

<b>Delegated Report</b> Prior Approval GPDO Part 1, Class AA		<b>Analysis sheet</b> N/A / attached		<b>Expiry Date:</b> 02/06/2022	
				<b>Consultation Expiry Date:</b> 04/06/2022	
<b>Officer</b>			<b>Application Number(s)</b>		
Ewan Campbell			2022/1712/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
82 Hawtrey Road London NW3 3SS			See 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 above existing roof level to the existing dwellinghouse					
<b>Recommendation:</b>		Grant Prior Approval			
<b>Application Type:</b>		GPDO Prior Approval Part 1, Class AA			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Summary of consultation:</b>		One site notice(s) was displayed near to the site on the 11/05/2022 (consultation end date 04/06/2022).  One neighbour was consulted by a neighbour letter – 80 Hawtrey Road, London, NW3 3SS			
<b>Adjoining Occupiers:</b>		No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		No responses were received.			

## Site Description

The application site is located within the Chalcots Estate. The site contains a three-storey, end of terrace, residential property. The surrounding area is residential in character. The application is not within a Conservation Area and the host building is not listed.

## Relevant History

### Application site

N/A

### Neighbouring properties

78 Hawtrey Road, Erection of an additional storey above existing roof level **Granted Prior Approval (07/12/2021)**

87 Fellows Road

**2020/5352/P:** Prior approval for the erection of an additional storey (2.9m in height) on the existing dwellinghouse. **Grant Prior Approval 05/01/2021**

105 Fellows Road

**2020/5611/P:** Erection of an additional storey 2.88m in height above existing roof level. **Grant Prior Approval 26-01-2021**

25 Primrose Hill

**2021/3437/P:** Erection of an additional storey above existing roof level of existing dwellinghouse. **Grant Prior Approval 25-10-2021**

## Relevant policies

National Planning Policy Framework (2021)

General Permitted Development Order (2015)

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

## Assessment

### 1. Proposal

- 1.1. The proposal seeks prior approval for an additional storey above the existing flat roof level. The proposal is similar to planning application ref 2021/3437/P and 2021/3594/P.
- 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)] 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;*

### 2. Assessment

- 2.1. *Assessment against Class AA.1 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
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
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. 11.4m)
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
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
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?	No
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
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)

2.2 Assessment against Class AA.2 criteria-

#### Impact on the amenity of adjoining premises

- 2.3 The proposed extension would be approximately 17.3m from the rearmost elevation of the properties on Hawtreys Road (the adjacent cul-de-sac). In between the rear of the properties that are facing on to each other (both on Hawtreys) there are private gardens. Given the scale of the proposed extension and the distance to neighbouring properties on the other part of Hawtreys Road, it is considered that the extension would have minimal impact on the outlook and amenities.
- 2.2 In terms of daylight and sunlight the application is supported by a daylight/ sunlight study. Looking at the results the Vertical Sky Component (VSC) levels are already mostly in an acceptable range and the losses are mostly very low. The largest reductions as a percentage are W1 (R1) and W2 (R2) which have a loss of 7.6%. However the proposed VSC figure is still 27% meaning the windows will still benefit from an acceptable light. Most properties are only affected minimally and overall all still contain an acceptable level of light of this location. Considering that all windows are in excess of 20% the proposal is acceptable from a VSC perspective. In terms of the Annual Probable Sunlight House (APSH) there is very little change and any reduction does not exceed 1% or 2%. All of the proposed figures are at the recommended level and therefore it is considered acceptable.
- 2.3 There is a degree of overlooking onto the adjacent gardens to the rear of the site (also on Hawtreys Road). However given the overlooking that already exists, the increased overlooking would not be sufficient to support a reason for refusal. The addition of a roof extension with a further window overlooking the communal gardens would result in a minimal increase in overlooking.

#### Design and architectural features of the principal and side elevation

- 2.3 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.

#### Air traffic and defence asset impacts

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

#### Impact on protected views

- 2.5 The site does not fall within any views identified by the London View Management Framework

### **3. Conclusion-**

The Council has taken into account any responses from the consultation process and 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).

4. **RECOMMENDATION** Grant Prior approval