

Appeal Decision

Site visit made on 5 August 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18TH August

Appeal Ref. APP/Y5420/D/22/3292767

15 Beattock Rise, London N10 3DS

- 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 Lee Jones against the decision of the Council of the London Borough of Haringey.
 - The application ref. HGY/2021/3134, dated 18 October 2021, was refused by notice dated 9 December 2021.
 - The development proposed is a loft conversion with dormer extension.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with dormer extension at 15 Beattock Rise, London N10 3DS in accordance with the terms of the application ref. HGY/2021/3134, dated 18 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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 numbered: 2118 PL 200; 2118 PL 201; 2118 PL 400; and 2118 PL 600.

Preliminary matters

2. The Council's decision notice alleges conflict with 3 policies of the Highgate Neighbourhood Plan 2017 (HNP). In response to a query I made, the parties have since realised and accepted that the appeal property falls outside the area covered by the HNP. Therefore, I have not had regard to those 3 policies.
 3. There is no dispute that the appeal site falls within the Muswell Hill Conservation Area (MHCA), even though "*the conservation area*" referred to in the decision notice is not given a name.
 4. The appellant says "*It is accepted that there would be no detrimental impact arising from the proposed development with regards to neighbouring residential amenity ...*". On a plain reading of the Council's decision notice, no other conclusion could be reached. In its second sentence, the text "*As such,*" and "*the local visual amenity*" are read as references back to or confirmation of the
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alleged adverse impact on character and appearance set out in the first sentence. The officer's report at paragraph 6.8 found that the proposal was not acceptable in terms of neighbouring amenity. For whatever reason, this was not properly reflected in the decision notice which must be taken to be the Council's formal decision on the proposal, from which the single main issue in this appeal arises. That said, I shall return to the other issue raised by the officer in the section on other matters below.

Main issue

5. The main issue is the impact of the proposed development upon the character and appearance of the dwelling, the local estate and the MHCA.

Reasons

6. The MHCA encompasses a sizeable and primarily residential suburb of Edwardian origins. The significance of the MHCA originates from the high quality and consistency of its built environment, architecture and character, changes in gradient and grid pattern layouts. Much of this significance is clearly evident along St James's Lane which slopes steeply downhill towards a substantial brick viaduct on the edge of the MHCA close to its junction with Beattock Rise. The Parkland Walk (North) passes through woodland and over the top of the viaduct on the south-eastern side of Beattock Rise.
7. Beattock Rise is a relatively short cul-de-sac of 2-storey houses dating from the latter part of the 20th century. It follows a steep gradient upwards away from St James's Lane towards heavily-wooded surroundings at its highest end. The appeal property lies at the end of a terrace of 3 houses at the closed end of the cul-de-sac, each of which is topped by a mono-pitched roof. Viewed as a whole, the 17 houses on Beattock Rise, given their style, age, cramped layout and lack of architectural qualities, possess little or no conservation or heritage interest and do not make a positive architectural or historic contribution to the significance, character and appearance of the MHCA.
8. The proposed flat-roofed dormer extension would facilitate the provision of a bedroom and en suite bathroom in the loft space. Whilst the roofs of many of the houses on Beattock Rise are prominent in views from St James's Lane and the public path over the viaduct, the roof of no. 15 remains hidden. When entering the wooded section of the same public path closer to no. 15, the line of sight towards no. 15 is at a pronounced angle and its roof is substantially obscured by mature vegetation. The proposed dormer extension would only come into proper public view to users of the parking court and turning space at the head of the cul-de-sac. Even in this view, the appeal property attracts only limited attention, being stepped back from nos 16 and 17 in the same short terrace and standing on lower ground. All these site-specific considerations cannot be ignored and are important to my overall findings.
9. Although the proposed dormer extension would be sizeable, it would be set well back from the front and rear sloping roof lines of the house and well up from the eaves along the side elevation. The most significant parts of the original roof slope would remain such that the mono-pitched roof profile would still be sufficiently evident, especially to those viewing the front elevation from the parking court and turning space. There would a new 600 mm tall parapet wall formed on the common boundary line with no. 16 to support the new

construction but there is already a raised wall at this point given the roof form of these houses. Neither this modest parapet nor the scheme in general would materially distort the roofscape across nos 15, 16 and 17 which has very limited architectural appeal and conservation interest in any event.

10. I have noted the proposed use of dark green coloured (Bottle Green) zinc cladding for the external faces of the dormer. This material was not directly criticised by the Council. I find that it would amount to a high-quality complementary material which would also sensitively merge in with the heavily-wooded backdrop to the appeal property. In all, I consider that the proposed dormer extension would exhibit a high, site-specific and sensitive design quality, be complementary and sympathetic to the original parent building in terms of size, siting and design, be sufficiently respectful of the established street scene and local visual amenity at the head of the cul-de-sac and conserve the significance, character and appearance of the MHCA.
11. I find on the main issue that the proposed development would preserve the character and appearance of the dwelling, the local estate and the MHCA. As such, there would be no conflict with the aims of Policies SP11 and SP12 of Haringey's Local Plan Strategic Policies, Policies DM1, DM9 and DM12 of the Haringey Development Management Development Plan Document (DPD) or Policies D6 and HC1 of the London Plan (LP). When read together, these policies seek to ensure that developments are well-designed, relate positively to existing character and conserve the significance of designated heritage assets such as conservation areas. There would be respect for the National Planning Policy Framework insofar as it relates to achieving well-designed places and the historic environment.

Other matters

12. The scheme will enhance the quality of life for the occupiers of no. 15, whose medical circumstances pose significant challenges, by providing more accessible living space and additional accommodation for other family members involved in their care. This is a further factor that weighs in favour of granting planning permission.
13. I noted that there are various dormer extensions to be found on nearby streets (in particular, St James's Lane and Hillfield Park) but I do not have the relevant planning history of those cases before me. I have determined the appeal scheme on its own merits.
14. In stating that the proposal was not acceptable in terms of neighbouring amenity, the Council's officer was concerned that the roof extension would have an overbearing impact upon the outlook from the principal elevations of the houses at nos 11, 12 and 13 Beattock Rise. Unfortunately, the existing physical relationship between no. 15 and nos 11, 12 and 13 is a rather constrained one on account of the original compact layout of the estate. However, the building of the roof extension would not bring the appeal property materially closer to those other principal elevations and any diminution in outlook that may be experienced by those neighbouring occupiers would not be so significant as to warrant withholding planning permission or as to bring the scheme into conflict with LP Policy D6 or DPD Policy DM1 insofar as they are concerned with the amenity of surrounding housing.

Conditions

15. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have not imposed the Council's other suggested condition which would stipulate the use of matching materials. This is because to do so would conflict with the aforementioned condition regarding compliance with the approved plans which specify the use of dark green coloured (Bottle Green) zinc cladding. I have found the use of that cladding to be acceptable in the circumstances of this case.

Conclusion

16. For the reasons given above and having regard to all other matters raised, including the absence of objections from local residents, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR