



Appeal Decisions

Site visit made on 12 January 2021

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th January 2021

Appeal A: Ref: APP/Y5420/W/20/3259650

124-126 Castlewood Road, Tottenham, London N15 6BE

- 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 Michael Scharf against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2019/2561, dated 10 September 2019, was refused by notice dated 9 April 2020.
 - The development proposed is described as amalgamation and erection of additional storey ('Type 3' extension).
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Appeal B: Ref: APP/Y5420/W/20/3259651

124-126 Castlewood Road, Tottenham, London N15 6BE

- 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 Michael Scharf against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2020/1244, dated 13 May 2020, was refused by notice dated 8 July 2020.
 - The development proposed is described as amalgamation and erection of additional storey ('Type 3' extension) including single storey rear.
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Decision

1. Appeal A is allowed and planning permission is granted for amalgamation and erection of additional storey ('Type 3' extension) including single storey rear extension at 124-126 Castlewood Road, Tottenham, London N15 6BE in accordance with the terms of the application Ref HGY/2019/2561, dated 10 September 2019, subject to the conditions set out in Schedule A attached.
2. Appeal B is allowed and planning permission is granted for amalgamation and erection of additional storey ('Type 3' extension) including single storey rear extension at 124-126 Castlewood Road, Tottenham, London N15 6BE in accordance with the terms of the application Ref HGY/2020/1244, dated 13 May 2020, subject to the conditions set out in Schedule B attached.

Procedural Matters

3. There are two appeals on the appeal site for similar developments. Appeal B differs primarily (from appeal A) as the side extension between the two properties is set back from the front walls and below the main roof line on the front elevation. Appeal B also proposes to retain two front doors and porches in a similar manner as the existing appeal site arrangement, whereas appeal A

proposes a single central double front door and porch. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

4. In the banner headings above I have used the descriptions of development from the original planning application forms. For appeal A in the decision paragraph I have amended the description to that set out in the appellant's appeal form and the Council's decision notice, to refer to the rear element and added the word 'extension' to reflect the nature of the proposed development. For appeal B, in the decision paragraph I have used the description from the Council's decision notice and appellant's appeal form which adds the word 'extension', reflecting the nature of the development proposed.
5. Accompanying appeal A is a set of amended plans showing a set down and set back on the front elevation and roof slope in the location of an existing gap. In the context of that appeal scheme the changes are significant. The Planning Inspectorate Procedural Guide: Planning Appeals – England 2020 states the appeal process should not be used to evolve a scheme, and what is considered by the Inspector should be essentially what was considered by the Council, and on which interested people's views were sought. Taking into account the Wheatcroft principles¹, it is important that I determine the appeal on the basis of what was determined by the Local Planning Authority and on which interested people's views were sought. Therefore, I have not had regard to the amended scheme in determining the appeals.
6. The appellant provided some additional plans for appeal B. These amend the plans to allow the differentiation of plan numbers between appeals A and B by adding 'revision B' to some plan numbers (Refs CR.124-126.PR.02 Rev B and CR.124-126.PR.104 Rev B). They do not amend the appeal B development in any other way. Therefore, having regard to the Wheatcroft principles, I have accepted these plans, as no parties would be prejudiced by this.

Main Issue

7. The main issue for appeal A and appeal B is the effect of the proposed development upon the character and appearance of the host dwellings and the area.

Reasons

8. The appeal site comprises two neighbouring dwellings with a small gap in between which form the end of short neighbouring terraces at roughly the mid-point of this section of Castlewood Road. Both the proposed developments include the provision of what is termed 'Type 3' roof extensions, described in the Housing Extensions in South Tottenham Supplementary Planning Document (2013) (the SPD). They would add a second floor and some accommodation in the lofts under pitched roofs.
9. The surrounding street scene exhibits some mixed character due to a number of sizeable front dormers, type 3 extensions, and front skylights. The proposed type 3 extensions would replicate the design features of the existing dwellings such as bay windows under small cross gable roofs, the window alignments, roof pitch and materials. Their proposed height, forms and appearance would not be out of keeping with the street scene and host dwellings, and there is no

¹ Bernard Wheatcroft Ltd v Secretary of State for the Environment [JPL, 1982, P37]

objection expressed by the Council in respect of the principle of type 3 extensions in this location.

10. In this part of Castlewood Road, the distinctive positive attributes include the rhythm of the bay windows with small cross gables, decorative cornices with brick work, and porch roofs. Modest gaps between terraces are visible in some but not all of the surrounding streets and on some streets such as Wellington Road there are longer continuous terraces. This is a short section of Castlewood Road with a sense of openness mainly gained from the road width, gardens, building set back, and the short distance to the junctions or intersections.
11. The approximately 0.9m gap between the appeal site properties accommodates a side gate above which is a narrow section of wooden cladding. The appellant states this has been present for over 4 years and would be lawful. There is no substantive evidence provided to dispute this. The Certificate of Lawfulness for the infilling of the ground floor of the gap is referred to in the Council's delegated reports. It is less than a year old and the appellant has expressed an intention to implement it, if these appeals were to fail. These developments attract limited weight as a fall-back position.
12. Depending on the angle, through the existing gap between the appeal site properties there is visibility of the flank elevation walls and a constrained view of space and properties in the opposite terrace. It is not a prominently visible feature due to its narrowness. This gap in this short section of Castlewood Road does not significantly contribute to rhythm, and overall, makes a minor contribution to this part of Castlewood Road. In the context of the wider building pattern a terracing effect from enclosing this gap in these short sections of terraces from this appeal scheme would not be incongruent, out of keeping or harmful to the character and appearance of the appeal site or this section of Castlewood Road.
13. By reflecting the same forward projection and roof pitch and being a single storey higher, when combined with the modest width of the side extension, appeal scheme A would be subservient to the host buildings. The corbel and vertical brickwork feature would be modest and well matched to several properties nearby. It would reduce bulk, massing, and create a distinction between the buildings reflected in other mid-terrace properties. The ground floor porch roof would be similar to other mid terrace dwellings. The windows are of a proportion, alignment, and symmetry that in the context of this particular appeal site and development, would be satisfactorily accommodated. Therefore, the appeal A development would not appear awkward or incongruent and would be in keeping with the character and appearance of the appeal site dwellings and the area.
14. By leaving a small set down and set back, the side extension of the appeal B scheme would retain an indication of where a gap existed. Its narrow width and modest form would have a limited discernibility. The proposed development would be subservient to the host buildings. Retaining separate porches would help retain the existing character and appearance of the frontages. The brickwork and corbel alignment would reduce the bulk and massing to a small degree, as well as respect the existing arrangement of features of the appeal site and the division between the buildings. There are some differences in the height of dwellings nearby due to land levels and box

dormers. Therefore, the proposed central roof arrangement would not appear either awkward, convoluted, or incongruent, and would be in keeping with the character and appearance of the appeal site dwellings and the area.

15. The mono pitch roof form of the rear extensions would represent an additional depth of approximately 4.5m to the rear of No 124 and 1.5m to No 126. It would be noticeably less deep than the neighbouring No 122. Similar projections are visible in the locality. The projections would be of a height, width, depth, and overall scale that would be subservient to the host buildings and would not be out of keeping with or harmful to the character and appearance of the appeal site dwellings or area. As a whole, the positions, heights and forms of both developments would retain sufficient subservience to the host properties.
16. Therefore, for the reasons set out above the proposed developments in appeal A and appeal B would not be harmful to, and would be in keeping with, the character and appearance of the host dwellings and the area. Therefore, they would not conflict with Policies DM1 and DM12 of the Haringey Development Management DPD (July 2017), Policy SP11 of the Haringey Strategic Policies Local Plan (2017) and Policies 7.4 and 7.6 of the London Plan (2016). In combination and amongst other things these policies require development achieves a high standard of design that is in keeping with and contributes positively to the character and appearance of original buildings and the area.
17. The Council has cited conflict with the SPD in its reasons for refusal. However, for the reasons I have set out above the developments would be in keeping with and not be harmful to the character and appearance of the area. In the absence of a specific reference to the relevant section of the SPD I do not find a harm from the development having regard to its design advice.

Other Matters

18. The Council did not raise an objection to the developments in respect of the effect of the living conditions of neighbouring occupiers. The ground floor extensions would project approximately 4.5m from the depth of the original dwellings. On the south side they would project a limited amount less than the neighbouring No 122. There would be no material adverse effect in respect of the living conditions of the occupiers of No 122.
19. To the north the developments would project approximately 1.5m deeper than the existing extensions at Nos 126 and 128. Both projections would be of a height of approximately 1.1m greater than the existing boundary fence for approximately 1.5m, which would represent a modest addition. The nearest ground floor window of No 128 is of textured obscure glass and the development would be well below first floor window level.
20. The rear projection would be visible at oblique angles from some of the rear windows, and in the garden of 128. However, having regard to the modest increase in depth, the height, as well as the depth, orientation, mature vegetation and the appeal site outbuilding, the effect of the development as a whole would be small. Consequently, it would not result in harmful living conditions to the occupiers of No 128 in respect of being overbearing, loss of outlook or daylight when viewed from the dwelling or garden.

Conditions

21. I have considered the Council's suggested conditions for each appeal and where appropriate amended the wording to more closely align with the Planning Practice Guidance. As well as standard conditions specifying the time limits for commencement of development, compliance with the approved plans is necessary to provide certainty. To ensure a satisfactory visual appearance it is necessary to impose a condition for each proposal in respect of the external appearance and finishes. I have amended the Council's suggested condition to refer to the barge board and gable on No 126, as this is white coloured, which is overall more reflective of the wider street scene.
22. In order to safeguard the structural integrity of the buildings it is necessary to impose conditions to ensure that the additional floors do not exceed the maximum bearing capacity of the ground. I have amended the Council's condition to require the details to be submitted to and approved by the Local Planning Authority to ensure the respective conditions are sufficiently precise and enforceable. I have omitted the Council's suggested condition in relation to the withdrawal of permitted development rights on the front and side elevations. Based upon the evidence before me, it is not necessary to do so, having regard to the permitted development rights and the character and appearance of the area.

Conclusion

23. For the reasons set out above, and having regard to all the matters raised, I conclude that both Appeal A and Appeal B should be allowed.

Dan Szymanski

INSPECTOR

Schedule A – 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 the approved plans/drawings numbered: CR.124-126.LP; CR.124-126.EX.01; CR.124-126.EX.02; CR.124-126.EX.03; CR.124-126.EX.104; CR.124-126.PR.01; CR.124-126.PR.02; CR.124-126.PR.03; CR.124-126.PR.104.
- 3) The external materials to be used in the construction of the development hereby permitted shall match precisely the colour, size, shape, and texture of those on the existing appeal site buildings. The render of the frontage of the second floor shall replicate the texture and colour of the existing frontage and shall be finished to ensure a seamless appearance between the old and new parts of the buildings. Detailing of the proposed bay windows shall match exactly that of the existing barge board and front gable detailing at first floor level of No 126. The new second floor rear elevation shall match the window arch detail and painted brick work of the first floor.
- 4) Before any work is undertaken in pursuance to this permission to add additional floors and add pressure on the original foundations of the dwelling, steps shall be taken by a qualified professional to demonstrate that the additional loading on the ground floor by the foundations does not exceed the accepted maximum bearing capacity of the ground and works shall be carried out in accordance with an approved structural engineers drawings, which have been previously submitted to and approved in writing by the Local Planning Authority.

End of Schedule A

Schedule B – 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 the approved plans/drawings numbered: CR.124-126.LP; CR.124-126.EX.01; CR.124-126.EX.02; CR.124-126.EX.03; CR.124-126.EX.104; CR.124-126.PR.101; CR.124-126.PR.02 Rev B; CR.124-126.PR.03; CR.124-126.PR.104 Rev B.
- 3) The external materials to be used in the construction of the development hereby permitted shall match precisely the colour, size, shape, and texture of those on the existing appeal site buildings. The render of the flank gable wall ends and frontage of the second floor shall replicate the texture and colour of the existing frontage and shall be finished to ensure a seamless appearance between the old and new parts of the buildings. Detailing of the proposed bay windows shall match exactly that of the existing barge board and front gable detailing at first floor level of No 126. The new second floor rear elevation shall match the window arch detail and painted brick work of the first floor.
- 4) Before any work is undertaken in pursuance to this permission to add additional floors and add pressure on the original foundations of the dwelling, steps shall be taken by a qualified professional to demonstrate that the additional loading on the ground floor by the foundations does not exceed the accepted maximum bearing capacity of the ground and works shall be carried out in accordance with an approved structural engineers drawings, which have been previously submitted to and approved in writing by the Local Planning Authority.

End of Schedule B