

# PLANNING STATEMENT

ADL Planning Pty Ltd  
Planning For Better

41 Belsize Road, London, NW6 4RX

ADL

Planning Statement detailing compliance with the requirements set out in Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in relation to the provision of an additional storey at 41 Belsize Road



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**Site Address:** 41 Belsize Road, London, NW6 4RX

**Proposed development:** Construction of an additional single storey to main roof of the dwelling.

This statement explains that the proposed development as illustrated on the submitted drawings complies with the requirements set out in Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This relates to development within the curtilage of a dwellinghouse. The proposed development is not restricted by any relevant Article 4 Directions or removal of permitted development rights by way of relevant planning conditions.

An earlier application for a similar development was approved by the Local Planning Authority (your ref: 2021/0755/P). The only difference with this current application is the provision of rooflights to the front and rear roof slopes at main roof level.

### Compliance with GPDO

Permitted Development	Applicant's Response
<b>AA.</b> The enlargement of a dwellinghouse consisting of the construction of— (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or (b) one additional storey, where the existing dwellinghouse consists of one storey,  immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.	The proposal consists of the construction of one additional storey immediately above the topmost storey of the dwellinghouse.
Development not permitted	Applicant's Response
<b>AA.1</b> Development is not permitted by Class AA if –	
(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);	The dwellinghouse was not granted by virtue of the listed classes.
(b) the dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest;	The dwellinghouse is not located on article 2(3) land or a site of special scientific interest.
(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;	The dwellinghouse was constructed in the 1960s.
(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original	The existing dwellinghouse has not been enlarged by the addition

dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;	of one or more storeys above the original dwellinghouse.
(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;	Following the development, the height of the dwellinghouse would be approximately 15 metres.
(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;	Following the development, the height of the highest part of the roof of the dwellinghouse would not exceed the height of the highest part of the roof of the existing dwellinghouse by more than 7 metres as governed by (ii) as the existing dwellinghouse consists of more than one story.
(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;	The dwellinghouse is a terraced house. Following the development, the height of the highest part of its roof would not exceed by more than 3.5 metres the height of the highest part of the roof of every other building in the row in which it is situated.
(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;	The floor to ceiling height of the additional storey, when measured internally, would not exceed the same height as the floor to ceiling heights of the existing building.
(i) any additional storey is constructed other than on the principal part of the dwellinghouse;	The additional storey will only be constructed on the principal part of the dwellinghouse.
(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; or	The development would not include any of the listed items upon completion of the development.
(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.	The proposal does not include any engineering operations outside of the curtilage of the dwellinghouse to strengthen its existing walls or foundations.

Conditions	
AA.2. - (1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).	
<p>(2) The conditions in this sub-paragraph are as follows—</p> <p>(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;</p> <p>(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwellinghouse;</p> <p>(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; and</p> <p>(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.</p>	<p>The materials to be used on the exterior work will be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.</p> <p>The development will not include a window in any wall or roof slope forming a side elevation of the dwellinghouse.</p> <p>The roof pitch of the principal part of the dwellinghouse following the development will be the same roof pitch of the existing dwellinghouse (namely a pitched roof).</p> <p>Following the development, the dwellinghouse will only be used as a dwellinghouse and for no other purpose.</p>
<p>(3) The conditions in this sub-paragraph are as follows—</p> <p>(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—</p> <p>(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;</p> <p>(ii) the external appearance of the dwellinghouse, including the design and architectural features of—</p> <p>(aa) the principal elevation of the dwellinghouse, and</p> <p>(bb) any side elevation of the dwellinghouse that fronts a highway;</p> <p>(iii) air traffic and defence asset impacts of the development; and</p> <p>(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(3) issued by the Secretary of State;</p> <p>(b) before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the</p>	<p>Please see Statement below in relation to:</p> <p>(a)(i) and (a)(ii) (aa) and (bb).</p> <p>The proposed development will not impact air traffic and defence assets.</p> <p>The development will not impact on a protected view as identified by the given legislation.</p>

<p>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;</p> <p>(c) the development must be completed within a period of 3 years starting with the date prior approval is granted;</p> <p>(d) the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion; and</p> <p>(e) that notification must be in writing and include—</p> <ul style="list-style-type: none"> <li>(i) the name of the developer;</li> <li>(ii) the address of the dwellinghouse; and</li> <li>(iii) the date of completion.</li> </ul>	<p>Please see below – Report for the Management of Construction of the Development.</p> <p>The development will be completed within 3 years of prior approval being granted.</p> <p>The LPA will be notified of completion in writing and will include the listed information.</p>
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### Statement in relation to the conditions listed in sub-paragraph 3(a)

Sub-paragraph 3(a) requires an assessment of the development as to the impact on the impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light; and the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation of the dwellinghouse, and any side elevation of the dwellinghouse that fronts a highway. These matters are considered below.

### Amenity – (a)(i)

#### Overlooking and Privacy

The proposal will not give rise to any additional impacts in relation to privacy or overlooking from the newly created front and rear windows than currently exists from the existing front and rear windows on the building. Privacy and overlooking were not raised as concerns by the Local Authority during their determination of the earlier proposal for a similar development and there is no reason that this assessment would differ under this application.

#### Loss of light

The proposal will not give rise to any detriment in relation to sunlight or daylight from the newly created additional floor. Given the orientation and distance of the application site from its neighbours, sunlight and daylight issues were not raised as concerns by the Local Authority during their determination of the earlier proposal for a similar development and there is no reason that this assessment would differ under this application.

### External appearance of the dwellinghouse – (a)(ii)

#### Principal elevation of the dwellinghouse – (aa)

The proposed additional storey is proposed to match the existing building in terms of design and material palette and would match the height of the adjoining short terrace of similar properties. This would result in an extension that blends into the existing fabric and would be in keeping with the surrounding context. The proposed windows would be positioned to line up with the

existing windows located on the lower floors and would be of the same style as the existing windows. The roof pitch would match the existing design.

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.

#### **Side elevation of the dwellinghouse that front a highway – (bb)**

The application site does not have a side elevation that fronts a highway and as such, criteria 3(a)(ii)(bb) is not relevant to the consideration of this proposal.

#### **Statement in relation to the condition listed in sub-paragraph 3(b) – Report for the Management of Construction of the Development**

Sub-paragraph 3(b) requires, before beginning the development, a report for the management of construction of the development.

The Applicant hereby confirms that the stated report will be provided to the Council prior to the development beginning on site.

#### **Conclusion**

The proposed development complies with the limits and conditions of Schedule 2 of Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore prior approval should be granted.

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