

Delegated Report		Analysis sheet		Expiry Date:		05/11/2021	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		20/10/2021	
Officer				Application Number(s)			
Leela Muthoora				2021/4142/P			
Application Address				Drawing Numbers			
34 Meadowbank London NW3 3AY				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of an additional storey 2.8m in height above existing roof level of dwellinghouse.							
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	00	No. of responses	06	No. of objections	06
Summary of consultation responses:	<p>The adjoining occupiers/owners at numbers 33 and 35 Meadowbank were notified of the proposals by letter on 29 September 2021.</p> <p>Six objections were received from occupiers of numbers 27, 28, 33, 35, and 46 Meadowbank and one on behalf of the estate management company.</p> <p>The following concerns were raised:</p> <p><u>Daylight and sunlight:</u></p> <ol style="list-style-type: none"> 1. The height of the extension would lead to loss of light to the communal gardens and houses opposite. 2. Credibility of the assessment questioned due to assessment of gardens 5 and 6. <p><i>Officer response: please refer to paragraph 2.3 and 2.4 of the report (below).</i></p> <p><u>Design and appearance:</u></p> <ol style="list-style-type: none"> 1. The roof extension would alter the roof form of a largely unimpaired roof line of the terrace to numbers 32 to 39 Meadowbank. 2. The size and bulk would have an adverse effect on the skyline, building and street scene. 3. Lack of symmetry, unbalance the architectural composition of the terrace, and be incongruous to the character of the estate. 4. Extensions to date have not projected above the ridge line. 5. The floor level of the existing third floor could be lowered to accommodate an increased internal floor level. 6. If approved, it would set a precedent for upwards development. <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1. 2, and 3. The General Permitted Development (England) (Amendment) (No. 2) Order 2020 sets out the matters that can be considered. 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 2.8 and 2.10 of the report (below) for the assessment of the design and architectural features of the principal elevation. 3. Previous approvals were permitted development restricted by the limits and conditions set by the GPDO. 4. Lowering floor levels was discussed with the applicant; they do not intend to pursue this option. 5. The introduction of Class AA by the amended GPDO, permits upward extensions so the principle has been dictated by government legislation. <p><u>Other issues raised:</u></p> <ol style="list-style-type: none"> 1. Safety and integrity of the roof and drainage of gutters. 2. Structural damage caused by existing extension and potential damage by proposed extension. 					

	<p>3. General disruption caused by construction.</p> <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1. <i>Building safety matters are subject to separate legislation, under The Building Act 1984 and Building Regulations 2010.</i> 2. <i>The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. These are considered civil matters. Therefore, these are not material planning considerations.</i> 3. <i>The GPDO requires the developer to address this. Please refer to paragraph 2.7 of the report (below).</i>
<p>CAAC/Local groups comments:</p>	<p>No responses received</p>

Site Description

The application site is located in the south-east side of the cul-de-sac Meadowbank, which is an area bounded by Ainger Road, Oppidans Road and Primrose Hill Road. It is a three-storey mid-terraced dwellinghouse with roof addition of front and rear full width dormers. The property is one of 63 properties built between 1969 and 1971.

Relevant History

2008/4876/P	Erection of roof extension with dormer windows to the front and rear of single family dwelling house (Class C3). <u>Reason for refusal:</u> The proposed roof extension including front and rear dormers due to its height, bulk, detailed design and location within a terrace with a largely unimpaired roof line would result in an unacceptable impact on the appearance of the building and the terrace as a whole contrary to policies B1 (General Design Principles) and B3 (Alterations and extensions) and Camden Planning Guidance 2006.	Planning permission Refused	08/12/2008
2009/0520/P	Extension to the ground floor entrance and erection of a roof dormer window to the rear of a single family dwelling house (Class C3).	Certificate of Lawful Development Granted	22/07/2009
2009/3691/P	Erection of dormer windows to front and rear elevations of single family dwelling house (Class C3).	Certificate of Lawful Development Granted	16/09/2009

Relevant policies

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

Class AA of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended by SI 2020 No. 755)

National Planning Policy Framework (NPPF) 2021 (Paragraphs 97, 126-134)

Camden Planning Guidance - CPG Amenity (2021)

Assessment

1. Proposal:

- 1.1. The proposal seeks prior approval for an additional storey at roof level following demolition of the existing front and rear full width roof dormers which comprise the third floor level.
- 1.2. It would be approximately 2.9m in height from the existing highest part of the roof to the proposed highest part of the roof. The proposed additional storey would increase the overall height of the building to 13m.
- 1.3. 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).
- 1.4. This is subject to a number of conditions listed within sub-paragraph AA.1 (a)-(k) set out in the table below, and a subsequent condition in sub-paragraph AA.2(3)(a) 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.

2. Assessment

2.1 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 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 (Roof dormers not a storey (as part of roof) & will be removed)
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. 13m)
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 above roof)
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 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 (Floor to ceiling height 2.44m)
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
AA.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 (an informative will be included on the decision)
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 dwelling house following the development must be the same as the roof pitch of the existing dwelling house.	Existing & Proposed: pitched 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 the decision)

2.2 Assessment against Class AA.2 Prior Approval criteria:

Impact on the amenity of adjoining premises: Condition AA.2(3)(a)(i)

2.3 There is a separation distance of approximately 17.5m from the principal rear building line of the property and the rear building line of 28 and 29 Meadowbank opposite to the south-east.

These properties sit within the terraces forming 27 to 31 Meadowbank facing Ainger Road. The rear building line of number 52 Meadowbank, situated north-west and perpendicular to the principal front building line of the site has an existing separation distance of approximately 5m. This property sits within the terrace forming 52 to 58 Meadowbank. Communal gardens are located between both terraces.



2.4 Given the relationship between the host property and the neighbouring properties, a daylight and sunlight report was submitted (after requests from officers). The applicant has submitted a daylight and sunlight report which assesses the impact on the rear of numbers 27 to 31 Meadowbank, the front of number 32 Meadowbank and the rear windows of number 46 to 32 Meadowbank as well as the communal gardens. The parameters assessed were daylight (vertical sky component (VSC)), sunlight (annual and winter probable sunlight hours). The report follows the BRE guidelines e.g. windows must be no 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 sunlight on 21st March. The results of the analysis demonstrate that in all instances the numerical values set are achieved. Therefore, the proposals would not have a significant detrimental effect on the neighbours' enjoyment of daylight and sunlight.

2.5 The additional storey would have windows at the front and rear, the windows would be positioned the same distance as from neighbouring properties as the existing arrangement (windows at lower level). On balance, the additional storey would not be considered to result in unacceptable impacts on neighbouring amenity, in terms of loss of privacy or overlooking.

2.6 Given the surrounding context, siting and orientation, the proposed additional storey would have minimal impact on the daylight and sunlight received by neighbouring properties. Likewise there would be minimal impact in terms of overlooking or overbearing impacts. Due to existing separation distances and orientation of the neighbouring properties, no further mitigation measures are considered necessary to prevent loss of privacy through overlooking.

2.7 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 would be added to the decision.

Design and architectural features of the principal and side elevation: Condition AA.2(3)(a)(ii)

2.8 The proposal seeks to extend the main part of the building by one storey to create additional accommodation. 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.

2.9 The proposed additional storey would match the existing building material palette and detailing with white painted render, brickwork, and white uPVC windows. The proposed windows would match the fenestration pattern of the existing windows, positioned to line up with the existing windows located on the lower floors, and would be of the same style as the existing windows.

2.10 As the additional storey would reflect the design of the existing building, the proposal is considered to be appropriate in design terms.

2.11 **Air traffic and defence asset impacts**

Condition AA.2 (3)(a)(iii) states air traffic and defence asset impacts of the development. Given the location of the development, there would be no impact on air traffic or defence assets.

2.12 **Impact on protected views**

Condition AA.2(3)(a)(iv) states 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. The site does not fall within any views identified by the London View Management Framework.

2.13 Condition AA.2 (3)(b) 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.

2.14 **Conclusion:** The Council has taken into account the responses from the consultation process and the guidance in the NPPF 2021, as required by para AA.3 regarding procedure.

2.15 The additional storey is considered to comply with 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

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 29th November 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 and search for 'Members Briefing'.