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| Delegated Report Prior Approval GPDO Part 1, Class AA | | Analysis sheet | Expiry Date: | 18/03/2022 |
| | | N/A / attached | Consultation Expiry Date: | 04/04/2022 |
| Officer | | | Application Number(s) | |
| Laura Dorbeck | | | 2022/0438/P | |
| Application Address | | | Drawing Numbers | |
| 10 Quickswood London NW3 3SJ | | | Please refer to decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Erection of an additional storey to the existing dwellinghouse | | | | |
| Recommendation(s): | | Grant Prior Approval | | |
| Application Type: | | GPDO Prior Approval - Part 1 - Class AA | | |

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|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | | | No. of responses | 00 | No. of objections | 00 |
| Summary of consultation responses: | <p>2 site notices were displayed outside 12/14 Quickswood and 5 Conybeare between 11/03/2022 and 04/04/2022.</p> <p>Letters were sent to adjoining properties on 10/03/2022.</p> <p>No comments or objections have been received.</p> | | | | | |
| CAAC/Local groups comments: | <p>The application site does not fall within a conservation area.</p> <p>No comments or objections have been received.</p> | | | | | |

Site Description

The site is a two storey dwelling house located on the west side of the road, within a planned residential estate (known as the Chalcot Estate) between Fellows Road to the north and King Henry's Road to the south, dating from the 1960s.

The site is within a block of four L-shaped houses which front Quickswood to the north and west and Conybeare to the east. All four properties benefit from a small external garden area and have been extended at first floor level. The group match in terms of their design, scale, form and materials. The houses are built in brick and concrete externally, and painted white.

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

Relevant History

10 Quickswood (application site)

2013/1421/P - Erection of single storey rear extension at first floor level, replacement of all windows and doors, replacement of garage door with window in connection with conversion of garage to habitable accommodation, the installation of a canopy above front entrance and a gate to existing garden fence to single family dwelling house (Class C3). Granted 07/05/2013.

12 Quickswood

2022/0434/P - Erection of an additional storey to the existing dwellinghouse under Class AA, Part 1 of the GPDO (2015). Under determination.

24 Quickswood

2021/2147/P - Erection of an additional storey to the existing dwellinghouse under Class AA, Part 1, Schedule 2 of the GPDO (2015) (as amended). Prior approval granted 10/11/2021.

4 Conybeare

2021/1510/P - Prior approval for the erection of an additional storey (3.1m in height) on existing dwellinghouse. Prior approval granted 18/03/2022

6 Conybeare

2020/4216/P - Erection of an additional storey 2.4m in height above existing roof level. Prior approval granted 02/12/2020

7 Conybeare

2021/4149/P - Additional storey to a dwellinghouse. Prior approval granted 31/01/2022

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)

Assessment

1. Proposal

- 1.1 The proposal seeks prior approval for an additional storey above the existing second floor flat roof which would be 2.9m in height above the existing roof level and 2.1m in height above the side parapets.
- 1.2 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).
- 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 issued by the Secretary of State;*

2. Assessment

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 |
| 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 |

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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 |
| AA.1 (e) | Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres? | No - (approx. 8.4m) |
| 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 (max. height of 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? | N/A |
| 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 2.35m)? | No - floor to ceiling height 2.35m |
| 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 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? (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) |

Assessment against Class AA.2 criteria-

Impact on the amenity of any adjoining premises

- 2.1 The site sits within a group of four dwellinghouses, with nos. 12 and 14 Quickswood and 5 Conybeare. Each property in the group is L-shaped, and all have extended the original single storey rear extension at first floor level.
- 2.2 The applicant has submitted a daylight and sunlight report which assesses the impact on 12 Quickswood and 5 Conybeare against BRE guidelines. The assessment included a VSC analysis and daylight distribution to test daylight, and Annual Probable Sunlight Hours (APSH) to assess sunlight. No.14 was not included within the assessment as 25 degree and 45 degree line tests suggested that the windows at this property would not be impacted by the development. These are simple tests to assess whether a neighbouring property is likely to be impacted by development, with any development not falling within a 25/45 degree angle from the neighbouring windows not requiring assessment.
- 2.3 The VSC analysis showed that all but two windows tested at 12 Quickswood would meet BRE guidelines, i.e. there would be no noticeable reduction in daylight or sunlight. The two windows affected are south facing windows which face the application site, at ground floor and first floor level. The ground floor window serves an open plan living room / kitchen / dining room which is served by four windows. All other windows will meet BRE guidelines which would ensure the room would still benefit from adequate daylight, as demonstrated by the room's daylight distribution results. Furthermore, the room's existing access to daylight is limited (below 10%) and therefore the reduction expressed as a portion of this is disproportionate. With the window achieving 0.7 times the existing and only 0.8% off the target, it is considered that the difference would not be noticeable. The first-floor window that does not meet BRE guidelines, achieves a VSC of more than 0.7 times the existing and also serves a room with another window that has a VSC in excess of 34%. The daylight distribution to each habitable room has been assessed and in all instances would meet BRE guidelines. On balance, these rooms are considered to still receive adequate levels of daylight.
- 2.4 The assessment demonstrated that any impacts to 5 Conybeare would meet BRE guidelines for VSC and daylight distribution, as such there would be no noticeable impact to daylight levels at this property.
- 2.5 When assessing impact on sunlight levels, BRE guidelines recommend that all windows within 90 degrees of due south should be assessed, and set out that a window should achieve Annual Probable Sunlight Hours (APSH) of 25%, including at least 5% during the winter months.
- 2.6 At 12 Quickswood, the analysis considered three rooms that have windows facing within 90° of due south. The results indicate that all rooms will exceed the numerical values set out in the BRE guidelines and therefore the proposals will not have a significant effect on sunlight. Likewise, the rooms tested at 5 Conybeare would meet BRE guidelines and would not see a noticeable reduction in sunlight.
- 2.7 The additional storey would have windows to the front and rear, in the same position as the existing windows of the floor below. One window to the rear would directly overlook the rear windows of 5 Conybeare at a distance of 8.6m away, which is less than the recommended guidance for directly overlooking neighbouring windows of 18m set out in CPG Amenity. However, this is the same as the existing arrangement, with the two neighbouring windows at first floor level directly facing each other. A new storey at second floor level at the application site is unlikely to materially worsen the existing situation given it is serving the existing single

dwelling house and sits a storey higher.

The design and architectural features of the principal elevation

2.8 The proposal seeks to extend the existing dwelling by the erection of one additional storey. The extension would be rectangular in form, and located above the principal part of the house fronting Quickswood. The extension would provide two additional bedrooms and a bathroom. The extension would match the footprint, form and detailing of the floor below, finished in a stretcher bond brick painted white, with white rendered banding and concrete coping stones. The new windows would match the width, and general design of the windows of the floor below. As the additional storey would reflect the design of the existing building, the proposal is considered to be appropriate in design terms.

Air Traffic and defence asset impacts

2.9 Condition AA.2 (3)(a)(iii) requires an assessment of the 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 vistas

2.10 Condition AA.2(3)(a)(iv) requires an assessment of 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 issued by the Secretary of State. The site does not fall within any views identified by the London View Management Framework and as such, there will be no impact.

Construction impact

2.11 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.

3. Conclusion

3.1 No consultation responses were received and the Council has taken into account the guidance in the NPPF 2021 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).

3.2 As such, it is recommended that Prior Approval is granted.