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Patrick Marfleet
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

28th June 2021

Our ref: 21/084
BY EMAIL

Dear Patrick,

SCHEDULE 2, PART 20, CLASS A TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 (AS AMENDED)

NOTIFICATION OF A PROPOSED SINGLE STOREY ROOFTOP EXTENSION AT BEAUFORT COURT

BEAUFORT COURT, 65 MAYGROVE ROAD, LONDON NW6 2DA

On behalf of our client, Avon Ground Rents Ltd, we hereby enclose a notification for prior approval of a single storey rooftop extension at the above address to provide 16 additional residential dwellings.

The proposed development is permitted by the amended Class A Part 20 (Construction of New Dwellinghouses) of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 1995 (GPDO) (as amended August 2020).

It should be noted that a prior approval application is different to a full planning application in terms of the decision-making process. The scheme is not judged by assessing the benefits of the scheme against the harm and then making a decision based on these impacts against planning policy. A prior approval application is a simple technical assessment against the various criteria. If it meets all of these criteria, then prior approval should be granted to authorise the permitted development.

As set out in this letter the development meets all of the conditions for permitted development under Class A of the GPDO and does not give rise to any significant detrimental impacts in relation to the narrow range of assessment criteria in the regulations. This letter provides the relevant information and signposts the reports that provide more technical detail as required.

Alongside this covering letter, the following material has been submitted as part of this request:

- Plans and CGIs prepared by Brooks Murray (as listed at Appendix 1);
- Design and Access Statement prepared by Brooks Murray;
- Construction Management Plan prepared by Brooks Murray;
- Daylight and Sunlight Report prepared by GIA; and
- Beaufort Court Surveyor's Report prepared by Simon Levy Associates.

As in our view, the scheme meets the various provisions of the regulations within the Statutory Instrument, we consider that the application for prior approval in relation to Part 20 should be approved.

a. Site Context

The site is located within the north-western part of the London Borough of Camden. The site comprises a five-storey residential block fronting onto Maygrove Road. It is bound by residential development to the east, south and west, with Maygrove Peace Park to the north. The site is highly sustainable with a PTAL rating of 6a. It is situated between Kilburn to the west and West Hampstead to the east. Kilburn Underground Station (Jubilee line) is located 300m to the west of the site, while Brondesbury Overground Station is 500m to the south-west. Bus stops are also located outside Kilburn station which provide regular services to locations such as Cricklewood, Brent Cross, Marble Arch, Paddington and Victoria. The site is not located in a Conservation Area and is wholly within Flood Zone 1.

Planning permission for the existing building was granted in 2013 for the *“Redevelopment of the site to provide 91 residential units (12 affordable and 79 market tenure, Class C3) in a building comprising basement, ground and four upper storeys, with basement parking (access via Maygrove Road) and associated hard & soft landscaping (following the demolition of office and residential buildings at 65 and 67 Maygrove Road)”* (ref. 2012/5934/P).

b. The Proposed Development

The rooftop extension would deliver 16 additional residential dwellings (including a mix of 1-, 2- and 3-bed units) to the existing building at Beaufort Court, 65 Maygrove Road, which is a purpose-built block of flats. All of the dwellings will be provided with private amenity space in the form of balconies. Communal amenity space of c.500sqm is provided to the rear of the building on the ground floor. In addition, the nearby Maygrove Peace Park also provides communal amenity space and play space for residents. Existing lift and stair cores will be extended to reach the new fifth floor and the plant currently located at roof level will be relocated onto the new roof. A green roof will also be provided.

As a result in this uplift in units, the development will also provide 30 cycle parking spaces on the site. These will be accommodated within the basement alongside the existing provision. No additional car parking spaces are proposed due to the site’s highly accessible location (PTAL 6a). Refuse and recycling facilities are currently provided at basement level and these will similarly be utilised for the additional dwellings.

c. Legislative Background and Assessment

The prior approval application for the proposed development will be submitted under Class A Part 20 (Construction of New Dwellinghouses) of the GPDO (as amended). Under these regulations, it is confirmed that the site meets the following criteria as set out under paragraph A.1:

- a) the building has **not** been granted permission to use any building as a dwellinghouse by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule;
- b) the building is **not less** than three storeys in height above ground level;
- c) the building **not** was constructed before 1st July 1948, or after 5th March 2018 (the date of construction was 2016);
- d) the additional storeys are **not** constructed other than on the principal part of the building;
- e) the floor to ceiling height of any additional storey is —
 - i. **not** more than 3 metres in height; or

- ii. **not** more than the floor to ceiling height of any of the existing storeys (as confirmed by the submitted proposed section drawings);
- f) the new dwellinghouses **are** flats;
- g) the overall height of the roof of the extended building is **not** greater than 7 metres higher than the highest part of the existing roof (this is established by the single storey extension being one storey in height across the whole development);
- h) the extended building (not including plant) is **not** greater than 30 metres in height (as shown on the various elevations);
- i) development under Class A.(a) would **not** include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;
- j) development under Class A.(a) would **not** consist of engineering operations other than works within the existing curtilage of the building to—
 - i. strengthen existing walls;
 - ii. strengthen existing foundations;
 - iii. install or replace water, drainage, electricity, gas or other services; or
 - iv. be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building.
- k) The land or site on which the building is on is **not located** on and **does not form** part of—
 - i. Article 2(3) land;
 - ii. A site of special scientific interest;
 - iii. A listed building or land within its curtilage;
 - iv. A scheduled monument or land within its curtilage;
 - v. A safety hazard area;
 - vi. A military explosives storage area; or
 - vii. Land within 3 kilometres of the perimeter of an aerodrome.

In addition, the property is not subject to any restrictive conditions in a previous planning permission or an Article 4 Direction affecting the site.

Paragraph A.2 outlines various conditions that the proposed development will need to comply with, as follows:

A.2 1) Where any development under Class A is proposed, development is permitted subject to the condition that before beginning the development, developer must apply to the local planning authority for prior approval of the authority as to—

- a) transport and highways impacts of the development;*
- b) air traffic and defence asset impacts of the development;*
- c) contamination risks in relation to the building;*

- d) *flooding risks in relation to the building;*
- e) *the external appearance of the building;*
- f) *the provision of adequate natural light in all habitable rooms of the new dwellinghouses;*
- g) *impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and*
- h) *impact on a protected view.*

In addition, the property is not subject to any restrictive conditions in a previous planning permission or an Article 4 Direction effecting the site.

The submitted Surveying Report also demonstrates that the building is detached from those neighbouring it. The gap between the building and that adjoining has been partially infilled to prevent rubbish and debris accumulating and can therefore be considered minor bonding which would not constitute a party wall. The building therefore meets the requirements of Class A Part 20 (Construction of New Dwellinghouses) of the GPDO.

d. Pre-Application Correspondence

A pre-application meeting was sought prior to submission of this application to seek support from officers on the scheme and understand if there were any outstanding issues to be addressed. A meeting was had with Patrick Marfleet (planning officer) and Philippa Jopp (urban design officer) on the 5th May 2021. Feedback was received on 8th June 2021.

This feedback concluded that the proposed extension was generally considered acceptable within the provisions of the GPDO including in terms of the impact it would have on the character and appearance of the building and surrounding area, and on neighbouring amenity. The proposed new dwellings were considered to deliver a good standard of accommodation and would not lead to significant traffic issues. Additional information was requested in relation to daylight and sunlight results were made for the application stage which are detailed in this submission and the assessment below.

e. Assessment against Criteria

The below table sets out each of the criteria set out under paragraph A.2 of the GPDO and how the proposed development has addressed them, supported the relevant technical evidence.

Criteria		How it is being met
a	<i>Transport and highways impacts of the development</i>	<p>Overall, it is considered that the site is highly sustainable, as demonstrated by:</p> <ul style="list-style-type: none"> - Good footway and cycle links in the local area; - Within short walking distance Kilburn Underground, Brondesbury Overground and West Hampstead Thameslink stations. - Close to frequent bus services; - Within walking distance of Kilburn High Road and West End Lane, which both provide a range of services and facilities. <p>The site also has a PTAL of 6a which demonstrates the site has a high level of accessibility to public transport.</p> <p>No additional parking spaces are proposed beyond the 10 accessible spaces currently included at the basement level. 30 additional cycle spaces are proposed to be accommodated alongside the existing spaces already</p>

		<p>proposed within the basement. Details of this provision are included in the Design and Access Statement.</p> <p>As a result of the limited transport impacts of the proposal, it has been agreed with the Council that a Transport Statement does not need to be submitted. A S106 Agreement which restricts residents from being issued on-street parking permits will support this.</p> <p>In addition a Construction Management Plan (CMP) has been submitted. This identifies any potential negative impacts from the construction stage and how they will be mitigated. The S106 agreement will secure this CMP.</p>
<i>b</i>	<i>Air traffic and defence asset impacts of the development</i>	<p>The site is not located within an Air Traffic and Defence Asset Zone. Therefore, it is considered that there will be no air traffic and defence asset impacts associated with the rooftop extension.</p>
<i>c</i>	<i>Contamination risks in relation to the building</i>	<p>The site currently comprises a residential block and the proposal would not involve any excavation works that could give rise to any contamination risks. It is therefore considered unlikely that there would be any contamination risk associated with the proposed additional storey. This is confirmed in the Council's pre-application feedback and as such a Contamination Assessment is not provided.</p> <p>It should be noted that in relation to application ref. 2012/5934/P, a Site Investigation Report was prepared which confirmed that low level contamination was found on the site which was entirely removed as part of the excavation works for the new basement.</p>
<i>d</i>	<i>Flooding risks in relation to the building</i>	<p>The site is located within Flood Zone 1 – land with the lowest probability of flooding – and it is not considered that the proposal would give rise to any flooding impacts. It is notable that flooding was not identified as an issue in the previous application for the site. This view was supported by officers in their Pre-Application feedback.</p>
<i>e</i>	<i>The external appearance of the building</i>	<p>The additional storey is proposed to replicate the existing fourth floor storey in external appearance, with the windows and doors, as well as the solar shading replicated in the same positions. The proposed cladding will also match that used at fourth floor level.</p> <p>Overall it is therefore considered that in terms of uniformity and materials the additional storey's external appearance is acceptable. This was generally accepted by officers in the pre-application meeting, with support for the replication of the overall design, proportions and materials of the existing building.</p> <p>It was however noted that the additional storey did make the roof more prominent and highlighted a more horizontal element of the scheme when viewing the site from the front than the rear. Sketches were subsequently submitted to show how the form of the roof extension had been designed to respond to the vertical character of the existing façade. The provision of recessed terraces were considered to effectively break up the bulk of the extension, whilst incorporating vertical emphasis to ensure the development is sympathetic to the character and proportions of the existing building. The submission includes CGIs to further support this.</p> <p>As such, officers considered the design of the proposed extension to be acceptable. Further detail of the design is included in the submitted DAS.</p>
<i>f</i>	<i>The provision of adequate natural light in all habitable rooms of the</i>	<p>The new fifth floor of the building is an exact replica of the existing fourth floor of the building in terms of location and size of windows. It is noted from the original application for the site that all units received daylight levels that were comfortably in excess of the BRE required levels, whilst with the exception of some ground floor units, all dwellings also achieved sunlight levels in accordance with BRE guidelines. As such it is considered that the new</p>

	<i>new dwellinghouses</i>	proposed dwellings would also achieve this requirement. This is confirmed by a Daylight & Sunlight Report for the new dwellings which includes additional information as requested by officers at the Pre-Application stage in relation to the Average Daylight Factor of the proposed dwellings.
<i>g</i>	<i>Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light</i>	<p>The submitted Daylight & Sunlight Assessment confirms that all the tested surrounding properties comply with BRE guidance. Additional data has also been provided to the Council as requested to confirm this. It is therefore considered that no loss of light will occur for neighbouring properties. This is supported by the pre-application feedback which sets out that the proposed extension would not have a significant impact in terms of loss of light or outlook.</p> <p>In addition, the new storey will not impact on overlooking and privacy due to being set back from the road and to the rear, as is the case for the existing fourth storey which was considered acceptable in privacy and overlooking terms. This view was supported by officers at the pre-application stage.</p>
<i>h</i>	<i>Impact on a protected view</i>	The site is not located within a protected view as identified by the London Plan. Therefore it is considered that there will be no impact on any protected views associated with the rooftop extension.

f. Summary and Conclusions

For the reasons set out above and the supporting documentation, we consider that the scheme meets all of the qualifying conditions set out in Class A of the GPDO to be considered permitted development. Furthermore, the scheme does not give rise to any significant issues related to transport, air traffic, contamination, flood risk, external appearance, natural light, amenity or impact on a protected view for the following reasons:

- The site is highly sustainable with good pedestrian and cycle access. It also provides a suitable level of cycle parking in accordance with the London Plan;
- The site is not located within an Air Traffic and Defence Zone;
- The proposal would not involve any excavation works that could give rise to any contamination risks;
- The site is not within an area of flood risk;
- Suitable materials to match the existing materials are proposed;
- There is a suitable provision of natural light in all habitable rooms of the new dwellinghouses;
- There is no significant detrimental impact on the amenity of the existing building and neighbouring premises; and
- The scheme does not impact on a protected view.

It is therefore considered that prior approval should be granted.

We trust that the documentation submitted is sufficient for you to provide advice on these matters, however should you require any further information or should there be any queries associated with the application documentation, I would be grateful if you could contact me on 02036575033 or SlInnes@iceniprojects.com.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S Innes', written over a light grey rectangular background.

Sophie Innes
Senior Planner

APPENDIX 1 – LIST OF PLANS

Drawing	Reference
Site Location Plan	1244.22.001
Existing Basement Plan	1244.22. 010
Existing Ground Floor Plan	1244.22. 011
Existing Fourth Floor Plan	1244.22. 015
Existing Roof Plan	1244.22.016
Existing Front Elevation	1244.22.020
Existing Side and Rear Elevations	1244.22.021
Existing Section A	1244.22.030
Existing Section B	1244.22.031
Proposed Basement Plan	1244.22.100
Proposed First Floor Plan	1244.22.101
Proposed Fourth Floor Plan	1244.22.104
Proposed Fifth Floor Plan	1244.22.106
Proposed Roof Plan	1244.22.107
Proposed Fifth Floor Plan (Dimensioned)	1244.22.150
Proposed Front Elevation	1244.22.200
Proposed Side and Rear Elevations	1244.22.201
Proposed Front Height Elevation	1244.22.202
Proposed Section A	1244.22.300
Proposed Section B	1244.22.301

APPENDIX 2: EVIDENCE OF SITE PRE-2018
