

Your Ref: **PP-11292001**  
Our Ref: HPD/AH/20/150  
Date: 27 May 2022

London Borough of Hillingdon  
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Dear Sir/Madam,

**RE: S96A APPLICATION FOR NON-MATERIAL AMENDMENTS TO PRIOR APPROVAL (LPA REF: 39606/APP/2021/3731)**

**THE BUNGALOW AT WATERDELL FARM, SPRINGWELL LANE, HAREFIELD, UXBRIDGE UB9 6PG**

On behalf of our client, Mr Harpreet Singh Grewal ('the Applicant'), please find enclosed an application made under Section 96A of the Town and Country Planning Act 1990 (as amended) for a Non-Material Amendment to Prior Approval LPA ref: 39606/APP/2021/3731, comprising minor changes to the approved plans including the design of dormers, size/location of first floor windows and the addition of 5 no. rooflights.

Accordingly, please find enclosed the following documents which comprise the NMA application package:

- Duly completed S96A Application Form;
- Copy of Decision Notice LPA Ref: 39606/APP/2021/3731;
- Site Location Plan at scale 1:1,250 with the site edged in red; (Dwg. No. 787 – 000);
- Proposed Roof Plan - Amended (Dwg. No. 787 – 103 P2);
- Proposed Section – Amended (Dwg. No. 787 – 104 P2);
- NE Elevation – Amended (Dwg. No. 787 – 134 P3);
- SE Elevation – Amended (Dwg. No. 787 – 135 P2);
- SW Elevation – Amended (Dwg. No. 787 – 136 P3);
- NW Elevation – Amended (Dwg. No. 787 – 137 P3); and
- S96A Planning Statement prepared by Hybrid Planning & Development (this document).

The requisite planning application fee of £234 has been paid online via Planning Portal with this application submission.

## **SITE DESCRIPTION AND BACKGROUND**

The application site comprises a single-storey dwellinghouse and a detached garage located at Waterdell farm, Springwell lane, Harefield, in the London borough of Hillingdon.

The bungalow was constructed circa 1989 following the receipt of planning permission (LPA ref: 39606/87/1215) for the following development:

*“Erection of 3 bed bungalow and detached garage at Waterdell farm, Springwell Lane, Harefield”*

The building itself is set back from Springwell Lane, accessible via a private gated drive, and includes large front and rear gardens.

Whilst the site is located with the Colne Valley Regional Park and within the Green Belt, the building is not subject to any Statutory Listed Building designation nor is it located within a Conservation Area. The site is subject to a borough-wide Article 4 Direction removing the right to extend a dwellinghouse at the rear by more than 4m in depth via Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The bungalow and application site historically formed part of the wider Waterdell Farm, but has been used separately and solely as a self-contained residential property for a period greater than 10 years. A separate access road for Waterdell Farm can be found immediately south of the site on Springwell Lane, which leads to a series of derelict and disused buildings, including former workshops, kennels, stable blocks and agricultural barns. Beyond Waterdell Farm, the surrounding area is predominately open fields interspersed with residential dwellings and commercial buildings.

## PLANNING HISTORY

From a review of LBH's online planning register, we are aware of the following planning history for the site:

LPA Reference	Proposal	Decision	Decision Date
39606/E/92/0095	Retention of mobile home for living accommodation (retrospective application)	Approve Limited Time	12/06/1992
39606/G/94/1610	Re-use of barn/stables for residential purposes	Refused	17/04/1998
39606/H/95/0706	Retention of a mobile home for living accommodation	No further action	19/02/1998
39606/J/97/0148	Retention of mobile home for living accommodation (retrospective application)	Refused	17/04/1998
39606/APP/2000/2685	CHANGE OF USE FROM AGRICULTURAL TO Paddock FOR DOG TRAINING ACTIVITIES (RETROSPECTIVE APPLICATION)	Approve Limited Time	25/07/2001
39606/APP/2002/1518	RENEWAL OF PLANNING PERMISSION REF. 39606/APP/2000/2685 DATED 25/07/2001; CHANGE OF USE FROM AGRICULTURAL TO Paddock FOR DOG TRAINING ACTIVITIES	Approve Limited Time	31/01/2003
39606/APP/2021/639	Residential (Class C3) use at the Bungalow (Application for a Certificate of Lawful Development for an Existing Development).	Refusal	23/04/21
39606/APP/2021/1349	Erection of single storey rear extension and single storey side extension to existing bungalow, with associated alterations and works (Application for a	Approval	26/04/21

	Certificate of Lawful Development for a Proposed Development)		
39606/APP/2021/1348	Erection of an additional storey (Application under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended))	Prior Approval N/Req	15/06/21
39606/APP/2021/3745	Erection of single storey outbuilding in rear garden(Application for a Certificate of Lawful Development for a Proposed Development)	Refusal	07/12/21
39606/APP/2021/3731	Erection of an additional storey (Application under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended))	Prior Approval N/Req	29/11/21

Prior Approval has twice been granted for the construction of an additional storey to the bungalow (LPA ref: 39606/APP/2021/1348 & 39606/APP/2021/3731) in accordance with Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The most-recent approval included 3 no. dormer windows on the rear roof slope and was decided on 29<sup>th</sup> of November 2021.

## PLANNING LEGISLATION

In consideration of the proposed non-material amendment, regard should be had to the National Planning Practice Guidance (NPPG), published in March 2014; and Section 96A of The Town and Country Planning Act (1990) (as amended).

Accordingly, NPPG guidance on 'Flexible Options for Planning Permissions' states that there is no statutory definition of 'non-material'; because the definition would be dependent on the context of the overall scheme/planning permission.

The NPPG also states that a local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990; and that LPA's must have regard to the effect of the change, together with any previous changes made under Section 96A, on the planning permission as originally granted.

Subsection 3 of 96A outlines powers conferred to local planning authorities, which include powers to impose new conditions, and/or to remove or alter existing conditions.

Paragraph 007 of the 'Flexible Options for Planning Permissions' guidance states that the time period for determination is 28 days, or a longer period if that has been agreed in writing between the parties; and that LPAs should make their decision in writing (Paragraph 010).

## PROPOSED AMENDMENTS

As highlighted on the accompanying amended drawings, the proposed non-material amendments consist of the following changes to the design of the additional storey approved under LPA Ref: 39606/APP/2021/3731

- Slight enlargement of approved dormers and change to flat roofs
- Minor change to dormer window types
- Repositioning of rear first floor windows
- Reduction in size of central first floor window on front elevation
- Addition of 5 no. small rooflights on front roof slope

No further changes are currently being sought.

Importantly, there will be no change to the height of the proposed additional storey (either externally or internally), the pitch of the roof or to the existing ground floor level.

As such, Table 1 below sets out the proposed changes to the approved Schedule of Plans as set out on the Decision Notice for LPA Ref: 39606/APP/2021/3731.

**Table 1 – Proposed Changes to Schedule of Plans of LPA Ref: 39606/APP/2021/3731**

Approved Schedule of Plans	Proposed Schedule of Plans
787-110. Received 05-10-2021	787-000. Received 05-10-2021
787-123. Received 05-10-2021	787-001. Received 05-10-2021
787-000. Received 05-10-2021	787-010. Received 05-10-2021
787-122. Received 05-10-2021	787-011. Received 05-10-2021
787-021. Received 05-10-2021	787-020. Received 05-10-2021
787-023. Received 05-10-2021	787-021. Received 05-10-2021
787-024. Received 05-10-2021	787-022. Received 05-10-2021
787-120. Received 05-10-2021	787-023. Received 05-10-2021
787-113. Received 05-10-2021	787-024. Received 05-10-2021
787-111. Received 05-10-2021	787-110. Received 05-10-2021
787-010. Received 05-10-2021	787-111. Received 05-10-2021
787-011. Received 05-10-2021	
787-124. Received 05-10-2021	787-103 P2. Proposed Roof Plan - Amended
787-001. Received 05-10-2021	787-104 P2. Proposed Section - Amended
787-020. Received 05-10-2021	787-134 P3. NE Elevation - Amended
787-022. Received 05-10-2021	787-135 P2. SE Elevation - Amended
787-121. Received 05-10-2021	787-136 P3. SW Elevation - Amended
	787-137 P3. NW Elevation - Amended

## PLANNING ASSESSMENT

This application is seeking non-material amendments to the design of the additional storey which was granted under Prior Approval LPA Ref: 39606/APP/2021/3731. As set out above, the amendments relate to the design of the dormers, the positioning and size of first floor windows and include the addition of 5 no. rooflights in the front roof slope. No further changes are proposed.

As confirmed within the Officer's Report and Decision Notice for the Prior Approval, the development fully accords with all aspects of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). For certainty, a copy of the previously submitted Class AA Planning Letter, setting out the development's compliance with Class AA, is included at **Appendix 1** of this letter.

Importantly, the proposals will continue to comply with all qualifying criteria, conditions and Prior Approval matters as set out under Class AA. This includes the height restrictions at AA.1.(e-h), as well as the Condition at AA.2.(2)(c) that the roof pitch of the principal part of the dwellinghouse as extended must be the same as the roof pitch of the existing dwellinghouse.

Regarding the inclusion of 5 no. dormer windows on the front roof slope, AA.2.(2)(b) prohibits the inclusion of *"a window in any wall or roof slope forming a side elevation of the dwellinghouse."* It can, therefore, be understood that there is no restriction on including rooflights on either the front or the rear roof slope of the proposed roof.

Furthermore, in respect of Condition AA.2.(2)(c), the GPDO does not define 'roof pitch'; however, it is commonly understood to be a measurement of steepness, where the roof's vertical rise is divided by its horizontal span. Therefore, it is taken to be understood that Condition AA.2.(2)(c) refers to the overall roof pitch, and not to the pitch of any incidental or subordinate additions to the roof itself.

The inclusion of the 5 no. rooflights will not alter the pitch of the proposed roof such that it no longer matches that of the existing roof of the bungalow. As was accepted for the approved dormers under the previous Prior Approval (LPA Ref: 39606/APP/2021/3731), the proposed rooflights will be subordinate additions which do not affect the overall roof pitch of the principal part of the dwellinghouse. The degree to which the roof rises in height in comparison to its span remains the same as the existing roof. Therefore, the amended development will continue to comply with Condition AA.2.(2)(c).

In terms of the external appearance of the dwellinghouse, the overall design of the additional storey will remain largely as approved, with only very minor changes to the design, size and position of the fenestration. The overall bulk, height and form of the additional storey will remain as approved, and the proposed materials used across the development will match both the existing dwellinghouse and that as approved.

Finally, given the isolated nature of the application site and the significant separation distances between neighbouring properties, the proposed amendments will cause no detrimental impacts on the amenity of neighbouring residents.

Overall, it is considered that the proposed amendments are of such a small-scale and insignificant character that they do not amount to a material amendment to the approved development. Importantly, the changes will help improve the quality of accommodation provided without detriment to the Green Belt, the character of the area or the environment.

## CONCLUSION

This application is made under Section 96A of the Town and Country Planning Act 1990 to secure non-material amendments to Prior Approval LPA Ref: 39606/APP/2021/3731.

Taken together, we consider the above changes to comprise non-material amendments to the permitted development at the site, the scale and nature of which would not result in a development which is materially different from that approved. Indeed, it is our view that the proposed amendments will result in improvements to the overall quality of accommodation, whilst remaining entirely appropriate and sympathetic to the dwellinghouse. In making these changes, due regard has been paid to National and Local planning policies as well as all material planning considerations of relevance to the site. Accordingly, it is considered that the proposed amendments are acceptable in planning policy terms and in accordance with Section 96A of the TCPA 1990.

I trust the enclosed is sufficient for your current purposes and I look forward to receiving confirmation that the application has been registered. In the meantime, please do not hesitate to contact me should you require any additional information.

Yours faithfully,



**Aaron Henecke MSc AssocRTPI**  
SENIOR PLANNER

## APPENDIX 1

Your Ref:

Our Ref: HPD/AH/20/150

Date: 05 October 2021

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Dear Sir / Madam,

**RE: APPLICATION FOR PRIOR APPROVAL IN ACCORDANCE WITH TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, SCHEDULE 2, PART 1, CLASS AA**

**THE BUNGALOW AT WATERDELL FARM, SPRINGWELL LANE, HAREFIELD, UXBRIDGE UB9 6PG**

On behalf of our client, Mr Harpreet Singh Grewal (the 'Applicant'), we hereby enclose an application for the determination as to whether the prior approval of the London Borough of Hillingdon is required for the erection of an additional storey to the Bungalow at Waterdell Farm, Springwell Lane. This application is submitted in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended; in particular Schedule 2, Part 1, Class AA.

