



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: 26 July 2021

Appeal A: APP/Y5420/D/20/3261464

119 Craven Park Road, Tottenham, London, N15 6BP

- 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 Isaac Braun against the decision of the London Borough of Haringey Council.
 - The application Ref HGY/2020/1870, dated 23 July 2020, was refused by notice dated 8 September 2020.
 - The development proposed is the conversion of the existing basement area to provide ancillary use to the residential family use and for a front modest lightwell.
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Appeal B: APP/Y5420/D/20/3261461

119 Craven Park Road, Tottenham, London, N15 6BP

- 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 Isaac Braun against the decision of the London Borough of Haringey Council.
 - The application Ref HGY/2020/2278, dated 17 September 2020, was refused by notice dated 16 October 2020.
 - The development proposed is the conversion of the existing basement area to provide ancillary use to the residential family use and for a front modest lightwell.
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Decision

1. **Appeal A is dismissed.**
2. **Appeal B is allowed** and planning permission is granted for the conversion of the existing basement area to provide ancillary use to the residential family use and for a front modest lightwell at 119 Craven Park Road, Tottenham, London, N15 6BP in accordance with the terms of the application Ref HGY/2020/2278, dated 17 September 2020, subject to the conditions in the attached Annex.

Appeal Procedure

3. 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

4. For ease of reference I refer to the different cases as Appeals A and B in this decision letter as set out in the headers. I have dealt with each appeal on its individual merits but to avoid duplication I have considered the proposals together in this document.
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5. Since the submission of the appeals, 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 notices, now carry no weight. The Council have advised that policies D3, D4 and D6 of the new London Plan are relevant to this appeal and I have therefore assessed the appeals on this basis.
6. 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.
7. 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. Appeal A's second reason for refusal as stated on the decision notice related to a failure to demonstrate that the proposed development would not adversely affect the structural stability of the host building, neighbouring buildings and other infrastructure, including the adjoining highway, having regard to local geological conditions and a failure to demonstrate that it would not increase flood risk to the property and nearby properties.
9. A Basement Impact Assessment (BIA) was subsequently submitted as part of application ref HGY/2020/2278 (Appeal B) in order to address the concerns raised in the previous refusal. The Council considered that the proposed development would not affect the integrity of the surrounding building stock or overload the near-surface geology. I have no reason to disagree with this view and consider that for the purposes of this report I need not explore this issue further.
10. Therefore, the main issues are:
 - The effect of the development on the character and appearance of the host dwelling and the surrounding area; and
 - whether the proposal would provide satisfactory living conditions for the future occupiers of the proposed dwelling, with regards to light and outlook.

Reasons for the Recommendation

Character and appearance

11. The appeal site comprises an end of terrace two-storey dwelling located within an established residential area. The properties on the northern part of Craven Park Road and within the surrounding area are mostly two or three-storey dwellings featuring small front gardens and bay windows. Although the neighbouring properties in the direct vicinity of the appeal dwelling do not possess basements visible from the road, I did observe some properties in the wider area had been altered to include basements.
12. Both schemes would involve the creation of a basement playroom and an approximately 2-metre-deep front lightwell enclosed by metal railings. Appeal

A would also include fire escape stairs. Whilst the development in both appeals would reduce the space to the front of the property, I find that it would not be excessively sized and would appear as a modest alteration. In light of this and its subterranean nature, it would not be obtrusive or appear prominently in the street scene. I am also satisfied that it would also not unbalance the architectural form of the front elevation as the proposed windows would broadly align with the existing fenestration and the main features characterising the principal elevation of the host property would remain unaffected by the development.

13. The formation of a basement at No.119 would introduce a new feature to this part of Craven Park Road however I am not persuaded that it would unacceptably disrupt the streetscape as other basements in the surrounding area have been created and are visible to passers-by. Indeed, whilst I did not observe a basement at 127 Craven Park Road, I have had regard to other developments in the surrounding streets referred to by the appellant. These include a basement and front lightwell at No. 123 Castlewood Road, at the junction with Craven Park Road to the west of the appeal site, as well as at Nos. 37 & 39 Clifton Gardens. Thus, the development in both appeals would be inconspicuous in this context.
14. Given the above, the proposed development relating to both appeals would not cause unacceptable harm to the character and appearance of the host dwelling and surrounding area. As such, it would accord with Policy DM1 of the Haringey Development Management Development Plan Document 2017 (DMDPD), Policy SP11 of the Haringey Local Plan 2017 (the 'Local Plan') and Policies D3 & D4 of the London Plan 2021 which together seek 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

15. The proposed basement in both appeals would be a single-aspect room solely dependent on light and outlook from the front lightwell. I find that the lightwell would have enough depth and width to allow for adequate levels of light penetration within the basement. The levels of light penetration would be wholly appropriate for a playroom/study. Whilst the outlook would be limited I do not consider this would unacceptably harm the living conditions of the future occupants.
16. I acknowledge the concerns regarding the potential use of the basement as a bedroom or living room however the plans do not indicate as such and the appellant has contended that this is not the intention. I am therefore satisfied that the outlook and level of light penetration within the proposed units would be acceptable.
17. Given the above, the development in both appeals would provide acceptable living conditions for the future occupiers with regards to outlook and light. Therefore, the proposal would accord with Policy SP11 of the Local Plan, Policy DM1 of the DMDPD and Policy D6 of the London Plan 2021 which together seek to ensure proposals are well-designed and provide sufficient daylight and sunlight to occupiers.

Other matters

18. The Council is concerned the development would reduce the existing parking space however the plans demonstrate there would still be enough space within the front area to accommodate a parking space.

Conditions

19. The Council has suggested a number of conditions that it considers would be appropriate were I minded to allow Appeal B. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
20. The standard time condition is required in this case, and for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is also required.
21. In the interests of the character and appearance of the surrounding area, I have also included a condition requiring the external materials match the existing building.

Recommendation

22. In respect of **Appeal A**, I conclude the proposal would not harm the character and appearance of the host dwelling and surrounding area and would provide acceptable living conditions for the future occupiers with regards to outlook and light. However, in the absence of a BIA, the appellant has failed to demonstrate that the proposed development would not adversely affect the structural stability of the host building, neighbouring buildings and other infrastructure, including the adjoining highway. It would thus conflict with Policy DM18 of the DMDPD which states that construction of a new basement in an existing dwelling should be supported by a BIA and Policy SP11 of the Local Plan which seeks to ensure proposals are well-designed.
23. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that **Appeal A** should be dismissed.
24. In respect of **Appeal B**, I conclude the proposal would not harm the character and appearance of the host dwelling and surrounding area and would provide acceptable living conditions for the future occupiers with regards to outlook and light. Therefore, for the reasons given above and subject to the conditions listed, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the Appeal A is dismissed, and Appeal B is allowed.

Martin Seaton

INSPECTOR

Annex

Conditions

APPEAL B:

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drwg nos CPR.119.EX.01, CPR.119.EX.02, CPR.119.EX.03, CPR.119.PR.101, CPR.119.PR.102.
- 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.