

29 April 2024



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Dear Sir or Madam,

**Application for Prior Approval – Schedule 2, Part 20, Class AD of the GPDO  
North Bungalow, Grove Lodge, Fir Tree Hill, Chandlers Cross WD3 4LY**

Please find enclosed an application for prior approval for the construction of one additional storey, comprising one new flat, above the North Bungalow at Grove Lodge, Fir Tree Hill, Chandlers Cross ('the site') under Schedule 2 Part 20 Class AD of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO').

In addition to this covering letter, this application is supported by the following documents:

- Application Form;
- CIL Form;
- Existing plans and elevations, drawing no. 103;
- Proposed plans and elevations, drawing no. 104; and
- Location and Block Plans, drawing no. 106.

The application fee of £418 has been paid via the Planning Portal.

**The Site**

The North Bungalow is an existing single storey detached residential building located within the wider Grove Lodge estate. The bungalow is long-established as an independent dwelling (Use Class C3), confirmed by the Council when they took no action against the alleged unauthorised use of the site as an independent bungalow as the use was found to be lawful (LPA ref: 10/0285/COMP).

The site is north of Fir Tree Hill and is accessed via a single access off Fir Tree Hill which leads firstly to the Grove Lodge, a two storey detached dwelling, before continuing to a series of buildings (barns, stables, workshop and garage and 2no. bungalows - the North Bungalow and South Bungalow). The estate is otherwise predominantly laid to hardstanding.

Residential development to the west is separated from the site by a woodland area. This development between Fir Tree Hill, Chandlers Lane and Popes Croft is of mixed character.

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In terms of site constraints, the site is within the Metropolitan Green Belt.

### **Proposed Development**

This application seeks prior approval for the construction of one additional storey, comprising one flat (Class C3), immediately above the existing bungalow under the provisions of Schedule 2 Part 20 Class AD of the GPDO.

The proposed additional storey would increase the height of the building by 2.66m, up to a maximum height of 7.96m. It would have a hipped roof and would be finished in materials to match that of the existing bungalow. Windows are proposed to the front and rear elevations of a similar size and style to the existing. The new storey would provide one two bedroom residential flat.

Access to the new flat would be via an internal staircase off a new communal entrance within the ground floor property.

Car parking for existing and new residents would be provided to the site frontage with provision for one space per dwelling. Additional car parking is also available within the wider Grove Lodge estate.

All works are proposed under permitted development rights.

### **Class AD Permitted Development Rights**

As per Schedule 2 Part 20 Class AD, the following works are permitted development:

AD.-

- (1) *Development consisting of works for the construction of new dwellinghouses immediately above the topmost storey on a detached building in use as a single dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order, where the development comprises –*
  - (a) *up to two additional storeys, in the case of an existing dwellinghouse consisting of two or more storeys;*
  - (b) *one additional storey, in the case of an existing dwellinghouse consisting of one storey,*

*together with any development under sub-paragraph (2)*
- (2) *Development consisting of any or all –*
  - (a) *engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;*
  - (b) *works for the construction of appropriate and safe access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;*

- (c) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

The proposals comprise one additional storey, and associated works, above the topmost residential storey of the existing bungalow for the creation of one new flat. The existing building is a detached building in use as a single dwellinghouse within the meaning of Class C3.

Paragraph AD.1 of Class AD

Paragraph AD.1 of Class AD details instances where development under Class AD is not permitted. Assessment against this criteria is provided below.

<b>Class AD.1 Criteria</b>	<b>Assessment</b>
(za) the permission to use the building as a dwellinghouse has been granted only by virtue of Class MA of Part 3 of this Schedule	Not applicable.
(a) the building was constructed before 1 <sup>st</sup> July 1948 or after 5 <sup>th</sup> March 2018	The site's planning history clearly demonstrates that the building was constructed between the relevant dates.
(b) on 5 <sup>th</sup> March 2018 the building was in a use other than – (i) a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, or (ii) a use or mixed use within paragraph AA(2)(a) or (b) of this Part	The building was in a Class C3 use on the relevant date.
(c) the additional storeys are constructed other than on the principal part of the dwellinghouse	The extension is wholly above the principal part of the dwellinghouse and does not extend above the porch.
(d) 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 existing dwellinghouse is 2.5m. The floor to ceiling height of the additional storey is 2.5m and would therefore comply.
(f) the new dwellinghouses are not flats	The new dwellinghouse would be a flat.
(g) the height of the highest part of the roof of the extended building would be greater than 18 metres	The highest part of the roof is 7.96m and would therefore comply.
(h) 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 dwellinghouse by more than –	The existing dwellinghouse consists of one storey. The highest part of the proposed roof would measure 7.96m, an increase of 2.66m and therefore complies.

<ul style="list-style-type: none"> <li>(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or</li> <li>(ii) 7 metres, where the existing dwellinghouse consists of more than one storey</li> </ul>	
<p>(i) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original building, whether in reliance on permission granted under Class AA of Part 1, or otherwise</p>	<p>No additional storeys have previously been constructed.</p>
<p>(j) development under Class AD(2)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development</p>	<p>No visible support structures are proposed.</p>
<p>(k) development under Class AD(2)(a) would consist of engineering operations other than works within the existing curtilage of the dwellinghouse to –</p> <ul style="list-style-type: none"> <li>(i) strengthen existing walls;</li> <li>(ii) strengthen existing foundations; or</li> <li>(iii) install or replace water, drainage, electricity, gas or other services</li> </ul>	<p>Any engineering operations would meet the requirements of this criterion.</p>
<p>(l) development under Class AD(2)(b) would extend beyond the curtilage of the existing dwellinghouse</p>	<p>No works are proposed beyond the curtilage of the existing dwellinghouse.</p>
<p>(m) development under Class AD(2)(c) would –</p> <ul style="list-style-type: none"> <li>(i) extend beyond the curtilage of the existing dwellinghouse;</li> <li>(ii) be situated on land forward of a wall forming the principal elevation of the existing dwellinghouse; or</li> <li>(iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing dwellinghouse</li> </ul>	<p>No works would extend beyond the curtilage of the existing dwellinghouse or be situated on land forward of the principal elevation or any side elevation of the existing dwellinghouse.</p>
<p>(n) the land or site on which the dwellinghouse is located, is or forms part of –</p> <ul style="list-style-type: none"> <li>(i) article 2(3) land;</li> <li>(ii) a site of special scientific interest;</li> <li>(iii) a listed building or land within its curtilage;</li> <li>(iv) a scheduled monument or land within its curtilage;</li> <li>(v) a safety hazard area;</li> <li>(vi) a military explosives storage area; or</li> </ul>	<p>None of the designations listed are relevant to the site.</p>

(vii) land within 3 kilometres of the perimeter of an aerodrome.	
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### Paragraph AD.2 of Class AD

Paragraph AD.2 of Class AD states that development under Class AD 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, including –
  - i. the design and architectural features of –
    - (aa) the principal elevation; and
    - (bb) any side elevation that fronts a highway; and
  - ii. including the impact of any works under paragraph AD(2)(b) or (c);
- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- (g) impact on the amenity of the 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<sup>th</sup> March 2012 issued by the Secretary of State.

### Transport and Highways Impacts

The National Planning Policy Framework (2023) ('NPPF') is clear at paragraph 115 that, "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"

The development would introduce one additional two bedroom flat into the site. The site is served by an existing, well-used access onto Fir Tree Hill which serves the existing bungalow, the South Bungalow and the Grove Lodge, as well as the other commercial buildings found on the wider estate. The very minor increase in trips associated with the site would not have a detrimental impact on highway safety and the introduction of a new flat would not be detrimental to local transport provision.

Adequate car parking is available to the site frontage.

The proposal is considered acceptable in relation to Paragraph AD.2(1)(a) of Class AD.

### Air Traffic and Defence Asset Impacts

The site is not in proximity of any air traffic or defence assets and the proposals result in a relatively minor increase in height of the building, up to 7.96m. The height of the building is considered wholly appropriate for the area and remains lower than the existing Grove Lodge building within the wider estate.

As such, there would be no adverse impacts on air traffic and defence assets and the proposal is considered acceptable in relation to Paragraph AD.2(1)(b) of Class AD.

#### Contamination Risks

There are no known historical uses of the site which would potentially cause contamination. Given the site's history, and the nature of the works comprising an upwards extension to the existing building, it is not considered that the intensification of the site to deliver one additional flat would pose a contamination risk.

As such, the proposal is considered acceptable in relation to Paragraph AD.2(1)(c) of Class AD.

#### Flood Risks

The site is located in flood zone 1, representing the lowest flood risk area. Given that the proposals are for the upwards extension of an existing residential building, the proposals do not result in the increase in building footprint or impermeable surfaces, therefore, there is no additional risk of flooding as a result of the proposals.

As such, the proposal is considered acceptable in relation to Paragraph AD.2(1)(d) of Class AD.

#### External Appearance

The additional storey has been designed to respect the architectural style of the existing building. It would be finished in matching materials and incorporates windows of a similar size and design as the existing. The hipped roof form has been retained and the pitch of the roof reflects that of the existing property. The building would read as a traditional two storey dwelling with the subdivision only apparent internally.

The external appearance of the proposed building is therefore considered acceptable in relation to Paragraph AD.2(1)(e) of Class AD.

#### Provision of Natural Light

All habitable rooms would be served by at least one window positioned in the front or rear elevation. There are no existing buildings close to the front or rear of the site and the proposed windows would therefore provide ample natural light for future occupiers.

As such, the proposal is considered acceptable in relation to Paragraph AD.2(1)(f) of Class AD.

#### Impact on Neighbouring Amenity

Immediately to the south of the site is the South Bungalow, which currently mirrors the application building and is built to the same front and rear building lines. As such, the proposals would have limited impact on the occupiers of the South Bungalow in terms of loss of light, overlooking or privacy concerns.

The impact on the amenity of neighbouring premises is therefore considered acceptable in relation to Paragraph AD.2(1)(g) of Class AD.

#### Impact on Protected Views

The development would not impact on any protected views. As such, the proposal is considered acceptable in relation to Paragraph AD.2(1)(h) of Class AD.

#### **Conclusion**

The proposed development comprises the construction of one additional storey to provide one new flat above the North Bungalow. The principle of the extension is not an issue because the principle of permission has effectively already been granted by application of Schedule 2 Part 20 Class AD of the GPDO.

As required under Paragraph AD.2 of Class AD, it is demonstrated that there are no reasons why the development should not proceed. Prior approval should therefore be granted for the development. Should you have any queries, please do not hesitate to get in touch.

Yours faithfully



**Rob Morgan MRTPI**

Associate Director  
Savills