This application is submitted to the London Borough of Hillingdon ('the Council') for consideration within the 56-day notice period.

**1) SITE DESCRIPTION AND SURROUNDING AREA**

The application site comprises a single-storey dwellinghouse and a detached garage located at Waterdell farm, Springwell lane, Harefield, in the London borough of Hillingdon.

The bungalow was constructed circa 1989 following the receipt of planning permission (LPA ref: 39606/87/1215) for the following development:

*"Erection of 3 bed bungalow and detached garage at Waterdell farm, Springwell Lane, Harefield"*

The building itself is set back from Springwell Lane, accessible via a private gated drive, and includes large front and rear gardens.

Whilst the site is located with the Colne Valley Regional Park and within the Green Belt, the building is not subject to any Statutory Listed Building designation nor is it located within a Conservation Area. The site is subject to a borough-wide Article 4 Direction removing the right to extend a dwellinghouse at the rear by more than 4m in depth via Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The bungalow and application site historically formed part of the wider Waterdell Farm, but has been used separately and solely as a self-contained residential property for a period greater than 10 years. A separate access road for Waterdell Farm can be found immediately south of the site on Springwell Lane, which leads to a series of derelict and disused buildings, including former workshops, kennels, stable blocks and agricultural barns. Beyond Waterdell Farm, the surrounding area is predominately open fields interspersed with residential dwellings and commercial buildings.

Additional planning history related to the application site and the wider Waterdell Farm is set out below:

- LPA ref: 39606/E/92/0095 - Retention of mobile home for living accommodation (retrospective application). Approve 12<sup>th</sup> June 1992.
- LPA ref: 39606/G/94/1610 - Re-use of barn/stables for residential purposes. Refused 17<sup>th</sup> April 1998.
- LPA ref: 39606/H/95/0706 - Retention of a mobile home for living accommodation. No further action. 19<sup>th</sup> February 1998.
- LPA ref: 39606/J/97/0148 - Retention of mobile home for living accommodation (retrospective application). Refused 17<sup>th</sup> March 1998.
- LPA ref: 39606/APP/2000/2685- Change of Use from Agricultural to Paddock for Dog Training Activities (Retrospective Application). Approved 25<sup>th</sup> July 2001.
- LPA ref: 39606/APP/2002/1518 - Renewal of Planning Permission Ref. 39606/App/2000/2685 Dated 25/07/2001; Change of Use from Agricultural to Paddock for Dog Training Activities. Approved 31<sup>st</sup> January 2003.
- LPA ref: 39606/APP/2021/639 - Use of dwelling (Use Class C3) without complying with condition 5 of planning permission Ref: 39606A/87/1215 (Application for a Certificate of Lawful Development for an Existing Development). Refused 23<sup>rd</sup> April 2021.
- LPA ref: 39606/APP/2021/1349 - Erection of single storey rear extension and single storey side extension to existing bungalow, with associated alterations and works (Application for a Certificate of Lawful Development for a Proposed Development). Approved 24<sup>th</sup> June 2021.
- LPA ref: 39606/APP/2021/1348 - Erection of an additional storey (Application under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)). Approved (Prior Approval Not Required) 15<sup>th</sup> June 2021.

There is no later planning history in relation to this site.

## 2) PROPOSED DEVELOPMENT

This application is a revised version of the proposals previously considered by Hillingdon Council under application reference 39606/APP/2021/1348, wherein it was determined that Prior Approval was not required for the erection of an additional storey to The Bungalow, in accordance with Schedule 2, Part 1, Class AA of the GPDO 2015.

As before, this application proposes to enlarge the existing dwellinghouse by way of constructing an additional storey above the principal part of the single storey detached bungalow. No alterations are proposed to the ground floor.

The primary difference between the previous application and the current is the inclusion of 3 no. dormer windows within the rear roof slope. The dormer windows will be subordinate and sympathetic additions to the rear roof slope, and will not be visible from the public highway. Importantly, despite the additions, the roof pitch of the proposed storey (i.e. the steepness of the roof expressed as its vertical rise divided by its horizontal span) shall be the same as that of the original roof.

The design of the additional storey will match the existing dwelling in terms of bulk/scale, fenestration and materiality. Through using matching brickwork and roof tiles, the proposed storey will seamlessly integrate with the existing building. By way of the proposals, the current ridge height of the bungalow will be increased by 2.8m, up to a total height of 8m.



A site location plan, block plan, and a set of existing and proposed drawings are enclosed with this submission.

### 3) TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ENGLAND ORDER 2015

The Town and Country Planning (General Permitted Development) (England) Order 2015 ('GPDO, 2015') which came into force on 15 April 2015 and was mostly amended in May 2020, permits the erection of an additional storey to a single storey dwelling without requiring planning permission.

'Class AA' of the GPDO (2015) considers the following as 'permitted development':

*"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."*

It continues to state that 'Development' is not permitted by Class AA where:

- (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);*
- (b) the dwellinghouse is located on—*
  - (i) article 2(3) land; or*
  - (ii) a site of special scientific interest;*
- (c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;*
- (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;*
- (e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 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;*
- (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;*
- (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;*

- (i) *any additional storey is constructed other than 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*
- (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.*

Furthermore, development under Class AA is permitted subject to the following conditions, set out in Clause (2), Paragraph 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;*
- (b) *the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;*
- (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*
- (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.*

Class AA development is also only permitted subject to the condition that before beginning the development the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required. Paragraph AA.2, Clause (3), Condition (a) sets out the matters the Local Planning Authority may consider:

- (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(3) issued by the Secretary of State;.*

Development under Class AA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

#### **4) CLASS AA ASSESSMENT**

- (a) The application premise has been in use as a dwellinghouse since circa 1989 in accordance with the planning permission LPA Ref: 39606/87/1215 and as such the development satisfies Class AA, Clause (a).
- (b) The site is not located on article 2(3) land nor is it within an area of Special Scientific Interest. Accordingly, the development satisfies Class AA, Clause (b).
- (c) As confirmed by the planning permission (LPA ref: 39606/87/1215), the Bungalow was built circa 1989 and as such the development accords to Class AA, Clause (c).

- (d) The dwelling is single storey and has not been enlarged through the addition of any storeys above the original dwellinghouse. As such, the proposal satisfies Class AA, Clause (d).
- (e) The existing dwelling is 5.2m in height. The additional storey will increase the total height of the building to 8m at the ridge of the roof and as such is in accordance with Class AA, Clause (e).
- (f) The additional storey will increase the height of the dwelling by a total of 2.8m. The development therefore satisfies Class AA, Clause (f).
- (g) The dwelling is detached and therefore is not required to comply with Class AA, Clause (g).
- (h) The existing floor to ceiling height of the bungalow is 2.4m and the floor to ceiling height of the additional storey will be 2.3m. Accordingly, the development satisfies Class AA, Clause (h).
- (i) The additional storey will only be constructed on the principal section of the dwelling as shown in the accompanying drawing pack. Therefore, the development complies with Class AA, Clause (i).
- (j) There will be no visible support structures on or attached to the exterior of the house upon completion. As such the development accords with Class AA, Clause (j).
- (k) No engineering works will be required within the curtilage of the dwellinghouse in order to construct the additional storey, therefore the development complies with Class AA, Clause (k).

The development also complies with the Conditions set out in Clause (2), paragraph AA.2.

- (a) As detailed in the accompanying drawing pack the bricks, windows and roof tiles used for the additional storey will visually match the materials of the existing dwellings and as such comply with Condition (a).
- (b) Windows, including dormer windows, will be principally located on the front and rear elevations of the building. It is not proposed to include any windows on a wall or roof slope forming a side elevation of the additional storey. Accordingly, the development satisfies Condition (b).
- (c) Although the GPDO does not define 'roof pitch', it is commonly understood to be a measurement of steepness, where the roof's vertical rise is divided by its horizontal span. Therefore, it is taken to be understood that Condition (c) refers to the *overall* roof pitch, and not to the pitch of any incidental or subordinate additions to the roof itself.

In this case, the pitch of the proposed roof mirrors that of the existing roof of the bungalow as detailed in the accompanying drawing pack (and as accepted as part of the previous Prior Approval application ref. 39606/APP/2021/1348). Whilst the revised proposals include 3 no. dormer windows in the rear roof slope, these subordinate additions do not affect the overall roof pitch of the principal part of the dwellinghouse. The degree to which the roof rises in height in comparison to its span remains the same as the existing roof. Therefore, the development complies with Condition (c).

The above interpretation of AA.2(c) is also supported by a recent appeal decision for an additional storey under Part 1, Class AA which included a matching overall roof pitch with altered roof forms at the rear (Appeal Ref. APP/P4225/D/21/3270620). A copy of this appeal decision has been submitted alongside this application.

- (d) Following the development, the dwellinghouse shall continue to be used solely as a dwellinghouse in accordance with the meaning of Class C3 of the Use Classes Order. Accordingly, the development satisfies Condition (d).

## 5) CLASS AA PRIOR APPROVAL

Pursuant to paragraph AA.2, Clause (3), the following sets out information on the areas that the Council will consider in order to determine whether prior approval is required.

### Amenity Impact

Aside from the agricultural and other buildings found on Waterdell Farm, the nearest neighbouring property to the bungalow is located approximately 115m southeast. Given the site's isolation and modest height increase, it is not considered that the proposals would impact neighbouring amenity, including with respect to overlooking, privacy or the loss of light. As such the proposals accord with condition (a), part (i) of paragraph AA.2.

### External Appearance of the Dwellinghouse

In terms of its appearance, it is not considered that the existing bungalow is of any significant architectural merit. Notwithstanding, the proposed design of the additional storey draws heavily from that of the existing bungalow in terms of its architectural style and external appearance in order to seamlessly integrate with the building.

Further, understanding its status as a secondary and non-original storey, the proposed storey will be slightly shorter in height, thereby preserving the character and appearance of the dwellinghouse. Through utilising matching materials and fenestration, the extension will blend with the existing building, ensuring the principal and secondary elevations all relate well to the original house.

With regards to the dormer windows in the rear roof slope, these have been designed with gable roofs and in materials to match the existing dwellinghouse. The dormers have been set down from the ridgeline and up from the eaves, thereby minimising their visual impact and ensuring they appear as subordinate additions to the rear roof slope. Importantly, the dormer windows will not be visible from the principal elevation of the dwellinghouse, nor any side elevation fronting a highway. The dormer windows are, therefore, considered entirely appropriate in appearance.

Overall, it is considered that the design of the additional storey, by maintaining the existing design of the bungalow, is compliant with condition (a), part (ii) as set out in paragraph AA.2. (3).

### Air Traffic and Defence Impacts

There are no aerodromes within close proximity of the site. Furthermore, the development by way of an additional storey will not exceed more than 8m in height and as such will not have an adverse impact on air traffic.

Furthermore, to our knowledge, the site is not located within the vicinity of any defence assets which might be impacted by the development. Given the site's location and the height of the enlarged dwellinghouse, it is not considered that the proposals would impact on air traffic or defence assets and as such accords with condition (a), part (iii) of paragraph AA.2.

### Impact on Protected Vista's

The site is not within close proximity of any protected Vista's as detailed in the Secretary of State for Communities and Local Government Directions relating to Protected Vistas (2013). Accordingly, the development satisfies condition (a), part (iv) set out in paragraph AA.2.

## 6) SUBMISSION DOCUMENTS

This application seeking a determination as to whether prior approval is required comprises the following documents:

- Application Planning Letter (this document);

- Prior Approval Application Form;
- Prior Approval Application fee (following acknowledgement);
- Existing and Proposed Plans/Elevations/Sections prepared by Ackroyd Lowrie;
- Copy of Appeal Decision Ref. APP/P4225/D/21/3270620; and
- CIL Questionnaire.

In addition, pursuant to Clause (3), Conditions (b), (c), (d) and (e) set out in paragraph AA.2, prior to the commencement of development a report for the management of construction shall be provided to the Council, to be secured by way of a condition. Furthermore, notice will be given by the applicant following completion of the development.

## **7) CONCLUSION**

We trust that sufficient information has been provided to allow the development detailed above to be fully considered in accordance with Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, it is our belief that Prior Approval should be granted.

Notwithstanding, should any further information be required or if you wish to discuss the application, please do not hesitate to contact me (079 3690 1295 / [ahenecke@hpduk.com](mailto:ahenecke@hpduk.com)) in the first instance.

Yours faithfully,



**Aaron Henecke MSc AssocRTPI**  
SENIOR PLANNER

Encs.