

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>28/09/2022</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>10/09/2022</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Obote Hope				2022/3319/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
1 Tobin Close London NW3 3DY				See 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 additional storey on second floor of dwellinghouse.							
<b>Recommendation(s):</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>Adjoining Occupiers:</b>		No. notified	<b>01</b>	No. of responses	<b>03</b>	No. of objections	<b>00</b>
				No. electronic	<b>02</b>		
<b>Summary of consultation responses:</b>		Site notice: 17/08/2022 – 10/09/2022. Notification letters to adjoining occupiers: 16/08/2022 – 09/08/2022.  2 letters of supporting e-mails were received during the consultation period.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		N/A					

## Site Description

The properties form part of a terrace of three storey properties with a flat roof on the south side of Tobin Close. Number 1 is an end of terrace property and numbers 3, 4 and 5 are mid-terrace properties. The application site is located within a planned residential estate (known as the Chalcot Estate) dating from the 1960's. The majority of the houses on the estate are terraced.

The surrounding area is residential in character. To the east of the site is the 12 storey King's College Court. To the southwest of the site is a 23 storey residential block, Dorney. The application is not within a Conservation Area and the host building is not listed.

## Relevant History

**2018/3815/P** – Planning permission for the erection of a single storey ground floor extension to the front elevation. **Granted** on 16/11/2018.

**2017/0428/P** – Planning permission for the erection of a single storey side extension to existing Dwelling House(Class C3). **Granted** on 21/03/2017.

**2016/0009/P** – Planning permission for the erection of rear dormer extension with roof lights to front roof slope. **Granted** on 10/03/2016

**2012/4382/P** – Planning permission for the conversion of an integral garage into habitable accommodation associated with the existing dwelling including the formation of a side window and rooflight. **Granted** on 30/10/2012.

## 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 third floor flat roof, measuring 2.6m in height with rooflight.
- 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 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 G, M, MA, 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. 9.9m)
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. 2.6m)
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. 2.6m)
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 (Approx. 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	