
Appeal Decision

Site visit made on 7 December 2016

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 December 2016

Appeal Ref: APP/Y5420/W/16/3157224

53B Cecile Park, Flat 2, Hornsey, London N8 9AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Timothy John Weeks and Ms Naela El Assad against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2016/1998, dated 28 April 2016, was refused by notice dated 12 August 2016.
 - The development proposed is the erection of a rear roof extension over existing back addition roof.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear roof extension over existing back addition roof at 53B Cecile Park, Flat 2, Hornsey, London N8 9AX in accordance with the terms of the application, Ref HGY/2016/1998, dated 28 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plan reference CP-53B-01A
 - 3) The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.
 - 4) Demolition or construction works shall take place only between the hours of 08:00 and 18:00 on Mondays to Fridays, 08:00 to 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Procedural Matter

2. I have taken the address of the appeal site as a combination of how it appears on both the appeal and application forms as it is the most complete version.

Main Issue

3. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Crouch End Conservation Area (CECA)
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Reasons

4. The appeal building is one of a terrace of narrow, two storey buildings with rooms in the roof space. It has been sub divided into two flats and a single small dormer window sits in the rear roof slope of the main building. The majority of the terrace has a subservient two storey outrigger extension to the rear.
5. Whilst there is a strong sense of uniformity to building design, shape and set back from the road frontage, rear elevations have been more exposed to change including, but not limited to, larger dormer windows and roof terraces. The dwellings are sat in an elevated position from their road frontage, facing northwest. The rear gardens are narrow, linear and extend southeast.
6. The proposed development would introduce a wide and flat roof dormer window into the roof slope of the outrigger extension. It would be to the rear and as such well screened from public views. Whilst this would introduce a form of development not characteristic of the dwelling itself, it would be similar in design, scale and appearance to that which is in the same position on the outrigger roof of Number 57 Cecile Park. In addition, it would be set against the outrigger roof of No 55 which has been altered to form a roof terrace. This is the context in which the proposed development would be read.
7. I accept that the subservience of the outrigger extension at the rear of the dwellings in the terrace contributes significantly to the overall form and thus character of the individual buildings within it. The form and character of the wider terrace contributes positively to the character and appearance of the CECA as a whole. I further accept that the proposed development would introduce an uncharacteristic form, albeit critically one which would still allow the subservience of the outrigger to be appreciated.
8. The dormer window itself would be set within the roof slope, below both the ridge of height of the outrigger and the eaves height of the main dwelling. For the above reasons, as well as the somewhat evolved context of rear elevations in the terrace more generally I can only conclude that the proposed development would not cause undue harm to the character or appearance of the CECA. A character and appearance that would therefore be preserved as a result of the proposed development.
9. It would not therefore conflict with Policies 7.4, 7.6 and 7.8 of the London Plan¹, Policies SP11 and SP12 of the Local Plan², saved Policies UD3 and CSV5 of the UDP³ and draft Policies DM1 and DM9 of the Development Management DPD⁴.
10. These Policies, amongst other things and along with section 12 of the Framework⁵, seek to ensure that new development is of a high quality and contextually appropriate design and appearance. They also require new development to be respectful of local character and if it affects heritage assets (Conservation Areas specifically), it preserves or enhances their character or appearance.

¹ The London Plan 2015

² Haringey's Local Plan 2013

³ Haringey Unitary Development Plan 2006

⁴ Haringey's Local Plan Development Management Development Plan Document Pre Submission Version 2016

⁵ The National Planning Policy Framework 2012

11. The Council have confirmed that the draft policies of the Development Management DPD are currently at examination stage. Whilst they are therefore emerging policy and consequently not part of the adopted development plan for primacy purposes, they are afforded some weight as they at an advanced stage in the process and broadly accord with the principles of the Framework.

Conditions

12. In the interests of clarity and enforceability, I have made some consequential changes to the conditions that have been suggested by the Council. I have attached the standard time condition and for certainty specified the approved plan. To ensure that the external appearance of the proposed development is satisfactory, I have also specified that all external materials should match the existing dwelling.
13. In order to ensure that the proposed development would not be harmful to the living conditions of neighbouring occupiers, and with regard to the construction process specifically, I consider it reasonable and necessary to restrict the hours for such work on site. Since there have been no objections to the hours suggested, I consider that they are reasonable.

Other Matters

14. The position and orientation of the proposed dormer window relative to windows in rooms belonging to neighbours would be such that lines of sight in their direction would not impinge on privacy. In addition, its scale, extent and degree of separation from neighbouring windows would not give rise to any loss of light.

Conclusion

15. For the reasons and subject to the conditions set out above, the appeal is allowed.

John Morrison

INSPECTOR