



Appeal Decision

Site visit made on 06 December 2021 by Ms S Maur

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2022

Appeal Ref: APP/Y5420/D/21/3279254

Site Address: 5 Grange Road, London N6 4AR

- 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 Naser Gadad against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1117, dated 14 April 2021, was refused by notice dated 8 June 2021.
 - The development is retrospective permission for a front boundary.
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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 Matters

3. The original planning application was made retrospectively and during the site visit I observed the completed works. The appeal has therefore been considered on the same retrospective basis.

Main Issue

4. The main issue is whether the front boundary would preserve or enhance the character and appearance of Highgate Conservation area.

Reasons for the Recommendation

5. The site is located on the north-eastern side of Grange Road within a residential area. The road is private and is situated within Highgate Conservation Area (the CA), which is subject to an Article 4 direction restricting certain permitted development rights. The CA boundary encompasses a large area, of varied character. The information provided indicates that Grange Road is within the Bishops sub-area, as identified in the Conservation Area Appraisal (CAA).
6. The road is described as having a semi-rural character in the CAA on account of the unadopted nature of the carriageway. The houses are generally set back from the road in substantial plots which provides a leafy and attractive environment, with a range of house styles, including modern redevelopment.

The CAA identifies that the use of high front walls enclosing the open character of streets as had a negative effect on this part of the CA.

7. The development consists of a black railing pedestrian and vehicular gate with gold finishes and an intricate design and a high brick wall of varying height, with brick pillars and finials. The combination of height, the elaborate finials and intricate detailing of the appeal front boundary are out of character with the simple form of the area and have resulted in an overly formal appearance which contrast awkwardly with the semi-rural character as described in the CAA. The scale of the wall creates an excessively defensive appearance which is at odds with the quiet residential character. The step down in height across the wall is minimal and does not mitigate against the visual impact. In contrast, images of the previous boundary enclosure show a much lower wall, with a simple wooden gate which was more sympathetic to the established character.
8. Even though the appeal site is located on private road, it is still visible from other properties within the vicinity and is still a part of the character of the area. Therefore, this factor does not mitigate or outweigh the harm identified above. Although the house is of a size that the development does not undermine the property in terms of scale, the height, along with the brick material, results in a loss of visual permeability, which is a key feature of this part of the CA.
9. Reference has been made to other high walls in the area. However, they are not so prevalent as to alter the over-riding character dominated by lower and more open frontages. The wall at No.9 is shorter in length and that at No.7 is lower than that at the appeal site and much less elaborate in style. Whilst planting behind the wall obscures views into the garden that does provide a sense of greenery which has a softer impact than masonry. The wall surrounding Nos 10-14 has a different context and relates to the scale and grandeur of the host property. Consequently, the examples referred to do not lead me to alter my conclusion on the impact of the wall which represents a further degradation of the CA, in line with the increasing pattern of high boundaries noted in the CAA.
10. Therefore, the development fails to preserve or enhance the CA and negatively affects both the character and appearance of the area and host building. The development does not comply with Policy DH6 of the Highgate Neighbourhood Plan (2017) which states the replacement provision of boundary walls, gate piers or railings should not have a detrimental impact on the open character of the street-scene and result in the loss of visual permeability where this contributes to local character.
11. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a Conservation area. The National Planning Policy Framework (the NPPF) also requires that great weight be given to the Conservation of designated heritage assets.
12. Due to the scale of the development and that it would only be seen by a small part of the CA, the proposal would cause less than substantial harm. In such cases, the NPPF requires that harm to be balanced against any public benefits. However, no substantive public benefits have been put forward in this case.

13. For the reasons presented above, the development causes harm to the character and appearance of the host dwelling and CA. The development does not comply with Policy HC1 of the London Plan (2021), Policies SP11 and SP12 of the Haringey's Local Plan Strategic Policies (2017) and Policies DM1, DM9 and of the Development Management DPD (DPD) 2017 which seek development that relates positively to their character and where affecting Haringey's heritage assets and their settings, should conserve or enhance their significance and be sympathetic to their surroundings, having regard to form, scale, architectural styles, detailing and materials.
14. Although DM12 of the DPD has been referred to, its focus is on residential extensions and alterations to existing residential buildings and therefore not directly relevant to a proposal for a new wall at a residential property. However, any lack of direct conflict with this policy does not outweigh the conflict with the policies identified above.

Conclusion and Recommendation

15. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR