The Planning Inspectorate

Appeal Decision

Site visit made on 5 October 2018

by D Guiver LLB (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 12 November 2018

Appeal Ref: APP/Y5420/W/18/3203010
76 Woodland Gardens, Hornsey, London N10 3UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr and Mrs Evans against the Council of the London Borough of Haringey.
- The application, Ref HGY/2017/3650, is dated 16 December 2017.
- The development proposed is construction of a new family dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is against failure to give notice within the prescribed period of a decision on an application for planning permission. Following issue of the appeal, the Council considered the application and indicated that they would have refused the application.

3. Since the date of the Council's decision, the National Planning Policy Framework 2018 (the Framework) has been published and has effect. The parties have had the opportunity to make representations on the effect of the Framework on the application and I have taken all comments into consideration in this decision.

4. Demolition of the building at the appeal site was described as part of the application and there is a structural report in support of the application that describes the building as being in poor repair. However, while the report does not describe the building as structurally unsound, the Council considered demolition separately when the appellants sought prior approval[1], and determined that prior approval was not required. Accordingly the building could lawfully be demolished at any time and therefore I have not addressed this matter further in this decision.

5. The appellants referred in evidence to differences between the proposal and an earlier scheme, and to changes made seemingly to address concerns the Council previously raised. However, I am concerned with the current proposed development and the plans before me and have therefore not any addressed differences between applications.

[1] HGY/2018/0913

Application for costs

6. An application for costs was made by Mr and Mrs Evans against the Council of the London Borough of Haringey. This application is the subject of a separate Decision.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

8. The appeal site is a relatively confined plot of land comprising one half of a large semi-detached pair of 2.5-storey Edwardian houses, with narrow front, side and rear gardens. To a large extent the house and its twin at 78 Woodland Gardens are mirror images with a ground-floor bay window attached to a two-storey rectangular projection close to the party wall between the buildings, albeit due to the slope of the hill the appeal site sits a metre or so higher than its neighbour. Above the projection is a gable beneath the height of the main ridgeline and a shared chimney stack, with the remainder of the roof being a dual-pitch hipped roof. There is a single first floor window above the ornate front door and double windows on the ground and first floors on the other side of the door to the bay window.

9. To the side the building has a blank wall with an external chimney stack attached and to the rear is a two-storey element with a small extension creating a flat roofed conservatory. There is also a large three-storey rectangular projection with large windows on all three floors and additional smaller openings on ground and first floors. Windows to the front and rear mainly comprise timber vertical sliders with stone cills and arched brick soldier-course lintels, save for the bay and front projection where the lintels and mullions are stone.

10. The site is in a predominant position close to the apex of a bend in the road on a relatively steep incline and facing towards the junction between Woodland Gardens and Woodland Rise. The surrounding area is predominantly residential in character and is described in the Haringey Urban Character Study 2015, which concluded that dwellings in the area of the appeal site (and including the appeal site itself) share a number of similar features that are important elements in the character and appearance of the area.

11. These features include large and intricately detailed front doors, traditional front bays and timber framed windows and low front walls. Additionally, buildings are constructed of red brick with detailed stone and stucco moulding, although the brickwork at the appeal site has been painted white. There is a high degree of architectural symmetry in the surrounding area but this diminishes beyond the junction with Connaught Gardens, where Teresa Walk and Connaught Gardens comprise number of more recent developments.

12. The proposal is for the demolition of the existing building and its replacement with a new dwelling described by the appellants as a three-storey house, but with two-storey elements to the front of the property. There would be additional accommodation in a basement. The proposed dwelling would be 200mm or so wider and a similar size taller than the existing building but would be one or two metres deeper. Given the slope of the hill and the stepping of

the buildings the additional height of the proposed building would have negligible effect on the character of the building but the combination of the greater width and depth would create a building on an appreciably larger scale.

13. The proposed building would be faced with red brick and fenestration would be fixed and openable double-glazed aluminium-framed windows. To the front the main elevation would comprise two flat-fronted projections with flat roofs and a slight recess for the front door and above the door on the first floor.

14. There would be a ground floor oriel window close to the boundary with No. 78 and the door would be narrow board hardwood, with a hardwood board surround. The drawings do not show any windows in the door or the surrounding. In front of the property, the existing brick and stone wall characteristic of the area would be replaced with a simple red-brick wall to match the facing of the proposed dwelling.

15. The main roof would be a single pitch to the front elevation with a dual-pitch perpendicular element with front and rear facing gables above the flank wall. The front gable would be largely taken up by three windows and would rise to the same height as the main ridge. The flank elevation would be a largely rectangular brick façade with two brick piers projecting a few centimetres at first floor level and rising to a metre or so above the roof ridge and sloping down on the inner-side towards the ridge of the gabled element.

16. To the rear the ground floor would be largely glazed with a patio door system running along much of the length of the building. On the first floor there would be two different sized windows closest to No. 78 and close to the flank wall a zig-zag wall and window structure with tall narrow windows facing towards No. 78's garden. The third-floor would comprise a zinc-clad box dormer running the length of the building from the gable-ended element to the boundary with No. 78, with two large near-full height windows.

17. The larger bulk and massing of the proposed building in such a prominent location would introduce an incongruous feature into the street scene. The use of aluminium framed windows and unadorned timber door and surrounds without stonework or mouldings would be inconsistent with the predominant features on the neighbouring Edwardian properties. This effect would be exacerbated by the physical connection with No. 78 which retains many of these original features.

18. The loss of the existing gable close to the centre of the semi-detached pair and the construction of a new front-to-rear gable-ended element would unbalance the existing symmetry of the building. The piers and screen walls on the flank elevation would be an intrusive and alien addition to the street scene. The mixture of large areas of glazing, brick zig-zag walls and zinc fascia at the rear of the dwelling would be incompatible with the prevailing architectural styles in the area.

19. Therefore, the proposed development would not accord with Policies 7.4 and 7.6 of the London Plan 2016, Policy DM1 of the Development Management Development Plan Document 2017 and Policy SP11 of Haringey's Local Plan Strategic Policies 2013, which seek to ensure that developments provide high quality designs that relate appropriately and sensitively to the surrounding area, having regard to scale and enhance the built environment.

Other Matters

20. The Council is considering designating the area including the appeal site as a conservation area and interested parties have made representations referring to the proposal. However, I attach little weight to the potential designation and until such time as any change is made the proposed development should be determined on the basis of the current position.

21. Interested parties made a number of representations largely reflecting the Council's views on character and appearance. However, further objections were raised with regard to flood risk, overlooking, disruption during construction and loss of value of neighbouring properties. The evidence before me is that the appeal site is not in a high risk flood zone and there is no compelling data to show that development of the site would cause flooding elsewhere.

22. The rear facing windows would result in some overlooking of neighbouring properties but some overlooking is to be expected in built-up areas. Moreover, any overlooking is unlikely to be appreciably greater than the existing levels from the building. While disruption during construction, either from noise and disturbance or highway issues are a concern, these could be addressed by way of planning conditions imposing limits of working hours and the storage and use of plant and machinery. The potential loss of value of other properties is not a planning issue and I therefore attached very little weight to such concerns.

Conclusion

23. For the reasons given, and taking account all other material considerations, I conclude that the appeal should be dismissed and planning permission is refused.

D Guiver

INSPECTOR