



PLANNING STATEMENT

August 2021

Drawing and Planning Ltd.
Mercham House,
25-27 the Burroughs,
London,
NW4 4AR

Tel: 020 8202 3665

Email: info@drawingandplanning.com

*25-28 Buckingham Court
27 Watford Way,
London, NW4 4TD*

1.0 Introduction

- 1.1 This supporting Planning Statement has been prepared by Drawing and Planning Ltd, Mercham House, 25-27 The Burroughs, Hendon, London, NW4 4AR.
- 1.2 Drawing and Planning Ltd have been instructed by the applicant, Propkob Limited to prepare and submit a prior approval planning application at the property at 25-28 Buckingham Court, 27 Watford Way, London, NW4 4TD. This application seeks to construct a two-storey extension to the existing building to provide four additional, self-contained flats, plus associated lift core staircase and cycle storage.

2.0 The Site and Surroundings

- 2.1 The application site is located to the rear of Watford Way (located on the east), and the site borders the M1 to the west, on the Hendon ward. The existing building is a three-storey block of four flats located behind suburban housing.
- 2.2 Access is provided from a shared road providing access to a larger group of flats to the south, that together with the site form Buckingham Court.
- 2.3 The application site is not located within the Green Belt, any Conservation Area or any Area of Outstanding Natural Beauty (AONB). The property is located within Flood Zone One which has a low probability of flooding. The property is not a listed building nor are there any in the immediate surrounding area. The site has a public transport accessibility level (PTAL) of 1b which is classified as 'Poor'.

3.0 Planning History

- 3.1 Address: 25 Buckingham Court Watford Way London NW4 4TD
Ref: W11847A/01
Proposal: Conversion of lower ground floor and garage into a self-contained unit.
Decision: Approved subject to conditions
Date: 05 Oct 2001

Address: 1 - 24 Buckingham Court 27 Watford Way London NW4 4TD
Ref: W11847B/02
Proposal: Replacement of existing timber single glazed windows and doors to all main elevations in PVCu double glazed units & communal doors in aluminium double glazed units.
Decision: Approved subject to conditions
Date: 01 Mar 2002

4.0 Permitted Development (GPDO)

- 4.1 Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2020 (Amended) allows for the construction of up to two new storeys of flats in the airspace above a purpose-built detached block of flats. Development under Class A shall be permitted where it can be demonstrated that the proposal would be acceptable against the following criterion:

Permitted Development

- A. Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats, together with any or all—
- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
 - (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
 - (c) works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;
 - (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

Development not permitted

- A.1. Development is not permitted by Class A if—
- (a) the permission to use any building as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule;
 - (b) above ground level, the building is less than 3 storeys in height;
 - (c) the building was constructed before 1st July 1948, or after 5th March 2018;
 - (d) the additional storeys are constructed other than on the principal part of the building;
 - (e) 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 building;
 - (f) the new dwellinghouses are not flats;
 - (g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);
 - (h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;
 - (i) development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;
 - (j) development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—
 - (i) strengthen existing walls;
 - (ii) strengthen existing foundations; or



- (iii) install or replace water, drainage, electricity, gas or other services;
- (k) in the case of Class A.(b) development there is no existing plant on the building;
- (l) in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;
- (m) development under Class A.(c) would extend beyond the curtilage of the existing building;
- (n) development under Class A.(d) would—
 - (i) extend beyond the curtilage of the existing building;
 - (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or
 - (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;
- (o) the land or site on which the building is located, is or forms part of—
 - (i) article 2(3) land;
 - (ii) a site of special scientific interest;
 - (iii) a listed building or land within its curtilage;
 - (iv) a scheduled monument or land within its curtilage;
 - (v) a safety hazard area;
 - (vi) a military explosives storage area; or
 - (vii) land within 3 kilometres of the perimeter of an aerodrome.

Conditions: A.2.

- (1) Where any development under Class A is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—
- (a) transport and highways impacts of the development;
 - (b) air traffic and defence asset impacts of the development;
 - (c) contamination risks in relation to the building;
 - (d) flooding risks in relation to the building;
 - (e) the external appearance of the building;
 - (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
 - (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and
 - (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State; and
 - (i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building;
- and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

- (2) Any development under Class A is permitted subject to the condition that it must be completed within a period of 3 years starting with the date prior approval is granted.
 - (3) Any development under Class A is permitted subject to the condition that before beginning the development, the developer must 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 occupiers of the building and adjoining owners or occupiers will be mitigated.
 - (4) The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.
 - (5) The notification referred to in sub-paragraph (4) must be in writing and must include—
 - (a) The name of the developer;
 - (b) The address or location of the development; and
 - (c) The date of completion.
 - (6) Any new dwellinghouse created under Class A is to remain in use 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.
- 4.2 The proposal will be assessed against the criterion contained within Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2020 (Amended)

5.0 Legislative Compliance

Compliance with Class A

- 5.1 The proposal will be assessed against the criterion contained within Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2020 (Amended).
- 5.2 The site is currently a three-storey building which was constructed in the 1960's. The floor to ceiling heights of the proposed extension are a minimum of 2.4 metres in height whilst not extending the building more than 7 metres in height, which, in combination, is below the 30 metre limit for the overall height of the building.
- 5.3 The development does not extend beyond the curtilage of the existing building nor is it located on land forward of a wall forming the principal elevation of the existing building. The site is not located, nor forms part of any area of article 2 (3) land, a site of special scientific interest (SSSI), a listed building, a scheduled monument, a safety hazard area, a military explosives storage area or within 3 km of the perimeter of an aerodrome.

Transport / Highways Impact

- 5.4 As detailed above, the site has a PTAL of 1b, which is classified as poor. The nearest bus stop is located within 150 metres east of the site and provides access to services between Edgware Bus Station and Oxford Circus, via Mill Hill, Hendon, Cricklewood, Swiss Cottage & Baker Street. The nearest train station to the site is Colindale Underground Station, located 15 mins walk to the east and provides access to Northern Line services between Edgware and Morden.
- 5.5 The application is supported by Transport Technical Note, a copy of which is included with this application. This report, goes on to state that *the proposals would not have a material impact upon the operation of the adjoining highway network. Consequently, it is concluded that the proposals would be entirely acceptable on transport and highways grounds and would not give rise to a 'material increase or a material change in the character of traffic in the vicinity of the site'.*
- 5.6 Based on the findings of this report, it is concluded that the proposed scheme would be accompanied by a level of on-site car parking provision that meets the anticipated demands of the existing and proposed units. Consequently, the proposals would be highly unlikely to lead to any adverse impacts on the local highway and transport networks.
- 5.7 It is concluded that the proposed scheme would cause no unacceptable adverse or severe impacts on the local highway network.

Air Traffic / Defence Asset Impacts

- 5.8 The proposed two storey extension to the property is not considered to cause any risk to air traffic or any defence asset impacts.

Contamination Risk

- 5.9 As detailed previously, the site is currently in residential use which is highly unlikely to provide any risk as part of the extension to the building.

Flooding Risk

- 5.10 The application site is located within flood zone one, which has a low probability of flooding.
- 5.11 As advised by the Environment Agency, a Flood Risk Assessment is not required for developments within flood zone 1, which are smaller than one hectare and are not affected by sources of flooding other than rivers and the sea, for example surface water drains. Furthermore, the site is at low risk from all other sources of flooding. The use of SuDS will form part of the surface water drainage provision for this proposal and hence will not increase flood risk elsewhere. Access and egress remain as existing and are not affected by the proposal.

External Appearance

- 5.12 The proposed development has been sensitively designed to ensure that it remains in keeping with the existing properties located in the immediate surrounding area. The proposed design seeks to provide a high-quality extension which will enhance the existing character and appearance of the area.

Provision of Adequate Natural Light

- 5.13 The existing residential units on site benefit from adequate natural light which would not be impacted by the proposed extension to the building. The proposed extension to the property will be dual aspect, which will provide adequate natural light to all habitable rooms of the new dwelling houses and to each of the new proposed units.

Impact on Neighbouring Amenity

- 5.14 As part of any planning application, it is important to ensure development proposals would not have an adverse impact on neighbouring amenity with regards to light, outlook or increased sense of enclosure.
- 5.15 The scheme has been designed in a manner that will allow for daylight and sunlight to be maintained to the adjoining properties. This can be seen by the proximity of the proposed development site, from the nearest residential building. Based upon this extensive proximity, there will not be any adverse impact on neighbouring residents in terms of daylight. In terms of sunlight, all existing and proposed windows retain access to sunlight for the vast majority of the day, both during the summer months and over the winter months.
- 5.16 The main bulk and massing of the site is proposed as a two-storey upward extension to the building, which is not considered to impact upon the adjoining neighbours. Furthermore, given the massing is upward in nature, it is considered that the scheme will not give way to a feeling of enclosure through an overbearing, overdevelopment of the site. The proposed development is not considered to result in a detrimental effect to the neighbouring amenity in terms of an overbearing impact or access to daylight/sunlight.

Protected Views

- 5.17 The site is not located within a protected view as identified by the London Plan (the regulations state that these are the basis of any assessment). Therefore, it is considered that there will be no impact on any protected views associated with this rooftop extension. The proposed two-storey extension is therefore not considered to impact upon any protected views both within and outside of the borough.

6.0 Summary

- 6.1 For the reasons set out above and the supporting documentation, the scheme meets all of the qualifying conditions set out in the Class A of the GPDO to be considered permitted development. Furthermore, we have demonstrated that the scheme does not give rise to any significant issues related to transport, air traffic, contamination risk, flooding, external appearance, natural light, amenity or impact on a protected view for the following reasons:
- A suitable level of car parking is proposed;
 - The scheme has a safe and appropriate pedestrian access;
 - The site is not located with an Air Traffic and Defence Asset zone.
 - The proposal would not involve any excavation works that could give rise to any contamination risks; and
 - The site is not within an area of flood risk;
 - Suitable materials to match the existing materials is proposed;

- There is a suitable provision of natural light in all habitable rooms of the new dwellinghouses;
- There is no significant detrimental impact on the amenity of the existing building and neighbouring premises; and
- The scheme does not impact on a protected view.

6.2 It is therefore considered that prior approval should be granted by the Council.

7.0 Conclusion

7.1 It has been demonstrated that proposal meets the requirements set out within Class A of the GPDO in terms of the qualifying use and matters of transport, flooding, contamination and noise. Accordingly, the council are respectfully requested to approve this application.