



Appeal Decision

Site visit made on 25 May 2021 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021

Appeal Ref: APP/Y5420/W/20/3261963

58 Hillside Road, Tottenham, London, N15 6NB

- 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 Margulies against the decision of the London Borough of Haringey Council.
 - The application Ref HGY/2020/0632, dated 18 February 2020, was refused by notice dated 14 May 2020.
 - The development proposed is the demolition of existing side garage and rear outbuilding, erection of 2-storey side to rear extension with first floor balcony and part single storey rear extension, hip to gable roof extension with rear dormer, excavation to create basement level with 2 front lightwells, insertion of 3 front rooflights, alterations to front boundary treatments, in association with conversion of dwelling into 4 self-contained flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. In the interest of accuracy, the description of development used in the header above is based on that used on the Council's decision notice.
 4. A revised plan (drawing no. 2207_11E) was submitted during the appeal process. The development shown includes a new high-level window to the western flank of the ground floor serving a bedroom within Flat B. It also shows a relocated bin store, an amended side access ramp, and an amended front wall.
 5. I note the Council have had the opportunity to comment on this revision during the course of the appeal and it is not significantly different to that which neighbouring residents understand as the proposal. I therefore accept the amended plan as I consider no parties would be prejudiced by its inclusion in my decision-making.
 6. Since the submission of the appeal, a new London Plan (2021) has been adopted and policies 7.4, 7.6 and 3.5 of the previous London Plan (2016), quoted by the Council in their decision notice, now carry no weight. The Council
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have not advised if any policies in the new London Plan are relevant to this appeal, and so the only development plan policies I have had regard to are those in the Haringey Development Management Development Plan Document 2017 (DMDPD) and in the Haringey Local Plan 2017 (the 'Local Plan').

7. In addition, the Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

8. The main issues are:

- The effect of the development on the character and appearance of the host dwelling and the surrounding area;
- whether the proposal would provide satisfactory living conditions for the future occupiers of the proposed dwelling, with regards to light, outlook, privacy and the provision of private amenity space; and
- whether the proposal would provide adequate waste and recycling facilities.

Reasons for the Recommendation

Character and appearance

9. The appeal site comprises an end of terrace two-storey dwelling located within an established residential area. The site's western boundary abuts the TfL Overground railway line whilst the St Ignatius primary school playground abuts the northern boundary of the site. The surrounding area is characterised by terraced housing with only a small number of properties along the northern side of Hillside Road featuring rear dormers.
10. Planning permission has previously been granted for much of the proposed works, including the basement extension, hip-to-gable roof extension, and part single/part two-storey side and rear extensions. Despite some alterations to these elements, the Council has on the majority of elements not raised any objections and I see no reason to disagree with this stance. As the Council's decision has therefore focussed on the design elements of the works where there is dispute, so has my determination of this appeal.
11. Whilst a smaller rear dormer window has previously been approved on the appeal property, the proposed rear dormer would be visually conspicuous in light of its excessive width and design. It would appear bulky as it would occupy most of the rear roof structure resulting in a top-heavy and awkward rear elevation. The undue bulk and scale of the dormer would therefore fail to appear sufficiently subservient and would unbalance the architectural form of the host dwelling.

12. Although the appellant opines that the proposed rear dormer would not feature prominently within the streetscene of Holmdale Terrace, to the west of the appeal site, I concur with the Council in that there would be a clear unbroken line of sight of the development. Due to the double-storey height of the appeal property, the proposed dormer would be readily visible from Holmdale Terrace and other surrounding streets despite the banked train line and separation distance.
13. The appellant also contends that the setting and context to the rear of the terraces on Hillside Road has been altered by the erection of other dormers and modern outriggers. In this regard, I only observed two other rear roof extensions along the terrace and none in close proximity to the appeal property. There is therefore a distinct unbroken roof line between No. 36 Hillside Road and the appeal property. The proposal would interrupt the continuous and uniform roof line with unwieldy and dominant additions.
14. Although I recognise that the proposed large dormer would facilitate the creation of a residential unit at second floor level which would meet nationally described space standards, I am not persuaded this benefit would outweigh the harm to the character and appearance of the area.
15. Given the above, the proposed dormer would constitute a visually dominant addition that would harm the character and appearance of the host dwelling and surrounding area. It would therefore conflict with Policy DM1 of the DMDPD which seeks to ensure new development achieves a high standard of design and contributes to the distinctive character and amenity of the local area.

Living conditions of future occupiers

16. The appellant's Internal Daylight Assessment report states that the Average Daylight Factor (ADF) for the lounge/bedroom area of the lower ground floor flat A would be 3.42% which would exceed the 1.50% BRE criterion. The ADF for flat A's kitchen would be 3.93% thus exceeding the 2.00% requirement. Similarly, the rooms assessed within flat B exceed the recommendations using the AFD test. I am therefore satisfied that the level of light penetration within the proposed units would be acceptable.
17. However, I share the Council's concern with regards the level of outlook available from Flat A with the amount of visible sky observable from the lower basement windows within the lightwells negligible, resulting in a poor outlook. This is particularly critical for flat A, as it would be a single-aspect unit solely dependent on light and outlook from the front lightwells. Although the level of light penetration within this flat has been demonstrated to meet minimum standards, the amount of light would still be limited and combined with poor outlook it is considered that the living conditions of the future occupants would be negatively impacted.
18. Furthermore, whilst I have accepted the amended plan (ref. 2207_11E) which has replaced the two side windows within the ground floor bedroom of flat B with a high-level fixed window to address issues related to privacy and the provision of sufficient light for the occupants, it would conversely result in a significant reduction in the outlook from this bedroom, to the detriment and harm to the living conditions of the future occupiers.

19. The amenity space for the family-sized unit would be awkwardly located within the lower basement lightwell and would only be accessed through a downstairs bedroom rather than from a kitchen/living room. Whilst the appellant states that it would be comparable to amenity space provided through a bedroom balcony in other developments, I am not satisfied this arrangement would be functional in this case. In my view, it would be a dark and constrained north-facing space with exceptionally poor outlook compounded by its inadequacy as space for a family-sized flat. I therefore find that the future occupants of flat B would not have access to an acceptable quality of outdoor amenity space.
20. Turning to the communal amenity area, the location of the external bike store within such a space provides storage security. Whilst it would appear that the bikes would have to be brought over and through the garden space in order to gain access to the front of the site, I do not find this to be either an unusual or unacceptable arrangement. Similarly, although the waste store would abut the communal garden and the bins would also have to be hauled through the amenity space, I do not consider that this would impinge on the overall usability or enjoyment of this space.
21. Given the above, although flat A and B would benefit from adequate levels of light, and a satisfactory form and quality of communal amenity space would be provided, the development would fail to provide acceptable living conditions for the future occupiers with regards to outlook, or an acceptable quality of amenity space for Flat B, as a family-sized unit. Therefore, the proposal would conflict with Policy SP2 of the Local Plan and Policy DM12 of the DMDPD which together seek to ensure proposals are well-designed and maintain an acceptable residential environment and standard of amenity.

Waste and recycling

22. The amended plan has reduced the distance between the bin store and the public footway and has reduced the gradient of the ramp side access. Whilst I acknowledge the Council's contention that the amended ramp gradient would not offer level access for wheelchair users, I am mindful that the revised proposals have nevertheless met the requirements outlined in the Haringey Sustainable Design and Construction Supplementary Planning Document (SPD). It is not unreasonable to consider that these requirements would have been set with the needs of all potential occupiers having been considered and I have not been directed to any further guidance or requirements that supersede the SPD in this regard.
23. Turning to the now proposed distance of the refuse storage from the public realm, I do not find the question as to whether waste operatives would collect bins from the rear of the property to be a critical one. In the event that direct collection by waste operatives was not possible, it would be reasonable to expect that on the day of collection that residents would move refuse and recycling bins to a location to the front of the property, and in a similar location to where the majority of properties within the street were noted to informally store their refuse and recycling bins.
24. Therefore, having regard to the reduction in distance and gradient having eased this task, I am satisfied that the proposed development would make satisfactory provision for waste and recycling. This would comply with Policy SP11 of the Local Plan and the SPD, which set out the need for high quality

design and access and make provision for adequate waste requirements for new development.

Planning Balance

25. The appellant states that the proposal strives for site optimisation and that the need to boost the supply of housing should be given significant weight in the decision. Whilst I would attach some limited weight to these matters given the quantum of development, I regard the adverse impacts on the living conditions of future occupiers and on the character and appearance of the host dwelling and surrounding area to significantly and demonstrably outweigh the limited benefits of the proposal with regards to housing supply.

Recommendation

26. Overall, although I have not found harm with regards to the arrangements for waste and recycling, I conclude the proposal would harm the character and appearance of the host dwelling and surrounding area and would fail to provide acceptable living conditions for the future occupiers with regards to outlook and quality of amenity space for Flat B.
27. Therefore, I find the proposed development would conflict with the development plan when taken as a whole, and for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

28. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR