



Appeal Decision

Site visit made on 6 August 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2019

Appeal Ref: APP/Y5420/W/19/3229499

Fairport, Fortis Green, London N10 3BQ

- 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 Athos Eliades against the decision of the London Borough of Haringey.
 - The application Ref HGY/2019/0205, dated 17 December 2018, was refused by notice dated 5 March 2019.
 - The development proposed is vertical extension of existing house by addition of an extra floor and the conversion of the existing ground floor garage into residential use.
-

Decision

1. This appeal is dismissed

Procedural Matter

2. The appellant has submitted revised plans with the appeal. However the procedural Guide - Planning Appeals – England advises that the appeal process should not be used to evolve a scheme and I have therefore made my decision on the plans consulted upon and considered by the Council.

Main Issue

3. The main issue is the effect of the proposal on the street scene and thus whether it would preserve or enhance the character or appearance of the Muswell Hill Conservation Area (CA).

Reasons

4. The appeal site is a detached garage with self-contained living accommodation to the upper floor and was formally associated with but detached from the imposing residential 'Fairport'. This house faces onto Fortis Green but turns the corner with Fortismere Avenue within the leafy suburban area of Muswell Hill. The appeal garage is accessed off, and fronts onto Fortismere Avenue. A narrow lane separates the site from 4 Fortismere Avenue. The appeal site is located within the CA which is characterised by red brick Edwardian houses with noted continuity and distinctive design detailing with Arts and Crafts influences. The appeal site is identified within the Sub Area 4 of the *Muswell Hill Character Appraisal* 2008 and is recognised for its repeated linked semi-detached houses, gable or hipped roofs, double height bay windows and largely uniform appearance to houses.

5. There is a distinctive pattern and grain of development along Fortismere Avenue with a rhythm of linked pairs of houses and regular building lines. A notable feature is that the houses on the east and west side of Fortismere Avenue are set back by over 30m from the road of Fortis Green. The development as proposed in this location would create a stand-alone dwelling, physically separated from the other houses along the avenue. Its presence would therefore appear as an incongruous and uncharacteristic feature in its environment, detrimentally disrupting the existing rhythm of houses within the street scene.
6. Small front gardens set behind low boundary walls are characteristic of this part of the CA. As the proposed development would create a much greater building mass, set behind a high timber vehicular access gate with high walls, this would be out of context with other houses in this location, further increasing its visual appearance within the street scene, and detracting from the traditional run of houses. The development would not make a positive contribution to local character and distinctiveness.
7. The existing garage is modest in scale and design and does not compete or detract from the architectural style of the adjacent houses along Fortismere Avenue. The proposed development is considerably greater in height and scale than the garage, and the design of the development is sufficiently different to the surrounding vernacular design to which the character appraisal describes as having "homogeneity". The proposed development lacks continuity with the existing design characteristics of neighbouring houses and adversely distorts this consistency that forms part of the character of the CA. It would therefore neither enhance or preserve the character or appearance of the CA.
8. For the reasons above, the proposal would conflict with policies SP11 and SP12 of the Haringey Local Plan (2017); policy DM9 of the Development Management DPD (2017); and policy 7.8 of the London Plan. These policies all seek to protect the built and historic environment.
9. Whilst the effect of the proposal would not reach the high hurdle of substantial harm, it would nonetheless result in serious harm that requires clear and convincing justification. Paragraph 196 of the National Planning Policy Framework (the Framework) indicates that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. I have not been made aware of any such benefits in this appeal, and the proposal therefore runs counter to the Framework.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Alison Scott

INSPECTOR