



Appeal Decision

Site visit made on 12 April 2023

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2023

Appeal Ref: APP/Y5420/W/22/3308350

St Matthew's Court 7b, Coppetts Road, Hornsey, Haringey, London N10 1NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Greyclide Investments Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/1796, dated 16 June 2022, was refused by notice dated 11 August 2022.
 - The development proposed is described as 'the construction of one additional storey of residential floorspace immediately above the top floor of the principal part of the building (taken as the whole roof). The proposed additional storey will deliver eight new dwellings, comprised of 4 x 1b/1p and 4 x 1b/2p above St Matthews Court'.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Schedule 2, Part 20, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for the construction of one additional storey of residential floorspace immediately above the top floor of the principal part of the building (taken as the whole roof). The proposed additional storey will deliver eight new dwellings, comprised of 4 x 1b/1p and 4 x 1b/2p above St Matthews Court at St Matthew's Court 7b, Coppetts Road, Hornsey, Haringey, London N10 1NW in accordance with terms of application Ref HGY/2022/1796, dated 16 June 2022 and the plans submitted with it, subject to the conditions set out in Paragraph A.2 of Schedule 2, Part 20, Class A of the GPDO and the following additional conditions:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans and supporting information:

20169-LSI-AAA-00-DR-A-1000 - Existing Site Plan
20169-LSI-AAA-00-DR-A-1010 - Existing Block Plan
20169-LSI-AAA-XX-DR-A-1014 - Existing Typical Floor Plan
20169-LSI-AAA-ZZ-DR-A-1020 - Existing Elevations- Sheet 1
20169-LSI-AAA-ZZ-DR-A-1021 - Existing Elevations- Sheet 2
20169-LSI-AAA-00-DR-A-1001 - Proposed Site Plan
20169-LSI-AAA-LG-DR-A-1011 - Proposed Block Plan
20169-LSI-AAA-03-DR-A-1015 - Proposed Third Floor Plan
20169-LSI-AAA-ZZ-DR-A-1025 - Proposed Elevations Sheet 1
20169-LSI-AAA-ZZ-DR-A-1026 - Proposed Elevations Sheet 2

20169-LSI-AAA-ZZ-DR-A-1030 - Compliance Drawing

- 2) No construction of any additional storey shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.

Preliminary Matters

2. The description of development in the banner heading and my formal decision is based on that used on the appeal form (and the Council's decision notice before that) as a description of development was not provided in the planning application form.
3. Schedule 2, Part 20, Paragraph B.(15)(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) requires this particular prior approval application to be determined with regard to the National Planning Policy Framework (the Framework). The provisions of the GPDO do not require regard be had to the development plan in this case, and these have not been referenced in the reason for refusal.
4. Schedule 2, Part 20, Class A of the GPDO permits 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, as well as certain associated works. While the principle of development is established by the provisions of the GPDO, it is subject to limitations and is contingent upon the grant of prior approval for a specific proposal.
5. The Council was satisfied that the proposed development complied with the limitations set out in Paragraph A.1. I see no reason to disagree with that conclusion.
6. There were numerous objections to the proposal submitted by interested parties. Among the conditions set out in Paragraph A.2 of Schedule 2, Part 20, Class A of the GPDO is the requirement to seek prior approval of various matters. These include transport and highways impacts of the development, the external appearance of the building, the provision of adequate natural light in all habitable rooms of the new dwellinghouses and the impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light, among other things.
7. The Council assessed these matters as part of the prior approval application. Of these considerations, the application was refused based on the impact of the scheme on the external appearance of the building and the character and appearance of the area. Other conditions as given in paragraph A.2 of the GPDO were not considered to be of substantive concern to justify refusal. Based on all that I have seen and read I see no reason to disagree. Other issues raised in objections, such as construction noise and structural concerns

do not require assessment within this method of prior approval and as such, I have not considered these matters further.

Main Issue

8. Based on the above, the main issue is the effect of the proposal on the external appearance of the building and the character and appearance of the area.

Reasons

9. St. Matthew's Court comprises four three-storey apartment blocks with pitched roofs, vehicle parking and communal grassed areas. Three of the blocks are attached to one another and front Coppetts Road while a further block is to the rear adjacent the car park. The proposal would see a further storey added to all four blocks with a total height increase of 2.55m creating eight additional dwellings.
10. I understand that following a refused planning application¹ and dismissed appeal² for two additional storeys, the scheme was amended to reduce the overall scale to one additional storey. Much of the discussion in the officer report and interested party's objections centre around the increased height of the proposal and whether this would dominate the street scene.
11. The proposed fourth storey would be aligned with the building below and finished in brickwork to match the host building. Moreover, the plans indicate the design and spread of windows would also mirror the existing blocks and overall, I find that the materials, vertical rhythm, fenestration and storey heights would be sympathetic to the host building and not harm its external appearance.
12. The local area is residential and largely characterised by two-storey buildings of varying architectural styles and ages. The topography rises north-south aligned with Coppetts Road, and the houses of Nelson Mandela Close (NMC) to the north sit lower than the appeal buildings and houses fronting Creighton Avenue to the south. The appeal buildings are three storey and already appear taller in the street scene than the properties of NMC although due to the rise in level to the south along the road, they appear a similar height to the semi-detached dwellings on the opposite site of Coppetts Road and lower in level than those of Creighton Avenue.
13. An additional storey would inevitably lead to an increase in height, and this is to be expected in developments of this type. However, the increase is minimal at 2.55m and due to the reduction from the previously rejected scheme, the proposal would no longer appear dominant in the street scene to a detrimental degree. Its height would appear larger than the houses of NMC when viewed from this vantage point as it already does, but it would not be dominant. Moreover, the ridge height would likely be similar to the adjacent buildings of Creighton Avenue and slightly taller than the opposing semis. Taken together, the proposal would not be a dominant addition to the street scene and would not harm the character and appearance of the area.
14. I therefore conclude that the external appearance of the building and the impact on the character and appearance of the area would be acceptable, and

¹ HGY/2021/0949

² APP/Y5420/W/21/3278847

would not result in harm within the context of Schedule 2, Part 20, Class A, Paragraph A.2(1)(e) of the GPDO. I also find that there would be no conflict with paragraph 130 of the Framework, which seeks development which is sympathetic to local character.

Other Matters

15. Reference is made in the Council's officer report to a lack of compliance with prescribed space standards as set out in the 2016 'Technical housing standards - nationally described space standard'. However, this is not assessed in their report nor is it given as a reason for refusal in the decision notice. As such I have nothing before me to substantiate this concern and I have not considered it further.

Conditions

16. Planning permission granted for development under Article 3(1) and Schedule 2, Part 20, Class A of the GPDO is subject to conditions set out in paragraph A.2. Schedule 2, Part 20, Paragraph B.(18) of the GPDO also allows for the imposition of conditions reasonably related to the subject matter of the prior approval. In the interests of certainty, a condition setting out the approved plans is included.
17. For the same reason, and also in the interest of protecting the external appearance of the host building and the character and appearance of the area, a condition requiring the agreement prior to commencement of construction for the facing materials of the additional storey is also necessary. In accordance with section 100ZA(5) of the Town and Country Planning Act 1990, the appellant has provided written agreement to the pre-commencement aspect of this condition in their evidence.

Conclusion

18. For the reasons given above the appeal is allowed, and prior approval granted subject to conditions.

C McDonagh

INSPECTOR