial View



**Drawing 9 (above): Proposed Front Elevation**



**Drawing 10 (above): Proposed Rear Elevation**

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>04/02/2021</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>08/02/2021</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Charlotte Meynell			2020/6010/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
37 Primrose Hill Road London NW3 3DG			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 at 3rd floor level on existing 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. notified	01	No. of responses	31	No. of objections	16
Summary of consultation responses:	<p>A site notice was displayed from 15/01/2021 to 08/02/2021. The adjacent neighbour No. 35 Primrose Hill Road was notified of the proposals by letter on 13/01/2021.</p> <p>16 objections were received from occupiers of Nos. 13, 15, 17, 21, 23 and 31 Primrose Hill Road; 18, 45, 57, 61 and 65A Quickswood; 62 and 68 King Henry's Road; 2 and 3 Conybeare; and an unknown address.</p> <p>The following concerns were raised:</p> <p><b><u>Precedent:</u></b></p> <p>1. Granting permission for the addition of even one extra storey would create a damaging precedent. <i>(Officer response: This is an application for prior approval under Part 1, Class AA of the General Permitted Development (England) (Amendment) (No. 2) Order 2020 (GPDO). The criteria relevant to the assessment of the application are set out in the table in paragraph 2.1 below. Camden's Local Plan policies and guidance are not relevant to the assessment.)</i></p> <p><b><u>Design and appearance:</u></b></p> <p>2. Support the Twentieth Century Society's views that the Quickswood section of the Chalcots Estate should be a conservation area and it's special character should be preserved.</p> <p>3. An extra storey will destroy the overall integrity of design carefully preserved over the years. Quickswood has unique historical architectural value and needs to be protected.</p> <p>4. The proposal is out of keeping with the design of the terrace of houses and would compromise the architectural harmony not just of the terrace but of the estate as a whole.</p> <p>5. The proposal would be out of scale to the surrounding properties.</p> <p>6. The additional storey would spoil the appearance of the terrace as a whole. The estate would no longer be aesthetically pleasing.</p> <p>7. The resulting jagged skyline would prove to be an eyesore.</p> <p>8. The additional height would be overbearing. <i>(Officer response: The General Permitted Development (England) (Amendment) (No. 2) Order 2020 sets out the matters that can be considered. The architectural integrity and harmony of the surrounding area is not one of the matters that the Local Planning Authority can consider when assessing prior approval under Part 1, Class AA. The GPDO limits prior approval to an assessment of the external appearance of the dwellinghouse in so far as it relates to the principal elevation. Please refer to paragraphs 2.6 and 2.7 of the report for the assessment of the design and architectural features of the principal elevation.)</i></p> <p><b><u>Daylight and Sunlight:</u></b></p> <p>9. Until a full survey is undertaken to quantify the loss of light to Nos. 61, 63, 65 and 65A Quickswood, an objective decision can't be made.</p>					



	<p>10. Additional floors will take away light from the communal gardens.  <i>(<b>Officer response:</b> a Daylight and Sunlight Report has been prepared which demonstrates that the proposed additional storey would not cause an undue loss of light to neighbouring properties. Please refer to paragraphs 2.2 and 2.3 of the report for further discussion.)</i></p> <p><b><u>Loss of privacy:</u></b></p> <p>11. The proposal would curtail the privacy of neighbouring properties.  12. It would overlook opposite roof terraces and invade neighbour's privacy.  <i>(<b>Officer response:</b> please refer to paragraph 2.4 of the report.)</i></p> <p><b><u>Impact on views:</u></b></p> <p>13. The extra storey will block views from neighbouring houses.  <i>(<b>Officer response:</b> the impact of a proposal on private views is not a material planning consideration and has no bearing on the planning process.)</i></p> <p><b><u>Construction impacts:</u></b></p> <p>14. The addition of an extra storey is a major building project, likely to cause significant disruption, with lorries, cranes and skips coming and going. There are 67 houses on the estate – the disruption could go on for years.  15. The noise levels would be upsetting to the elderly residents who live on the estate and to those working from home.  <i>(<b>Officer response:</b> please refer to paragraph 2.5 of the report.)</i></p> <p><b><u>Structural stability:</u></b></p> <p>16. Concern that roof and floors of the houses were constructed using High Alumina Concrete and this would affect structural stability.  17. It is unclear whether an engineering assessment has been made of the ability of the foundations to support an additional storey.  <i>(<b>Officer response:</b> the impact of a proposal on the structural stability of a building is not a material planning consideration and has no bearing on the planning process. The matter will be addressed as part of Building Regulations approval.)</i></p> <p><b><u>Impact on value of properties:</u></b></p> <p>18. Details sent round the estate were claiming that the proposal would add an extra £150,00 value to the houses.  <i>(<b>Officer response:</b> the impact of a proposal on property values is not a material planning consideration and has no bearing on the planning process.)</i></p> <p>15 letters of support were also received from 25 Primrose Hill Road; 22, 37, 73 and 77 Quickswood; 7A Primrose Gardens; 23 Chalcot Square; 26 Lower Merton Rise; 10 Loudoun Road; 20 Downshire Hill; 37 Manor Close; 38 Hamilton Terrace; 49 St Gabriels Road; and 48 Roderick Road.</p> <p>The following points were raised:</p> <ul style="list-style-type: none"> <li>• Upwards extensions are in line with government policy and are entirely appropriate throughout this estate.</li> <li>• The proposals are within the character of the estate.</li> <li>• Every house in the estate has been altered in some way with no consistency, and it is nonsense for the Twentieth Century Society to asset that the estate is 'unspoilt'.</li> <li>• There is such a lack of family accommodation in this beautiful area</li> </ul>
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and with little impact to the neighbourhood this would create more living space.

- The proposal would be a sensitive addition that would add another valuable chapter in the history of this modular form of modern architecture.
- More internal space will provide mental and physical health benefits to the family, especially during the move to home working and home schooling.
- Allowing families to extend upwards will reduce migration out of the area for more space and would promote low ownership turnover and build a stable, vibrant and healthy community.
- The addition would not affect sight lines or light.
- Upwards extensions such as this will provide badly needed economic activity, jobs and taxes.

<p><b>Twentieth Century Society:</b></p>	<p>The Twentieth Century Society has objected to the proposed scheme on the following grounds:</p> <ul style="list-style-type: none"> <li>• The Society considers the estate buildings to be Non-Designated Heritage Assets which should collectively have Conservation Area status.</li> <li>• We believe the rooftop extensions proposed are too substantial and will drastically alter the massing of the houses, having a negative impact on the heritage significance of these individual buildings. Piecemeal extensions will also disrupt the unity of the collection of buildings and will lessen their group value. The Society therefore urges the council to issue an Article 4 Direction for the Quickswood sector to allow for greater control over the proposals.</li> </ul> <p><i>(<b>Officer response:</b> The Council does not consider the site and surrounding estate to be a non-designated heritage asset or to warrant conservation area status. The General Permitted Development (England) (Amendment) (No. 2) Order 2020 sets out the matters that can be considered. The proposed massing of the additional storey and the unity and group value of the surrounding area are not matters that the Local Planning Authority can consider when assessing prior approval under Part 1, Class AA. The GPDO limits prior approval to an assessment of the external appearance of the dwellinghouse in so far as it relates to the principal elevation. Please refer to paragraphs 2.6 and 2.7 of the report for the assessment of the design and architectural features of the principal elevation.)</i></p>
<p><b>Network Rail:</b></p>	<p>Network Rail have objected to the proposed scheme on the following grounds:</p> <ul style="list-style-type: none"> <li>• Network Rail were not consulted on the proposed development despite the proposal being over an existing operational railway tunnel.</li> <li>• Whilst this is a prior approval the works are over a railway tunnel and could impact the safe operation of the railway underneath including support zones. Network Rail are therefore objecting to the 2020/6010/P proposal pending agreement to the works from our engineering teams.</li> </ul> <p><i>(<b>Officer response:</b> This is an application for prior approval under Part 1, Class AA of the General Permitted Development (England) (Amendment) (No. 2) Order 2020 (GPDO). The Council does not have a statutory duty to consult Network Rail on applications for prior approval. The criteria relevant to the assessment of the application are set out in the table in paragraph 2.1 below. Consideration of existing transport infrastructure is not relevant to the assessment.)</i></p>
<p><b>Site Description</b></p> <p>37 Primrose Hill Road is a three storey, end of terrace, brick and white rendered residential dwelling with a flat roof on the western side of the road. There is an existing roof storage box situated on the roof of the building, which is a feature of all surrounding properties.</p> <p>The application site is located within a planned residential estate (known as the Chalcots Estate), between Fellows Road to the north and King Henry's Road to the south, dating from the 1960's. To the rear of the site is a communal garden, which is located in the space between the private rear gardens of the properties on the western side of Primrose Hill Road and the eastern side of</p>	

Quickswood.

