

Delegated Report		Analysis sheet		Expiry Date:	25/01/2022
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
Leela Muthoora			2021/5854/P		
Application Address			Drawing Numbers		
13 Hawtrey Road London NW3 3SS			See Decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of an additional storey at second floor level to the existing dwellinghouse.					
Recommendation(s):		Grant Prior Approval			
Application Type:		GPDO Prior Approval - Part 1 - Class AA			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	02	No. of responses	05	No. of objections	01
Summary of consultation responses:	Two site notices were displayed from 17/12/2021 to 10/01/2022.					
	<p>The adjacent neighbours Nos. 11 and 15 Hawtrey Road were notified of the proposals by letter on 14/12/2021.</p> <ul style="list-style-type: none">3 letters of support were received from occupiers of 122 King Henry's Road, 76 Hawtrey Road and 7 Lower Merton Road.1 comment made by the Trust Property Management.1 objection from 120 King Henry's Road <p><u>Consultation responses</u></p> <p><u>Procedural issues:</u></p> <p>Queries were raised by neighbours regarding the dates of the display of notices.</p> <p>Officer response: <i>The LPA has fulfilled its statutory duty under the prior approval process to notify the adjacent neighbouring properties by letter. The application was also published in the weekly list of applications and residents who have signed up to planning e-alerts were notified of the application electronically.</i></p> <p><i>In addition, photographs published in the case file demonstrate the notices were placed 16 December 2021. The formal consultation period was open until 10 Jan 2022 and the neighbours' comments were received 09 Jan 2022.</i></p> <p><u>Letters of support</u></p> <p>Three letters of support were received, one in support of upward extensions, the second supporting the proposal enabling families more space and the third reiterating previous letter of support for the proposal with the roof top box.</p> <p><u>Comment</u></p> <p>Inaccurate drawings regarding doors to refuse cupboards that open on to a communal garden. Requesting a condition to any permission drawings show be substituted and the doors be removed/closed in.</p> <p>Officer response: <i>The proposal relates to the additional storey, the doors to the communal garden do not form part of this application and therefore a condition is not considered necessary as it would be not be relevant to the development to be permitted.</i></p> <p><u>Objection</u></p> <p>I live directly opposite. Approval will mean loss of privacy, loss of light and destroy the architectural appearance and manner of the two storey houses around the communal garden.</p>					

	<p>Officer response: The proposal for an additional storey is the same in scale as that granted prior approval 05/01/2021, ref: 2020/5021/P.</p> <p>The rear windows of the development will be approximately 19m to the nearest neighbouring windows at no.118 King Henry's Road and approximately 23m to the nearest neighbouring windows at no.120 King Henry's Road. See paragraph 3.5, 3.6.</p> <p>The daylight and sunlight report has been resubmitted with this application. See paragraphs 3.3 of the report</p> <p>Architectural appearance: The GPDO limits prior approval to an assessment of the external appearance of the dwellinghouse in so far as it relates to the principal and side elevation. Please refer to paragraphs 3.8 to 3.12 of the report for the assessment of the design and architectural features of these elevations.</p>
CAAC/Local groups comments:	None

Site Description

13 Hawtrey Road is a two storey, end of terrace, white painted brick residential dwelling with a flat roof on the southern side of the road.

The application site is located within a planned residential estate (known as the Chalcot Estate), bounded by King Henry's Road, Adelaide Road and Primrose Hill Road, dating from the 1960's. 13 Hawtrey Road is surrounded by a grassed area of public open space to the south, west and east, and is located immediately south of a cul-de-sac in which Nos. 66-82 (even) Hawtrey Road are situated.

There is an existing roof storage box situated on the roof of the building, which is a feature of all surrounding properties. The building is L-shaped and benefits from a private courtyard to the rear, within the 'L'.

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 number	Development Description	Decision
2011/3003/P	Erection of first floor rear extension with roof terrace, insertion of windows to front elevation at ground floor level and to side elevation at first floor level of dwelling (Class C3).	Planning Permission Granted 05/08/2011
2020/5021/P	Erection of an additional storey at 2nd floor level on existing dwellinghouse.	GPDO Class AA Prior Approval Granted 05/01/2021

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 above the existing second floor flat roof of the principle part of the building.
- The proposal is a re-submission of the recently approved prior approval application 2020/5021/P granted 05/01/2021. The difference between the approved application and this application is the removal of the roof box from the proposed additional floor and alterations to the rear window to sliding doors with glazed Juliet balcony.
 - The existing building has a height of 6.2m to the top of the parapet wall and a height of 6.7m to the top of the roof of the roof box (which is considered to be the highest part of the roof).
 - The additional storey would be 3.3m in height from the existing flat roof and an increase of 2.1m from the highest part of the roof, the roof box. Existing flat roof to proposed flat roof would measure 2.8m (as well as existing parapet to proposed parapet).
 - The proposed additional storey would increase the overall height of the building to 8.8m to the top of the parapet wall.



- 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)] set out in the table below, in 2.1, 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 conditions

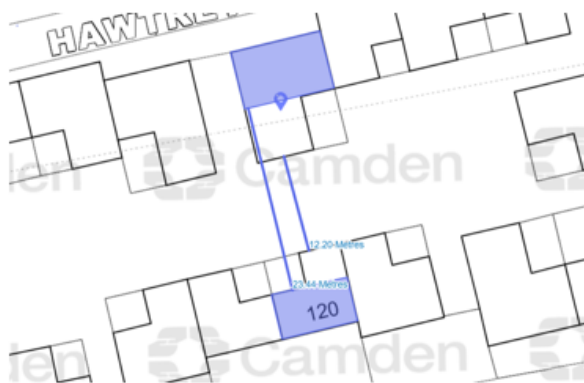
Class AA: The enlargement, improvement or other alteration of a dwelling house		
If yes to any of the questions below the proposal is not permitted development		Yes/no
AA.1 (a)	Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M, N, P, PA or Q of Part 3 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
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. 8.8m)
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. 2.1m 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 (approx. 2.1m)
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 2.3m)
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
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: flat roof Proposed: flat 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)

3. **Assessment against Class AA.2 Prior Approval criteria:**

Impact on the amenity of any adjoining premises

- 3.1. Condition AA.2(3)(a)(i) refers the developer to apply for prior approval as to the impact on the amenity of adjoining premises.
- 3.2. The site is surrounded by communal green space to the rear (south) and west and is attached to No. 15 Hawtrey Road to the east. There is a gap of approximately 5m between the western flank elevation of the site and the eastern flank elevation of the adjacent neighbouring property No. 11 Hawtrey Road.
- 3.3. The applicant has submitted a daylight and sunlight report which assesses the impact on Nos. 11 and 15 Hawtrey Road and Nos. 118, 120 and 122 King Henry's Road. 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.
- 3.4. It is not clear that the communal garden can be regarded as premises. Nevertheless, any increased overshadowing of this area would not be considered so harmful as to warrant refusal. The communal garden is large and the proportion which would be overshadowed would be relatively small. Therefore, the level of overshadowing is considered acceptable in this instance.
- 3.5. The additional storey would have windows at the front and rear. There is a separation distance of approximately 19m from the principal rear building line of the property and the nearest residential properties to the south (Nos. 120 and 118 King Henry's Road), and a separation distance of approximately 33m from the front building line of the property and the front elevation of the nearest residential properties to the north (Nos. 74 and 76 Hawtrey Road). There is a separation distance of approximately 15m between the front elevation of 13 Hawtrey Road and the flank elevation of No. 82 Hawtrey Road to the north. However, no windows are located in this flank elevation. These separation distances between elevations that include windows exceed the minimum separation distance of 18m as required by CPG Amenity, and as such it is considered that the proposals would not result in a loss of privacy through overlooking to neighbouring habitable rooms.
- 3.6. The annotated plan below shows the distance is approximately 23m between the rear building lines of the upper floors between the site and nearest neighbour at 120 King Henry's Road.



Impact on the design and architectural features of the principal and side elevation

- 3.7. Condition AA.2(3)(a)(ii) refers the developer to apply for prior approval as to the impact on the external appearance of the dwellinghouse, including the design and architectural features of the principal and side elevation.
- 3.8. The proposal seeks to extend the main part of the building by one storey to create two additional bedrooms, two bathrooms and a utility room at second 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 match that of the existing first floor below.
- 3.9. In addition, three rooflights would be inserted into the proposed flat roof and sliding doors with a glazed Juliet balcony to the rear. Due to their location, these elements cannot be assessed under the prior approval.
- 3.10. The proposal would match the existing building material pallet and detailing with white painted brickwork and a white render band above with concrete coping along the top of the parapet.
- 3.11. 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 to the front elevation.
- 3.12. As the additional storey will reflect the design of the existing building and be in keeping, the proposal is considered to be appropriate in design terms.

Air traffic and defence asset impacts

- 3.13. 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.

Impact on protected views

- 3.14. 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.

Construction of development

- 3.15. 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.

4. 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).

Recommendation: Grant prior approval