
Appeal Decision

Site visit made on 15 May 2020

by J Bowyer BSc(Hons) MSc MRTPI

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

Decision date: 20th May 2020

Appeal Ref: APP/Y5420/W/20/3245091

Flat C 290 Archway Road, Hornsey London N6 5AU

- 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 Jack Benson against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2019/3092, dated 6 November 2019, was refused by notice dated 20 December 2019.
 - The development proposed is described as 'retention of existing rear dormer'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form describes the development as 'retention of existing rear dormer' and indicates that the development was completed in August 2017 but retention is not an act of development in the terms of the above Planning Act. I have therefore determined the appeal on the basis that it is seeking retrospective planning permission for the development as carried out.
3. An interested party has made representations which refer to velux windows to the front roofslope of the appeal site and the erection of fences to the rear of the terrace. However, these are not part of the appeal before me and my decision below is confined to the proposed rear dormer.
4. Adjacent to the appeal site, there is a rear dormer at Second Floor Flat 292 Archway Road which is the subject of a separate appeal¹. There are similarities in the proposals, but I have considered both appeals individually.

Main Issue

5. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Highgate Conservation Area.

Reasons

6. The appeal site is located within the Highgate CA which is characterised by a diverse mix of buildings reflecting the historic pattern of development and set within surrounding open spaces. Many of the buildings are of architectural merit, including as a consequence of their original features, materials, design and the quality of detailing.

¹ Appeal reference APP/Y5420/W/20/3245095

7. The site forms the upper part of 290 Archway Road within the terrace of buildings at 278 to 310 Archway Road. These are noted within the Highgate Character Appraisal and Management Plan 2013 (CAMP) as a beautifully preserved terrace of the late Victorian era. The detailing to the rear of the terrace is more muted than the high quality street frontage, and is not specifically mentioned within the CAMP. Even so, there is a regular arrangement of three-storey outrigger projections with canted bays to their sides and contrasting brick bands, and save for the appeal site and 292 Archway Road adjacent, the roofslopes are little altered. Overall, this gives rise to a strong sense of uniformity to the terrace group and an attractive rhythm and architectural value. Together with the retained original features to the front elevation, the terrace therefore contributes positively to the street scenes and the significance of the CA, and I find that, irrespective of whether or not it is a locally listed building, the heritage interest of the terrace warrants its consideration as a non-designated heritage asset.
8. The evidence before me indicates that planning permission was granted for a rear dormer², but that the dormer as-built is not in accordance with the approved plans, and includes an extension onto the rear outrigger. The dormer to the main roof is set down from the ridge level, but the set back from the eaves is limited and it fills much of the width of the roofslope. The rear section of the dormer is of lesser height and does not extend the full depth of the outrigger, but it is of comparable height to the roof of the outrigger. Despite its smaller scale, it therefore notably adds further to the bulk of the development, exacerbating the overall visual impact and dominating the host roof form.
9. In addition, the rear section of the dormer intersects with and subsumes the top part of the roof to the bay at the side of the outrigger. The part flat, part sloping roof form of this part of the dormer is out of character with the more traditional form of the terrace, and the sloping section has a different pitch to the host roofslope. Taken together, these factors result in an awkward relationship between the dormer and the original features of the host building, and it forms an incongruous and uncharacteristic feature at a high level.
10. Surrounding built form screens the dormer from some potential viewpoints, and there are no properties facing the rear of the appeal site. It is also constructed in materials to match the host building and set back from the street. However, it can still be clearly seen from the street scene of Holmesdale Road, and particularly in views at the junction with the Parkland Walk Local Nature Reserve footpath. Holmesdale Road may not be a busy thoroughfare in comparison to Archway Road, but this does not alter the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Highgate CA imposed by s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
11. By reason of the considerable scale and bulk of the development as a whole and the unsympathetic relationship with the original features of the building, the dormer is a visually intrusive and incongruous addition. It contrasts starkly with the predominantly unaltered roofscape of the terrace and disrupts the integrity of the roofline as a whole giving prominence to the development. Notwithstanding the fairly limited public opportunities for views of the dormer,

² Application reference HGY/2014/2864

this detracts from the composition of the building on the appeal site and the cohesive visual unity of the wider terrace.

12. For these reasons, the development is harmful to the character and appearance of the host building and wider terrace and would fail to preserve or enhance the character and appearance of the CA. It therefore conflicts with Policy SP12 of the Haringey Strategic Local Plan 2013, Policies DM1, DM9 and DM12 of the Haringey Local Plan 2017 and Policy DH5 of the Highgate Neighbourhood Plan 2017. Together, these broadly seek a high standard of design which contributes to the distinctive character of an area, and which conserves and enhances heritage assets.
13. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource, and that great weight should be given to the conservation of a designated heritage asset when considering the impact of a development on its significance. In the terms of the Framework, I find that the harm to heritage assets would be less than substantial. Paragraph 196 of the Framework therefore indicates that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
14. I note that the development provides enlarged residential accommodation, but there is no substantive evidence to indicate that the site would be unsuited to continued residential use in the absence of the proposal. I acknowledge a number of representations in support of the proposal, however the absence of harm to neighbouring occupiers is a neutral factor and does not weigh in favour of the appeal. I also note that the appellant and interested parties have referred to disruption associated with building works to alter the dormer, although it is not before me to consider the consequences of any potential enforcement action the Council may or may not take. Even taken together, I find that these factors do not amount to a public benefit sufficient to outweigh the harm that would be caused to heritage assets which I give considerable importance and weight in accordance with the Framework.

Other Matters

15. I acknowledge that the Council's Conservation Officer did not offer comments on the development, but I cannot assume that this signifies support for the proposal which I am in any case required to determine on its own merits.
16. The appellant raises concern that the Council determined the application prior to the expiry of the period given for interested parties to comment, and I note that a number of comments were submitted in support of the proposal subsequent to the Council's decision. Copies of the representations received, both before and after the date of the decision, have been provided as part of the appeal and I have carefully considered these. However, the timing of the Council's determination of the application is a procedural issue, and does not affect my consideration of the planning merits of the case.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR