



Appeal Decision

Site visit made on 12 October 2021

by C Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 10 November 2021

Appeal Ref: APP/Y5420/W/21/3273446

31 & 32 Nesta Works, Peacock Industrial Estate, White Hart Lane, London N21 1JJ

- 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 Dervis Aslan against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/0218, dated 19 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is extension on top of the existing property with an additional storey.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would be compatible with local planning policies which seek comprehensive development of the area.

Reasons

3. The appeal concerns a single storey business premises which is situated in an industrial estate. I saw on my site visit that the industrial estate has a very mixed appearance, with both older and more contemporary style units accommodating a wide range of commercial activities.
4. Within its current surroundings, the proposed first floor extension would be compatible with adjoining land uses and the overall character and appearance of the industrial estate. However, the appeal premises and surrounding industrial estate are part of the High Road West Regeneration Area. This is shown as site allocation NT5 in the Tottenham Area Action Plan¹. Among other things, this allocation proposes a *masterplanned, comprehensive development creating a new residential neighbourhood and a new leisure destination for London*. Policy AAP1 of the Action Plan says that all development proposals in the area are expected come forward comprehensively. To ensure comprehensive and coordinated development is achieved, masterplans will be required to accompany development proposals on site allocations.
5. The appellant has not provided a masterplan of his own, although I am told that the proposed extension has been discussed with neighbouring landowners.

¹ Tottenham Area Action Plan, Haringey Council, July 2017.

However, it is not very practical to prepare a masterplan for a small proposal such as this, especially as the Council has already produced a masterplan for the area and carried out public consultation. According to this masterplan, the appeal premises is located in an area which is being proposed for public open space and is close to proposed new housing development.

6. Although the appellant argues that the proposed extension would be very minor and would be wholly contained within the footprint of the existing property, it would nonetheless result in a larger building with approximately double the floorspace. The intensification of the commercial activity on the site would not appear compatible with the open space proposed in the masterplan or the residential uses being proposed nearby. It therefore seems to me that the proposed extension would not be in accordance with Policy AAP1 or the land uses which are proposed in allocation NT5.
7. Policy DM55 of the Development Management DPD² sets out further criteria for development proposals on allocated sites. Parts A and B require the production of a masterplan and the engagement of neighbouring landowners. As there is already a masterplan covering this area, these parts of the policy are of somewhat less relevance to the current appeal.
8. However, the appellant points out that the Council originally published the masterplan in 2014 and implementation has been very slow, with no evidence of physical progress being made on the ground since that time. According to information provided by the Council, it is anticipated that a planning application will be lodged in October 2021. At the time of writing, it is not entirely clear whether the application has been submitted and I have been provided with no further updates on this matter.
9. With this in mind, I note that Part C of Policy DM55 says that in the interim period where a masterplan is to be prepared but has not come forward as part of a planning application, proposals must demonstrate that they will not compromise the delivery of outcomes sought by the site allocation. The main focus of site allocation NT5 is on residential and leisure development, although reference is made in paragraph 5.128 of the supporting text to creating new employment opportunities from the expanded local centre, leisure destination and delivery of high quality workspace. However, limited information has been provided to show how the proposed extension to the existing building would accord with the type of employment uses envisaged. Hence, based on the evidence before me, I am unable to determine that the proposed extension would be compatible with the outcomes of the site allocation. These leads me to conclude that the proposal would not comply with Policy DM55.
10. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, I am particularly mindful of the appellant's wish to expand his business in order to create a display area. Indeed, paragraph 81 of the Framework³ says that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.

² Development Management DPD, Haringey Council, July 2017.

³ National planning Policy Framework, July 2021.

11. However, it seems to me that a comprehensively planned approach to the business, leisure and housing needs of the area would be the optimal way to balance the economic, social and environmental objectives and deliver the sustainable development promoted by the Framework. This would not be outweighed by the individual needs of the appellant.
12. Nevertheless, I am aware that a long period of time has elapsed since the masterplan was produced. Businesses in the industrial estate have been in a state of limbo throughout, which has prevented investment in the area. Clearly, this is not a situation which should persist indefinitely if businesses are to be supported in the manner anticipated by the Framework. However, the information provided by the Council indicates that progress is now being made on implementation of the masterplan and funding has been secured. Therefore, I see no reason to deviate from the policies of the adopted development plan at present. If it subsequently emerges that the masterplan is unlikely to be implemented within a reasonable timescale, that will be a relevant matter for consideration if proposals to extend the appeal premises are advanced in the future.
13. It has been suggested by the appellant that delays to the implementation of the masterplan have been of benefit to the Council because it has resulted in the devaluation of premises on the industrial estate which the Council may wish to purchase in the future. Although I understand the appellant's concerns, this is not a planning matter which I am able to address in this decision. It will instead be a matter for the appellant to raise if the Council attempt to purchase the appeal property at a later date.

Conclusion

14. For the reasons given above, I conclude that the proposal would not be compatible with local planning policies which seek comprehensive development of the area. The appeal is therefore dismissed.

C Cresswell

INSPECTOR