

Your Ref:  
Our Ref: HPD/AH/20/150  
Date: 05 August 2022

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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 a revised application for an additional storey which comprises minor changes to the size/positions of first floor windows, amendments to the design of the previously approved rear dormer windows and the inclusion of rooflights to the front roof slope.

This application is being 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.

The wider Waterdell Farm complex has a lengthy planning history; however the below applications are considered of most relevance to the current proposals:

- LPA ref: 39606/87/1215 – Erection of 3 bed bungalow and detached garage at Waterdell Farm, Springwell Lane, Harefield. Approved 8 February 1989.
- 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)). Prior Approval Not Required 15<sup>th</sup> June 2021.
- LPA ref: 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 Not Required 29<sup>th</sup> November 2021.
- LPA ref: 39606/APP/2022/1729 - Non-Material Amendment to Prior Approval ref: 39606/APP/2021/3731 dated 29-11-2021, 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. Withdrawn 03 August 2022.

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

## 2) PROPOSED DEVELOPMENT

This application is a revised version of the Class AA proposals previously approved by Hillingdon Council under application reference 39606/APP/2021/3731, 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.

Importantly, this previous approval established that the inclusion of 3 no. dormer windows in the rear roof slope of the extended bungalow was both technically allowed by Class AA of Part 1 and acceptable from a design and external appearance perspective.

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, with 3 no. rear dormer windows in the rear roof slope, albeit of an amended design. The dormer windows will now include flat tops and will be slightly wider, but will still be set down from the ridge and up from the eaves. Overall, as amended, the dormer windows will remain subordinate and sympathetic additions to the rear roof slope, and will not be visible from the public highway.

In addition, it is now proposed to include rooflights to the front roof pitch for additional light. As with the dormer windows, Class AA does not preclude the inclusion of such features and, importantly, rooflights are also lawful under Class C of Part 1 of the GPDO 2015 (as amended). The rooflights will appear as minor features within the larger roofscape, and will not overly clutter the appearance of this rural dwellinghouse.

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. Again, this was confirmed by the Council's approval of the previous application (LPA Ref: 39606/APP/2021/3731).

Finally, the revised proposals include minor repositioning and resizing of first floor windows (primarily at the rear) to accommodate the new internal room layouts. The design and materiality of the windows, however, shall continue to match the existing windows within the building.

Overall, 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/2021/3731). Whilst the revised proposals include 3 no. dormer windows in the rear roof slope and 5 no. rooflights in the front 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

risers 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 in materials to match the existing dwellinghouse and are of a proportionate size and scale. 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.

Similarly, the proposed rooflights will sit high on the front roof slope and are of a small scale, ensuring they will not visually clutter or detrimentally impact the appearance of the bungalow. The spacing between the rooflights responds to the windows below, providing a sense of uniformity and considered fenestration. Overall, the incidental nature of the rooflights will ensure they have minimal impact on the character and appearance of the dwellinghouse and the surrounding area.

It is also noted that the installation of rooflights (of any size and/or number) is permitted development in accordance with Schedule 2, Part 1, Class C of the GPDO 2015 (as amended).

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;
- 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.