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Planning Statement

Project: Planning Statement
Subject: Palm Court & Lionel House
Date: 14 December 2022
Client: Upspace Construction Services Ltd

DLBP Ltd is registered in England and Wales at 7a Pindock Mews, Little Venice, London, W9 2PY, number 7229435.
VAT registration number 394 9000 80.

A. SUMMARY AND CONCLUSION

1. This Planning Statement accompanies two Prior Approval applications to the London Borough of Haringey (“the Council”) in relation to two proposed permitted developments comprising the “*upwards extension of the existing building to provide three dwellings*” at Palm Court, Palmerston Road, London N22 8QN and the “*upwards extension of the existing building to provide two dwellings*” at Lionel House, Palmerston Road, London N22 8QN. For the purposes of this Planning Statement, “the site” covers the curtilage of both Palm Court and Lionel House known together as the “proposed developments”.
2. Prior approval applications are made in respect of the two upwards extensions pursuant to Class A, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This legislation sets out that upwards extensions on existing detached blocks of flats is permitted development, and so in effect establishes in-principle support for the scheme, subject to the relevant criteria being met.
3. The proposed additional storey at the two buildings will comply with the limitations set out in Class A, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This statement sets out an assessment of this, demonstrating that there are no restrictions in place that would prevent the developments from taking place, and that the proposed schemes will be in accordance with all of the requirements of the legislation.
4. Two high-quality schemes have been designed with regard to the need to address the key prior approval consideration of the ‘external appearance of the building’ and other matters. The accompanying Design and Access Statement prepared by Rohacs Architects demonstrates the overall design rationale. It shows that the extensions will ensure that the buildings will be of a high quality, and that the residential quality of the apartments will meet internal space standards and have good access to light and outlook for all habitable rooms.
5. The previous application was refused on design grounds and no other matters of concern were raised by the Council. This proposed scheme has been amended to reflect to the previous design concerns
6. A BRE Daylight and Sunlight Assessment has been also provided to ensure that the residential quality of the apartments will be sufficient in terms of having access to light and outlook for all habitable rooms. The proposed developments will not result in any adverse impact on the amenities of adjacent residential occupiers.

B. THE SITE AND THE PROPOSAL

The site

7. The site comprises two existing buildings: Palm Court, a four storey residential block of 16 flats, and Lionel House, a four storey residential block of 12 flats. The full list of the addresses of the two properties are:

- 1 Palm Court, Palmerston Road, London N22 8QL
- 2 Palm Court, Palmerston Road, London N22 8QL
- 3 Palm Court, Palmerston Road, London N22 8QL
- 4 Palm Court, Palmerston Road, London N22 8QL
- 5 Palm Court, Palmerston Road, London N22 8QL
- 6 Palm Court, Palmerston Road, London N22 8QL
- 7 Palm Court, Palmerston Road, London N22 8QL
- 8 Palm Court, Palmerston Road, London N22 8QL
- 9 Palm Court, Palmerston Road, London N22 8QL
- 10 Palm Court, Palmerston Road, London N22 8QL
- 11 Palm Court, Palmerston Road, London N22 8QL
- 12 Palm Court, Palmerston Road, London N22 8QL
- 13 Palm Court, Palmerston Road, London N22 8QL
- 14 Palm Court, Palmerston Road, London N22 8QL
- 15 Palm Court, Palmerston Road, London N22 8QL
- 16 Palm Court, Palmerston Road, London N22 8QL
- 1 Lionel House, Palmerston Road, London N22 8QN
- 2 Lionel House, Palmerston Road, London N22 8QN
- 3 Lionel House, Palmerston Road, London N22 8QN
- 4 Lionel House, Palmerston Road, London N22 8QN
- 5 Lionel House, Palmerston Road, London N22 8QN
- 6 Lionel House, Palmerston Road, London N22 8QN
- 7 Lionel House, Palmerston Road, London N22 8QN
- 8 Lionel House, Palmerston Road, London N22 8QN

- 9 Lionel House, Palmerston Road, London N22 8QN
 - 10 Lionel House, Palmerston Road, London N22 8QN
 - 11 Lionel House, Palmerston Road, London N22 8QN
 - 12 Lionel House, Palmerston Road, London N22 8QN
8. The surrounding area is predominantly residential. The local context is characterised by a mix of development, including early Victorian properties and the more modern existing blocks which sit alongside two other four storey blocks of residential flats. Similarly, Grassmere Court to the north of the site has a different style and layout, showing that there is a mix in the wider area.
9. The existing buildings are uncharacteristic of the area, with no variation between floors and no architectural expression of a base or top the building. Both buildings were constructed in the 1960s and are fabricated from red common brick and render facing.

Planning Designations

10. The site is adjacent to, but outside of, the Bowes Park Conservation Area. The conservation area runs close to the southern and eastern boundaries of the site and includes many neighbouring properties on Palmerston Road. Notwithstanding, the site has been specifically excluded from this designation. The Council's records available online do not indicate that there are any trees subject to Tree Preservation order (TPO) on the site.
11. The New River and New River Path fall to the rear of the site, with the New River itself identified as an Ecologically Valuable Site.
12. The site is well-connected to existing services and amenities, and benefits from a Public Transport Accessibility Level (PTAL) rating of 3 indicating good public transport connectivity and integration. The site is in the Bounds Green East Controlled Parking Zone (CPZ), the operational hours of which are Monday to Friday between 11am-1pm.

Planning History

13. The existing buildings at Palm Court and Lionel House were developed during the 1960s. Since construction of the existing buildings, there have been a number of planning applications made in respect of the site, as follows:
- HGY/2022/0258 – Upward extension of the existing dwelling to provide six dwellings (Palm Court). Refused on 14 April 2022;
 - HGY/2022/0564 – Upward extension of the existing dwelling to provide five dwellings (Lionel House). Refused on 29 April 2022;
 - HGY/2006/0705 (& HGY/2006/0060) – Demolition of existing garages and erection of 2 x 2 storey blocks comprising 5 x two bed and 1 x three bed dwellings and 2 x three bed detached dwellinghouses with associated refuse and cycle storage. Refused on 05 July 2006;

- HGY/2006/0057 (& HGY/2005/1656) – Demolition of existing garages and erection of 3 x 2 storey blocks comprising 4 x two bed and 5 x three bed dwelling houses with integral garages, 5 parking bays, 3 bin stores and landscaping. Refused on 02 March 2006;
 - HGY/2005/1569 - Demolition of existing garages and erection of 5 x 2 bed and 4 x 3 bed houses in 3 x 2 storey blocks with internal garages, with associated landscaping and 7 x car parking spaces. Withdrawn on 03 October 2005;
 - HGY/2005/0891 - Demolition of existing garages and erection of 3 x 2 storey blocks comprising 12 x 2 bedroom flats. Withdrawn on 08 June 2005; and
 - HGY/2001/0607 - Demolition of (35) existing garages and erection of 7 dwelling houses with garden terraces. Refused on 16 August 2001.
14. The recently refused applications (ref: HGY/2022/0258 & HGY/2022/0564) were refused by the Council on the basis of the scale and form of the proposed two storey extension on each building. The proposed developments differ to these as the scale and form of the building has been reduced so that only one additional storey on each building will be constructed. The reduction in the number of storeys to that originally proposed is modest in design and leads to an acceptable appearance of the external buildings and will not detract from the character of the existing buildings.
15. The earlier applications relate exclusively to the erection of new building/s to the rear of the existing buildings (as part of the demolition of the existing garages). The proposed developments differ significantly from these earlier applications.
16. The proposed developments are both materially different forms of development, and do not comprise the erection of a new building to the rear of the existing building. Moreover, the proposed developments are pursued via permitted development rights within which the principle of upwards extensions has already been established, resulting in a wholly different planning context to the aforementioned planning history. As such, it cannot be that the same conclusions can be reached in respect of the more modest forms of development proposed, which will itself result in no unacceptable harm to the site and its surroundings.

The Proposed Developments

17. The applicant wishes to bring forward a high quality development on the site. These will consist of two separate but related developments:
- at Palm Court, the construction of one additional storey immediately above the existing topmost residential storey of the principal part of the building. The additional storey will comprise three self-contained apartments (Use Class C3). Prior approval for this development is sought via Part 20, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This allows for the construction of new dwellinghouses on detached blocks of flats as a 'permitted development right'; and
 - at Lionel House, the construction of one additional storey immediately above the existing topmost residential storey of the principal part of the building. The

additional storey will comprise two self-contained apartments (Use Class C3). As with Palm Court, prior approval for this development is sought via the new permitted development rights.

- No other works that fall under the permitted development rights are proposed.

18. The development at Palm Court will consist of the following dwelling mix and size:

Apartment	Type and occupancy	Gross Internal Area (sqm)
1	1 bed 2 person	50.3
2	1 bed 1 person	37.4
3	1 bed 2 person	50.3

19. The development at Lionel House will consist of the following dwelling mix and size:

Apartment	Type and occupancy	Gross Internal Area (sqm)
1	1 bed 1 person	41.7
2	2 bed 3 person	61

C. LEGISLATIVE BACKGROUND

20. On 1 August 2020, the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 came into force, amending the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) such that a new class of Permitted Development is created: Part 20, Class A of Schedule 2 – New dwellinghouses on detached blocks of flats. The proposed prior approval applications is made under the amended legislation.

21. Part B of the legislation is the ‘procedure for applications for prior approval under Part 20’. Paragraph 15 notes that a local planning authority must

...have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

22. It is important to note that Framework policy considerations are, therefore, only relevant insofar as they concern the subject matter of the prior approval. In addition, the prior approval provisions do not require regard to be had to the development plan.

D. PLANNING ASSESSMENT

Permitted development – Palm Court

23. The legislation sets out in Part A that the following development is permitted:

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.

24. The development proposed for this site will meet these requirements: the scheme is for one additional storey to a purpose-built, detached block of flats to create three new dwellinghouses. The extension will be immediately above the existing topmost residential storey of the building. The proposed scheme is permitted development.
25. The legislation sets out that a number of additional works can take place to support the development of the new dwellinghouses. Table 1 below sets out these additional works and the extent to which the proposed development is seeking to utilise them:

	Additional works	Relevance to scheme
1	Engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses (Class A.(a))	Any engineering operations undertaken will be reasonably necessary to construct the additional storey and new dwellinghouses
2	Works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses (Class A.(b))	There are existing water tanks on the building, and this constitutes 'plant'. These water tanks will be replaced and generators installed next to them to serve the fire sprinkler system. These will sit in an open plant area on the roof enclosed within louvre screens.
3	Works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses (Class A.(d))	No new storage, waste or other ancillary facilities are proposed as part of this application.

Development not permitted

26. The legislation sets out in Part A.1 that development is not permitted in some circumstances. Table 2 below sets out the assessment of the proposed development with respect to these, which was confirmed by the Delegated Report of the Council for HGY/2022/0258:

	Criteria	Scheme compliance
(a)	The permission to use any buildings as a dwellinghouse has been granted only by virtue of Class M, MA, N, O, P, PA or Q of part 3 of this Schedule	The building has always been used as flats.
(b)	Above ground level, the building is less than 3 storeys in height.	Above ground level, the building is 4 storeys in height.
(c)	The building was constructed before 1 July 1948, or after 5 March 2018.	The current residential development was built in the 1960s.
(d)	The additional storeys are constructed other than on the principal part of the building.	Part C defines the principal part as meaning “ <i>the main part of the building excluding any front, side or rear extension of a lower height, whether this forms part of the original buildings or a subsequent addition</i> ”. The proposed extension will be wholly on the principal part of the building.
(e)	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 building.	The floor to ceiling height of the additional storey measured internally, will be 2.4 metres. The floor to ceiling height of the existing building is 2.4 metres. This is shown in the submitted sectional drawings.
(f)	The new dwellinghouses are not flats.	The proposed dwellinghouses will be self-contained flats under Use Class C3. Each flat will have its own front door and will be registered for its own Council Tax liability, and each will be registered for separate utilities bills.
(g)	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 building by more than 7 metres (not including plant, in each case).	The height of the highest part of the roof of the extended building (not including plant) will be 3.65 metres higher than the height of the highest part of the roof of the existing building, as demonstrated by the accompanying elevations.
(h)	The height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres.	The height of the highest part of the roof of the extended building (not including plant) will be 15.05 metres.

(i)	Development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development.	No new external support structures are proposed.
(j)	Development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to (i) strengthen existing walls; (ii) strengthen existing foundations; or (ii) install or replace water, drainage, electricity, gas or other services	No works beyond the existing curtilage are proposed.
(k)	In the case of Class A.(b) development there is no existing plant on the building.	The existing plant on the roof in the form of the existing water tanks.
(l)	In the case of Class A.(b) development the height of any replaced or additional plants as measured from the lowest surface of the new roof on the principal part of the new building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building.	The proposed plant screen will be 1.70 metres above the lowest surface of the new roof. The existing plants sits 1.70 metres above the lowest surface of the existing roof. See elevation for comparative levels.
(m)	Development under Class A.(c) would extend beyond the curtilage of the existing building.	No Class A.(c) is proposed.
(n)	Development under Class A.(d) would - (i) extend beyond the curtilage of the existing building; (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or (ii) be situated on a land forward of a wall fronting a highway and forming a side elevation of the existing building.	No Class A.(d) is proposed.
(o)	The land or site on which the building is located, is or forms part of – (i) article 2(3) land;	The application site is not subject to any of these restrictions. Of note is that:

(ii) a site of special scientific interest; (iii) a listed building or land within its curtilage; (iv) a scheduled monument or land within its curtilage; (v) a safety hazard area; (vi) a military explosives storage area; or (vii) land within 3 kilometres of the perimeter of an aerodrome.	- the site is not within a Conservation Area; - the site is not a listed building or land within its curtilage; and - the nearest aerodrome is London City Airport which is approximately 10km south of the site.
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27. Based on the above assessment, it is clearly the case that there are no restrictions in place that would prevent the development from taking place, and that the proposed scheme will be in accordance with all of the requirements of the legislation.

28. The Council found the above matters acceptable and fully complies with the criteria for permitted development, as seen in paragraph 5.2 in both Delegated Reports. Furthermore, because the Council found these matters acceptable for the previous two storey proposed extension, this application proposes only one additional storey, thus the above matters should be considered fully acceptable again.

Permitted development – Lionel House

29. The legislation sets out in Part A that the following development is permitted:

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.

30. The development proposed for this site will meet these requirements: the scheme is for one additional storey to a purpose-built, detached block of flats to create two new dwellinghouses. The extension will be immediately above the existing topmost residential storey of the building. The proposed scheme is permitted development.

31. The legislation sets out that a number of additional works can take place to support the development of the new dwellinghouses. Table 1 below sets out these additional works and the extent to which the proposed development is seeking to utilise them:

Additional works		Relevance to scheme
I	Engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses (Class A.(a))	Any engineering operations undertaken will be reasonably necessary to construct the additional storey and new dwellinghouses

2	Works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses (Class A.(b))	There are existing water tanks on the building, and this constitutes 'plant'. These water tanks will be replaced and generators installed next to them to serve the fire sprinkler system. These will sit in an open plant area on the roof enclosed within louvre screens.
3	Works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses (Class A.(d))	No new storage, waste or other ancillary facilities are proposed as part of this application.

Development not permitted

32. The legislation sets out in Part A.I that development is not permitted in some circumstances. Table 2 below sets out the assessment of the proposed development with respect to these which was confirmed by the Delegated Report of the Council for HGY/2022/0564:

Criteria		Scheme compliance
(a)	The permission to use any buildings as a dwellinghouse has been granted only by virtue of Class M, MA, N, O, P, PA or Q of part 3 of this Schedule	The building has always been used as flats.
(b)	Above ground level, the building is less than 3 storeys in height.	Above ground level, the building is 4 storeys in height.
(c)	The building was constructed before 1 July 1948, or after 5 March 2018.	The current residential development was built in the 1960s.
(d)	The additional storeys are constructed other than on the principal part of the building.	Part C defines the principal part as meaning "the main part of the building excluding any front, side or rear extension of a lower height, whether this forms part of the original buildings or a subsequent addition". The proposed extension will be wholly on the principal part of the building.
(e)	The floor to ceiling height of any additional storey, measured internally, would exceed the lower of	The floor to ceiling height of the additional storey measured internally, will be 2.4 metres. The floor to ceiling height of the

	(i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building.	existing building is 2.4 metres. This is shown in the submitted sectional drawings.
(f)	The new dwellinghouses are not flats.	The proposed dwellinghouses will be self-contained flats under Use Class C3. Each flat will have its own front door and will be registered for its own Council Tax liability, and each will be registered for separate utilities bills.
(g)	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 building by more than 7 metres (not including plant, in each case).	The height of the highest part of the roof of the extended building (not including plant) will be 3.65 metres higher than the height of the highest part of the roof of the existing building, as demonstrated by the accompanying elevations.
(h)	The height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres.	The height of the highest part of the roof of the extended building (not including plant) will be 14.95 metres.
(i)	Development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development.	No new external support structures are proposed.
(j)	Development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to (i) strengthen existing walls; (ii) strengthen existing foundations; or (ii) install or replace water, drainage, electricity, gas or other services	No works beyond the existing curtilage are proposed.
(k)	In the case of Class A.(b) development there is no existing plant on the building.	The existing plant on the roof in the form of the existing water tanks.
(l)	In the case of Class A.(b) development the height of any replaced or additional plants as measured from the lowest surface of the new roof on the principal part of the new building would exceed the height of any existing plant as measured from the lowest surface of the	The proposed plant screen will be 1.70 metres above the lowest surface of the new roof. The existing plants sits 1.70 metres above the lowest surface of the

	existing roof on the principal part of the existing building.	existing roof. See elevation for comparative levels.
(m)	Development under Class A.(c) would extend beyond the curtilage of the existing building.	No Class A.(c) is proposed.
(n)	Development under Class A.(d) would - (i) extend beyond the curtilage of the existing building; (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or (ii) be situated on a land forward of a wall fronting a highway and forming a side elevation of the existing building.	No Class A.(d) is proposed.
(o)	The land or site on which the building is located, is or forms part of – (i) article 2(3) land; (ii) a site of special scientific interest; (iii) a listed building or land within its curtilage; (iv) a scheduled monument or land within its curtilage; (v) a safety hazard area; (vi) a military explosives storage area; or (vii) land within 3 kilometres of the perimeter of an aerodrome.	The application site is not subject to any of these restrictions. Of note is that: - the site is not within a Conservation Area; - the site is not a listed building or land within its curtilage; and - the nearest aerodrome is London City Airport which is approximately 10km south of the site.

33. Based on the above assessment, it is clearly the case that there are no restrictions in place that would prevent the development from taking place, and that the proposed scheme will be in accordance with all of the requirements of the legislation.
34. The Council found the above matters acceptable and fully complies with the criteria for permitted development, as seen in paragraph 5.2 in both Delegated Reports. Furthermore, because the Council found these matters acceptable for the previous two storey proposed extension, this application proposes only one additional storey, thus the above matters should be considered fully acceptable again.

Prior approval matters - Palm Court and Lionel House

35. The legislation sets out that where any development under Class A is proposed, development 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 the following matters:
- (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;*
 - (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;*
 - (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;*
 - (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 March 2012(a) issued by the Secretary of State, and*
 - (i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building.*
36. In accordance with the Delegated Reports of the previous applications at both Palm Court and Lionel House, the Council raised no objection on the grounds of transport and highways impacts, air traffic and defence, contamination, daylight and sunlight, amenity, vistas nor the height of the building.
37. Therefore, with regards to the above matters, the Council regarded all aspects of the previous prior approval application to be acceptable, with the exception of point e. Due to this amended scheme being materially smaller than the previous prior approval applications, the applicant only has to address point e of the legislation, as all other matters have remained the same for this application. An assessment of part e is set out below.
- (e) the external appearance of the building*
38. Both of the existing buildings are of limited architectural quality. The proposed developments for both buildings will provide a high quality yet subservient addition which will not detract from the adjoining Conservation Area.
39. This application utilises permitted development rights that expressly authorise the construction of up to one new storey. The new storey on each building utilises a more modern and contemporary style whilst maintaining an equal visual relationship with the existing building.

40. As set out in the Delegated Reports produced by the Council for both HGY/2022/0564 and HGY/2022/0258 (“the previous proposals”), the identified concerns were:
- the proposed additional storeys would be bulky, and the lower floor of those extensions would result in an incongruous addition to the building;
 - the top storey did not have sufficient setbacks, which would have resulted in the extensions appearing *bulky*; and
 - the blend of contemporary and matching materials did not complement the wider streetscene and the existing building.
41. From the previous proposals, the applicant has sought to utilise the same materials that were proposed for the upper floor. The Council provided no objection to this as part of the original pre-application advice nor during the application stage. The Council stated in paragraph 5.17 of their Delegated Report for both previous applications that, in the context of the upper floor extension that the *design approach is more suitable insofar as it features contemporary materials of an appropriate colour palette* and that the issue was the *size and resultant volume, massing form and visual bulk*. This is an acceptance from the Council that the previous materials for the upper floor were considered acceptable and that the main issue related to the massing of the proposal. The material palette as part of this proposal has not changed from the upper floors of the previous proposals. Analysis of how the applicant has addressed the massing is set out below.
42. To address these concerns, the applicant has reduced the number of storeys proposed to a single additional storey, which was confirmed as being acceptable in the previous informal pre-application advice, whereby the principle of one additional storey was considered to be acceptable to the Council.
43. The Design and Access Statement outlines on page 13 that the new storeys proposed will be of high quality and subservient in their appearance through setbacks on all sides, as well as the reduction from the previous proposals to only one additional storey, in alignment to the original pre-application proposals where the Council provided no objection. The generous setbacks on each side of the building as shown are demonstrated on page 15 and 16 of the Design and Access Statement. This has responded to the previous proposals where the Delegated Reports of those applications make reference to the *lack of greater setbacks...and attempts to break down their bulk and mass ...are considered to [make the development] appear as top-heavy, visually dominant and disproportionate* (paragraph 5.18 of the Delegated Report for both of the previous proposals)
44. By considering the changes in design that have been made, the proposed development will be a positive addition to the wider streetscene. The additional storey on both buildings will consist of high-quality contemporary materials whereby the Council have raised no previous objection and an increase in setbacks which was encouraged in the Delegated Reports of the previous proposals.
45. The applicant has therefore clearly addressed the previous concerns highlighted by the Council by reducing the volume and massing of the proposal and by implementing a contemporary addition, which compliments the wider streetscene.

Previous Planning Applications

Palm Court

46. In February 2022, a detailed prior approval application was submitted to the Council (ref: HGY/2022/0258). This proposed the erection of two additional storeys at roof level to provide six additional self-contained flats. The application was refused planning permission by the Council for one reason, as set out on the decision notice dated 14 April 2022:

The size, scale, form, and detailed design of the proposal would result in visually dominant and disproportionate additions to the original building which would distract from, and fail to complement the external appearance, design, and character of the existing building and the adjacent Bowes Park Conservation Area, contrary to condition (A.2)(1)(e) of Class A of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

47. The Council's decision notice is the key document for setting out why the application was not considered to be acceptable. Indeed, as a matter of law, part 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) sets out at article 35 that:

When the local planning authority give notice of a decision or determination on an application for planning permission... where planning permission is refused, the notice must state clearly and precisely their full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision.

48. Based on this, it is clear that the Council's decision notice sets out one area of concern with the application:

Scale and design – the impact on the proposed two storey extension would result in a negative impact to the appearance, design and character of the existing building and the Bowes Park Conservation Area.

49. The Council's reason for refusal has now been addressed by reducing the number of additional storeys to be constructed to only one, which will remove the 'size, scale, form and disproportionate addition' aspect of the previous application. The proposed one storey extension is modest in comparison and leads to an acceptable appearance of the external buildings and will not distract from the character of the existing buildings or the Bowes Park Conservation Area.
50. With regards to the detailed design of the proposed upward extension, as set out by the Design and Access statement, the proposed development utilises increased setbacks, which results in the additional storey being subservient to the existing building. The development has also utilised bronze coloured standing seam metal cladding with window proportions matching the levels below.

Lionel House

51. In February 2022, a detailed prior approval application was submitted to the Council (ref: HGY/2022/0564). This proposed the erection of two additional storeys at roof level to provide five additional self-contained flats. The application was refused

planning permission by the Council for one reason, as set out on the decision notice dated 29 April 2022:

- 1. The size, scale, form, and detailed design of the proposal would result in visually dominant and disproportionate additions to the original building which would distract from, and fail to complement the external appearance, design, and character of the existing building and the adjacent Bowes Park conservation area, contrary to condition (A.2)(1)(e) of Class A of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

52. Based on this, it is clear that the Council's decision notice set out one area of concern with the application:

Scale and design – the impact on the proposed two storey extension would result in a negative impact to the appearance, design and character of the existing building and the Bowes Park conservation area.

53. The Council's reason for refusal has now been addressed by reducing the number of additional storeys to be constructed to only one, which will remove the 'size, scale, form and disproportionate addition' aspect of the previous application. The proposed one storey extension is modest in comparison and leads to an acceptable appearance of the external buildings and will not distract from the character of the existing buildings or the Bowes Park Conservation Area.
54. With regards to the detailed design of the proposed upward extension, as set out by the Design and Access statement, the proposed development utilises increased setbacks, which results in the additional storey being subservient to the existing building. The development has also utilised bronze coloured standing seam metal cladding with window proportions matching the levels below.

Conclusion

55. From the above assessment, it is evidently clear that the proposed additional storey to be added above the existing residential storey at Palm Court and Lionel House would be acceptable under Part 20, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
56. The legislation sets out in Part A that "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". The proposed extension not only adheres to the legislation by the addition of just one storey, it also has responded positively to the Council's reason for refusal on the previous application that sought two additional storeys.
57. The detailed analysis set out in the Design and Access Statement sets out the overall design rationale and how the additional storey will work in elevational terms for each building.
58. It is contended that there can be no objection raised on design grounds. The proposal complies wholly with Policy DM1 of the Haringey Local Plan and Policies D1, D4, and D7 of the London Plan with respect to the design of the extension and its impact on

the external appearance of the building. The proposed one storey extension is modest in design and leads to an acceptable appearance of the external buildings and will not distract from the character of the existing buildings.

59. Accordingly, the proposed development will be appropriate in terms of the effect on the external appearance of each building.