

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>21/04/2021</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>17/04/2021</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Adam Greenhalgh		2021/1147/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
3 Lyttelton Close London NW3 3SR		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 on existing two storey 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	00	No. of responses	04	No. of objections No. of support No. of no objections	01 02 01

<p>Summary of consultation responses:</p>	<p>Site notices were displayed on both sides of the site from 24/03/2021 to 17/04/2021. A letter of objection was received from the owner of the adjoining house to the rear (106 Hawtrey Road). Two letters of support were received from residents within the Chalcot Estate. One letter of 'no objections' as received.</p> <p>The letter of objection raises the following concerns:</p> <ol style="list-style-type: none"> <li>1. In the absence of any Sunlight &amp; Daylight Assessment, the proposal would have adverse sunlight, daylight and overshadowing effects on rooms and gardens at 106 Hawtrey Road.</li> <li>2. Overlooking and loss of privacy</li> <li>3. Overdevelopment and excessive density of development to the detriment of the character and appearance of the area and amenity of the area (due to increased noise and disturbance). Parking/traffic issues (resulting from increased density).</li> </ol> <p><u>Officer's comment:</u></p> <ol style="list-style-type: none"> <li>1. <i>A Sunlight &amp; Daylight Report was submitted during the course of the application. The effects on sunlight, daylight &amp; overshadowing are considered in 'Impact on the amenity of any adjoining premises below.</i></li> <li>2. <i>Overlooking and loss of privacy are considered in 'Impact on the amenity of any adjoining premises below.</i></li> <li>3. <i>The scale of the development and effects on the character and appearance are considered in 'External appearance of the building' below. The effects on noise are considered in 'Impact on the amenity of any adjoining premises' below. The effects on parking/traffic flows are not a material consideration under the relevant legislation (see 'Assessment' below).</i></li> </ol>
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## Site Description

3 Lyttelton Close is a flat roofed two storey (L-shaped in plan form) terraced house. It is located in the north east corner of a group of 6 similar houses which has nos. 1, 2 and 3 Lyttelton Close on its east side, onto Lyttelton Close, and three houses on its west side, facing Hawtrey Road. The application property has a non-original two storey infill extension adjacent to 2 Lyttelton Close.

The application is not within a Conservation Area and the host building is not listed.

## Relevant History

### 3 Lyttelton Close

9200297 - Erection of a rear extension at 1st floor level to a single family dwelling plus the erection of an external staircase from 1st floor to garden level – granted May 1992

27904 - The erection of a two-storey extension at the side for use as a garage with living accommodation above – granted 19/04/1979

## Relevant policies/legislation

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 - Class AA to Part 1 of Schedule 2

NPPF 2019

Paragraphs 95, 124-130

## Assessment

### 1. Proposal

- 1.1. The proposal seeks prior approval for an additional storey on the main part of the house. 11.75m in width and 7.75m in depth, the additional storey would be located on the original building on Lyttelton Close (not the rear wing). It would be 2.75m in height.
- 1.2. It would be constructed of matching materials (brick and render with stone coping on top) and would have matching windows in the front and rear elevations. There would be no windows in the side (north and south) elevations.

### 2. Background

- 2.1. 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).
- 2.2. 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;*

### 3. Assessment

#### 3.1. 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 questions below the proposal is not permitted development:		Yes/no
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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
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AA.1 (b)	The dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest ?	No
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AA.1 (c)	The dwellinghouse was constructed before 1st July 1948 or after 28th October 2018?	No
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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
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AA.1 (e)	Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres?	No - (approx. 10m)
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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. 2.75m)
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. 2.75m)
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 2.4m)	No - (Floor to ceiling height 2.4m)
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)

3.2. Impact on the amenity of any adjoining premises

3.3. The application includes a Sunlight & Daylight Assessment which takes into consideration all the immediately neighbouring properties, nos. 2, 4 and 5 Lyttleton Close and 106 and 108 Hawtrey Road. The Assessment confirms that all the immediately neighbouring properties would receive levels of daylight and sunlight which are deemed to be acceptable under the BRE recommended tests ('Vertical Sky Component', 'No sky line' and 'Average Probable Sunlight Hours').

3.4. No new windows would be formed any closer to any neighbouring houses than the existing windows in the existing building. Consequently the development would not result in more intrusive overlooking. The new second floor windows would be no nearer to the rooms or gardens of any neighbouring houses than the first floor windows. The distances between the windows would also be the same as between the other houses which back onto each other within the group.

3.5. External appearance of the building: The design and architectural features of the principal and side elevation

3.6. The proposal would match the existing building's material palette and detailing with brick/rendered walls with matching windows. This would result in an extension that blends into the existing fabric and the surrounding context. The proportions and materials of the proposed windows would match the existing windows on the lower floors. The proposed additional storey would be sympathetic to the host property.

3.7. Air traffic and defence asset impacts

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

3.9. Impact on protected views

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

## **4. RECOMMENDATION**

4.1. Grant – Prior approval not required