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

## Relevant History

### Application site

**2013/5396/P** – Alterations to existing house (Class C3) to include replacement of windows and doors to side elevation and to garage, replacement of fence and installation of rooflights and the erection of a new shed. **Certificate of lawfulness granted 31/10/2013**

### 25 Primrose Hill Road (neighbouring property within same terrace)

**2020/5570/P** – Erection of an additional storey 2.9m in height above existing roof level, with roof box 3.9m in height above existing roof level. **Prior approval granted 03/02/2021**

## Relevant policies

### National Planning Policy Framework (NPPF) 2019

- Paragraphs 95, 124-130

### Camden Planning Guidance

CPG Amenity (2021)

## Assessment

### 1. Proposal

- 1.1. The proposal seeks prior approval for an additional storey, above the existing second floor flat roof. The scheme has been revised during the course of the application to remove the proposed replacement roof box. The existing building has a height of 8.7m to the top of the parapet wall and 9.2m to the top of the roof box (which is considered to be the highest part of the roof). The proposed additional storey would increase the height of the building to 11.6m to the top of the parapet wall, which would result in an overall increase in height of 2.9m from the existing parapet.
- 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 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 statements 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. 11.6m)
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. 2.9m)
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. 2.9m)
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 dwellinghouse	No (Proposed floor to ceiling height 2.5m)
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 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 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, it does not

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: flat roof)	Yes (Proposed: 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)

#### Impact on the amenity of any adjoining premises

- 2.2. The applicant has submitted a daylight and sunlight report which assesses the impact on Nos. 63, 65, 65a and 67 Quickswood. The results of this analysis demonstrate that in all instances the numerical values set out in the BRE guidelines are achieved. The proposals would therefore not have a significant detrimental effect on the neighbours' enjoyment of daylight and sunlight.
- 2.3. There may be some increased overshadowing of the communal garden; however, the garden is large and the proportion which would be overshadowed would be relatively small. Therefore, any increased overshadowing of this area would not be considered so harmful as to warrant refusal.
- 2.4. The additional storey would have windows at the front and rear. There are no buildings directly opposite the front of the site on the other side of Primrose Hill Road. To the rear, the host building directly fronts the windowless eastern flank elevation of No. 67 Quickswood. The remaining eastern flank elevations of No. 67 Quickswood face the rear of the adjacent neighbouring property No. 35 Primrose Hill Road, and there is a separation distance of between approximately 15-16m from rear building line of the host building and these flank elevations. It is therefore not considered that the proposed rear windows would result in a loss of privacy through increased overlooking into neighbouring habitable rooms of No. 67 Quickswood, given the separation distance and oblique angle.
- 2.5. 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.

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

- 2.6. The proposal seeks to extend the main part of the building by one storey to create two additional bedrooms and two bathrooms at third floor level. The proposal would build up 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 the same (2.5m) as that of the existing ground, first and second floors below. Five rooflights would be inserted into the proposed flat roof in place of the existing four rooflights. The applicant has revised the scheme during the course of the application to remove the replacement roof storage box from the proposals. This is considered to be acceptable in design terms.
- 2.7. The proposal would match the existing building material pallet and detailing with dark red brickwork and a white render band above. This would result in an extension that blends into the existing fabric and the surrounding context. The proposed windows would be positioned to line up with the windows on the lower floors and would be of the same style as the existing windows. The proposal has been reviewed by the Council's Design Officers and is considered

acceptable.

Air traffic and defence asset impacts

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

Impact on protected views

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

**3. 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 28<sup>th</sup> June 2021, 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: 2020/6010/P  
Contact: Charlotte Meynell  
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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:**  
**37 Primrose Hill Road**  
**London**  
**NW3 3DG**

**Description of the proposed development:**

Erection of an additional storey at 3rd floor level on existing dwellinghouse.

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

Drawing Nos: EX0; EX1; EX2; EX4; EX6; EX5; EX7; PP1; PP2 Rev. A; PP3 Rev. A; PP4 Rev. A; PP5 Rev. A; PP6; PP7 Rev. A; PP8 Rev. A; Daylight and Sunlight Report (prepared by CHP Surveyors Ltd, dated 11/06/2021).

**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 development must be



completed within a period of 3 years starting with the date prior approval is granted.

- 3 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.
- 4 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.
- 5 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 paragraph 38 of the National Planning Policy Framework 2019.

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.