



Appeal Decision

Site visit made on 07 April 2022

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2022

Appeal Ref: APP/Y5420/D/21/3287826

25 Grovelands Road, London N15 6BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3, Schedule 2, Part 1, Class AA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
 - The appeal is made by Mr Khubani against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3124, dated 15 March 2021, was refused by notice dated 24 November 2021.
 - The development proposed is: Adding on an additional storey to the principal elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (General Permitted Development) (England) Order 2015 (the Order) was amended on 31 August 2020 to introduce Class AA to Part 1 of Schedule 2, setting out permitted development rights for development consisting of works for the construction of up to two additional storeys on an existing dwellinghouse that consists of two or more storeys, or for one additional storey on an existing single storey dwellinghouse, together with any reasonably necessary engineering operations.
3. As a prior approval there are two stages to assessment – the first being eligibility. The Council conclude that the proposal is eligible to be considered under the prior approval process and have not raised any conflict with the conditions set out in the GDPO. There is no evidence to conclude differently in that regard. They have however, raised concerns in respect of the effect of the development upon the external appearance of the host property. My consideration of the appeal shall therefore focus on this matter.
4. Prior approval appeals should not be determined, expressly or otherwise, on the basis of s38(6) of the Planning and Compulsory Purchase Act 2004 or as though the development plan must be applied. The principle of development is established through the grant of permission by the Order. The Council has referred to various development plan policies. These policies have only been considered insofar as they may be relevant to the context of specific prior approval matters. Therefore, the policies are not determinative of themselves, and the proposal has been considered on its merits in the confines of the prior approval regime.

Main Issue

5. Whether prior approval should be granted having regard to the external appearance of the dwellinghouse.

Reasons

6. No 25 is a two storey, flat roofed, end of terrace dwelling overlooking Grovelands Road. There is a high degree of consistency in the scale and outward appearance of other properties in the row and that is replicated in the terraces immediately to the rear which clearly form part of a purpose built estate. Whilst the post-war design is 'of its time', the use of vertical cladding, the standardisation of height within each block, and the repetition in the fenestration and front porches produces a coherent theme in the small estate. It appears as a distinct intervention as a result, set apart from the surrounding residential buildings in architectural terms.
7. The appellant maintains that consideration should only be given to the external appearance of the dwellinghouse itself and not the wider street scene, having regard to the specific wording of paragraph AA.2(3)(iii) of Part 1, Schedule 2 of the GPDO. However, it is difficult to assess the external appearance of a proposal in isolation of its context; a similar design may be acceptable in one location but not another, depending upon how it would sit in relation to its surroundings. Consequently, I find it is reasonable to take account of the context in which the proposal sits when considering whether to grant prior approval for matters of external appearance.
8. The additional storey would have a similar flat roof, would seek to replicate the vertical windows of the floors below and would use matching materials. However, given the highly consistent roof height across the block and the two blocks immediately to the rear, the increase in height on a single dwelling would appear extremely incongruous and would disrupt the deliberately planned consistency in the group.
9. Moreover, the three-storey side elevation, facing Leabank View, would become an imposing and featureless façade that would be unattractive in architectural terms at a prominent position on the entrance to the estate. Consequently, having regard to the original design of the property itself and the shared characteristics of the surrounding blocks, the additional storey would appear harmful and incongruous.
10. I recognise that there are numerous examples of upward extensions within the surrounding area, including the three-storey block at the rear, the purpose built modern apartment block further along Grovelands Road, various examples in surrounding streets and the extended dwelling immediately on the opposite side of Leabank View. However, although taller, the apartments are part of a carefully planned theme and each block has a consistent height, unlike the proposal where one property would be notably taller than the rest. Little information is before me as to circumstances relating to the upward extensions to residential properties in the wider area. It may be that personal circumstances were a consideration in terms of the specific need for larger family accommodation in the locality. However, unlike a planning application, an application for prior approval can only be considered in relation to specific matters. In any event, no information as to the circumstances surrounding the proposal is before me.

11. Given the above, I conclude that the proposal would cause unacceptable harm to the external appearance of the dwellinghouse which would appear incongruous in the surrounding streetscape. Whilst planning policy is not determinative in prior approval appeals there would be conflict with the aims of Policy D4 of the London Plan 2021 (LP), Policy SP11 of the Haringey Local Plan (2013) and Policies DM1 and DM12 of the Development Management DPD (2017). These policies amongst other things seek development to be of a high standard of design and be reflective of the existing character and appearance.

Conclusion

12. For the reasons given above, the additional storey would represent a harmful and incongruous extension and I conclude that prior approval should not be granted having regard to the external appearance of the dwellinghouse. Accordingly, I shall dismiss the appeal.

Chris Preston

INSPECTOR