



Appeal Decision

Site visit made on 12 April 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 MAY 2022

Appeal Ref: APP/Y5420/D/21/3289845

39 Milton Avenue, Hornsey, London N6 5QF

- 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 Edward Butt against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/2200, dated 29 June 2021, was refused by notice dated 6 October 2021.
 - The development proposed is ground floor side extension, rear dormer roof extension and front rooflight.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is some variation in the description of the development as given on the submitted documents. I have taken the description from the Council's decision notice as this accurately reflects the appeal proposal.
3. The Council's decision refers to policies of the Highgate Character Appraisal and Management Plan. However, the Council has confirmed that this should relate to the Highgate Neighbourhood Plan 2017 (the Neighbourhood Plan). The Council has provided copies of the relevant policies and the appellant has had the opportunity to comment on them.

Main Issue

4. The main issue is the effect on the character and appearance of the host property and the area, with due regard to the Highgate Conservation Area.

Reasons

5. The appeal site is part of what was originally 2 semi-detached dwellings, although the building to which this appeal relates has been subdivided into 2 dwellings.
6. The rear dormer would extend across the roof slope and project almost to the ridge of the roof. Although it would be set back from the eaves of the roof and would be behind a small parapet on the gable wall, the dormer would dominate the rear roof slope and would appear as an obtrusive box-like addition to the building. As well as being visible from private rear gardens, the side of the dormer would be visible from the public realm due to the arrangement of the

site in relation to the highway. The rear window design of the dormer reflects the front elevation of the building rather than the relatively understated rear, and when combined with the proposed Juliet balcony this would appear as a contrived feature that would not sit comfortably in respect of the rear elevation.

7. There are rear flat roofed dormers on nearby dwellings, including some with Juliet balconies. However, the Council has referred to the historical nature of these dormers, which were not assessed against current planning policy. Furthermore, these are not a defining characteristic of this area, and those that I saw served to confirm the harm that can arise from dormers of an unsuitable design and scale. The proposed dormer would compound the harm arising from those on neighbouring dwellings, and this harm would be exacerbated due to the increased visibility of the appeal site from the public realm.
8. The side extension would be built on a triangular hard-surfaced area which is open to the street. The Council refers to the cramped appearance of the proposal and the effect on the openness of the site. However, this open area is of a limited size and utilitarian appearance. The side extension would also be set back from the boundary with the footpath, so a degree of openness would be retained. Despite its proximity to a junction and the effect on the separation from neighbouring properties, the effect of the enclosure of this space would be a neutral factor in the appearance of the area.
9. However, the side extension is of an unusual design, with a partially hipped roof. Although this would appear to have been designed to limit the impact on a neighbouring property, this design of roof is not characteristic of this area and would be of a contrived appearance. The design of the entrance to the side extension is also unorthodox. Whilst I do not consider that the entrance on this subsidiary extension should mimic the main front entrance, the design as proposed would add to the incongruous and contrived appearance of the scheme.
10. The proposal is within the Highgate Conservation Area (CA). The CA Appraisal sets out that the significance of the CA arises from factors including its historic pattern of development, which includes high quality residential areas such as that containing the appeal site which are fine examples of planned development of their period. Within the terms of the CA Appraisal, the appeal site is within the sub area of The Miltons, where the relative homogeneity of the area's character leads to its special interest. Due to the harm, I have identified in respect of both the side extension and the dormer, the proposal would fail to preserve or enhance the character or appearance of the CA.
11. I am mindful of the appellant's wish to improve the quality of accommodation. However, it has not been demonstrated that the existing property is unsuitable for its purpose, and the private benefits that would arise from the proposal are not sufficient to outweigh the harm that I have identified.
12. I note the frustrations expressed by the appellant in relation to the advice from the Council and the process leading up to this appeal, and that the proposal has been amended over the course of the planning application. However, this is not a matter for this appeal which I have determined on its planning merits based on the scheme before me.

13. In conclusion, due to its design and prominence, the proposal would lead to significant harm to the character and appearance of the host property and the area and would fail to preserve or enhance the character or appearance of the CA. Whilst the harm to the CA would be less than substantial, there are no public benefits that would outweigh that harm. The proposal would therefore be contrary to the design and heritage requirements of policies D6 and HC1 of the London Plan 2021; policies SP11 and SP12 of the Haringey Local Plan 2017 (the Local Plan); policies DM1, DM9 and DM34 of the Development Management DPD 2017; and policies DH2, DH4 and DH5 of the Neighbourhood Plan.
14. The appellant considers that policy SP11 of the Local Plan does not apply to the proposal. However, extensions to existing properties fall within the definition of 'new development' and policy SP11 is therefore relevant in my consideration of this appeal.
15. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR