



Appeal Decision

Site Visit made on 29 June 2021

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/Y5420/W/20/3264995

44 Cobham Road , Wood Green , London N22 6RP

- 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 Baz Abu against the decision of London Borough of Haringey.
 - The application Ref HGY/2020/2664, dated 21 October 2020, was refused by notice dated 20 November 2020.
 - The development proposed is a loft extension.
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Decision

1. The appeal is dismissed.

Applications for costs

2. Applications for costs have been made by Mr Abu against the London Borough of Haringey and by the London Borough of Haringey against Mr Abu. These applications are the subject of separate Decisions.

Preliminary Matters

3. The name provided on the application form is given as Mr Baz. Clarification has been provided to verify that the appellant's name is Mr Baz Abu and so I have used his full name in my banner heading.
4. As well as this appeal I am also dealing with another at the same address, Planning Inspectorate Ref: APP/Y5420/W/20/3260433. This is the subject of a separate decision.
5. Since the appeal was lodged The London Plan (2021) (the New London Plan) has been published by the Mayor of London and is now part of the development plan. The policies within the London Plan (2016) are therefore no longer extant. The parties have had an opportunity to comment on the New London Plan in relation to the case during the appeal process.
6. I have taken this into account in my determination of the appeal. In so doing, I am satisfied that the appellant has had the opportunity to consider the relevant provisions of the New London Plan and no-one's case is prejudiced by my taking them into account.

Main Issues

7. The main issue is the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

8. 44 Cobham Road (No 44) is a two storey mid-terrace dwelling on the northern side of Cobham Road set in an established residential area. Dwellings on Cobham Road have bay windows under hipped roofs projecting from the main pitched roofs. To the rear they have shared two storey outriggers under pitched roof of the dwellings. During my site visit I did not observe any other dormer extensions in the vicinity of the site and the roofs of the terrace, and those of the terrace backing onto it retain a high degree of their original form. The common features of the dwellings within the terraces provide a strong sense of rhythm and uniformity which significantly contributes to the character within the area.
9. The proposal is for the erection of a dormer on the rear roof slope, set in from the boundaries with its neighbours and slightly away from the ridge and eaves. No 44 already has the benefit of a Certificate of Lawfulness¹ (CoL) to erect a dormer on the outrigger and the Council's concerns are centred on the dormer window and its cumulative effect with the already approved works.
10. The appellant has said that this proposal is a resubmission following the refusal of a similar scheme² and that amendments were made to the previous scheme to address the Council's concerns in regard to scale and bulk.
11. Whilst set within the rear slope of the roof and, to a degree, subordinate to the main roof form, the proposal would occupy a large part of that slope. It would, by virtue of its bulk and angular form, be a dominant and incongruent feature in the area, which lacks similar features. This incongruity, given the importance that I have placed upon the uniformity and rhythm evidenced in the design of the terraces, would, in this case, amount to harm. Whilst views from the street would be limited by existing buildings and planting, that harm would be visible from several other nearby properties whose windows and gardens would provide views of the proposal.
12. The appellant says that there are other dormer extensions similar to that proposed in the area. However, no planning details of these have been provided to establish whether they present contextually similar characteristics and they do not form part of the immediate context of the site. I have, in any case, determined this appeal on its own merits.
13. The appellant has identified that the Council considered the joint impact of the proposal with that of the dormer granted benefit of the CoL. As will be seen above, I have found that the proposal, considered in isolation, would harm the character and appearance of No 44 and the surrounding area. It is reasonable to assume that any additional roof structure would compound this, rather than ameliorating it.
14. Whilst the appellant states that there is no intention to build the CoL permitted scheme in the near future, no mechanism has been provided of preventing the CoL scheme from being built and so there is, therefore, a possibility of the cumulative effect of two extensions being realised.
15. For the reasons given, the proposal harms the character and appearance of the site and the surrounding area. It therefore conflicts with Policy SP11 of the

¹ Council Ref: HGY/2020/2125

² Council Ref: HGY/2020/2147

Haringey Local Plan Strategic Policies 2013-2026 -2013, consolidated with alterations 2017- (the Local Plan), Policies DM1 and DM12 of the Haringey Development Management DPD -2017- (the DMDPD), and Policy D3 of the New London Plan. Amongst other things, these seek to ensure that proposals are high quality in design that enhance and contribute to local context by delivering buildings that positively respond to local distinctiveness.

Other Matters

16. The policies in the development plan that are most important in this case (Policy SP11 of the Local Plan, Policies DM1 and DM12 of the DMDPD and Policy D3 of the New London Plan) are consistent with the aims and policies set out in Section 12 of the National Planning Policy Framework -2019- (the Framework) and, therefore, are not out-of-date.
17. The Government is seeking to significantly boost the supply of housing. However, this proposal would not, of itself, provide a new dwelling. There is no objection to the principle of the intensification of the existing residential use of the site. The determining factor is whether or not this can be achieved without harm to the local environment.
18. The development would provide benefits in terms of delivering additional living accommodation. There would be minor benefits to the local economy in terms of short term employment in the construction industry. Taken together, given the scale of development, these benefits carry limited weight.
19. I have found that the proposal would result in harm to the character and appearance of the site and surrounding area. The visual harm resultant from the development would, by virtue of the limited views available from the public realm, be moderate.
20. In conclusion the limited benefits provided by the proposal would be outweighed by the identified harm when considered against development plan policies and the Framework when read as a whole.
21. The proposal would comply with development plan policies aimed at securing the provision of adequate living conditions for future occupants. However, this is a requirement of the development plan and would not outweigh the harm that I have identified to the character and appearance of the site and the surrounding area.
22. Overall, the adverse effects outweigh the benefits associated with the proposed development. The proposal conflicts with the development plan and there are no material considerations, including the Framework, which outweigh this conflict.

Conclusion

23. For the above reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

I Dyer

INSPECTOR