



Appeal Decision

Site visit made on 26 July 2022

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/Y5420/W/22/3294607

37 Baronet Road, Tottenham, London N17 0LY

- 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 Mrs C Humes, Ace Properties (London) Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/2957, dated 15 July 2021, was refused by notice dated 24 November 2021.
 - The development proposed is described as "The development includes; a new build two storey building which house 2No. two bedroom apartments".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the site and the surrounding area; and
 - the living conditions of the occupiers of neighbouring properties with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal site comprises a parcel of land to the rear of 37 and 39 Baronet Road. The proposal would face directly onto the end of, and would be accessed from, Sutherland Road which sits perpendicular to Baronet Road. It lies in an established residential area characterised by long terraces of two storey traditional housing. Houses in the area are commonly close to the road with small front gardens and generally have longer rear gardens. Gaps at the end of terraces provide visual relief and a sense of spaciousness to the surrounding area. The ground floor bays and arched open porch details afford a sense of rhythm and visual interest to the houses adding a positive contribution to the character and appearance of the area.
4. The proposed building would be 'L' shaped in form. It would occupy a large proportion of the appeal property's garden together with its' neighbours at No.39, filling almost the entire width of the gap at the end of Sutherland Road and abutting the carriageway at the end of the road. As such, it would not be readily apparent as being distinct from the terraces either side and would erode the important gap at the end of the terraces which provides a sense of space in the road. In coming to this view, I have taken into account the site's degree of separation with the terraces on Sutherland Road, that the proposed

development would maintain the distinction between private and public space and the amount of internal and external space that it would provide.

5. The building has been designed with a mono-pitched roof on the narrower back half of the building. The resulting expanse of brickwork above the first-floor window in the front elevation equivalent to three storeys would appear bulky and incongruous in the context of the site and in such a prominent position at the end of Sutherland Road. The architectural detailing of the appeal proposal, including its recessed and projecting elements, do not lead me to a different conclusion.
6. Overall, the proposal would be unrelated to the character and appearance of the surrounding traditional residential properties and because of its prominent location at the head of the road would be intrusive and would detract from it rather than enhance it.
7. For the above reasons, I conclude that the proposal would unacceptably harm the character and appearance of the site and the surrounding area, contrary to the aims of Haringey's Local Plan Strategic Policies (2013 consolidated 2017) (HLP) Policies SP2 and SP11 and Development Management DPD (2017) (DPD) Policy DM1, which amongst other things, seek to ensure that new development is of the highest quality, respects its local context and character and makes a positive contribution to a place. The proposal would also conflict with London Plan (2021) (LP) Policy D3 which has similar aims.
8. The Council also alleges a conflict with LP Policy D6 with regards to this matter. However, my attention has not been drawn to any words in it that are relevant to this issue. The policy has therefore not been determinative in my decision.

Living Conditions

9. The proposal would be very close to the gardens of surrounding properties at 35 and 41 Baronet Road. The side elevations of the proposal would form a significant proportion of the side garden boundary of No 35 and would form portion of the boundary of the garden at No. 41. At two and three storeys high, it would be much higher than their existing garden fences. Combined with the existence of flank walls of properties on Sutherland Road at the ends of these gardens the proposal would therefore have a significant enclosing effect on those spaces and would be visually intrusive when viewed from these gardens.
10. The proposal would be close to the front elevation of 50 Sutherland Road. This proximity, together with its scale, massing and overall bulk would mean that it would be an imposing and visually intrusive feature which would have an overbearing effect on the outlook from that property which would be unacceptably diminished as a result.
11. I therefore conclude that the proposal would harm the living conditions of the occupiers of the adjoining properties with regard to outlook. This would be contrary to HLP Policy SP11, DPD Policy DM1 and LP Policy D3 which seek to ensure development provides high standards of amenity for existing occupiers.
12. LP Policy D6 is also referred to in the refusal reason in respect of living conditions. However, the Council officer's report confirms the internal accommodation is satisfactory and no concerns are expressed regarding the provision of external amenity space. As there is no dispute on this matter and I

have already dismissed the appeal for other reasons I give LP Policy D6 limited weight in the determination of this matter.

Other Matters

13. The proposal would utilise materials which would be appropriate to the locality, and joinery details which would complement neighbouring properties would be used. The host property and the surrounding area are not designated heritage assets and the appellant suggests that the proposal would transform the lifeless frontage of the site and improve the public realm. However, it seems to me that the appeal proposal is not the only way in which this could be achieved. It has also been put to me that the proposed development would accord with the Density Matrix in the LP. Be that as it may, these matters do not weigh heavily in favour of allowing the appeal.
14. The Council's officer report makes reference to the lack of information provided in relation to parking and transport matters which have not been transposed into a refusal reason. As I have dismissed the appeal on the main issues, I have not considered this matter further.

Planning Balance and Conclusion

15. On the basis of the evidence before me it appears that the Council's delivery of housing over the past three years is substantially below its target. Given the length of time since the application was determined, the Council have been given a number of opportunities to provide up to date information on housing delivery in the Borough. As they have neglected to do so, I have no alternative but to engage Paragraph 11(d) of the Framework.
16. The proposal would only contribute a net addition of two dwellings to the supply of housing in the area. Given the number of dwellings proposed, the benefits of providing two dwellings where there is a shortfall would be limited.
17. I have found harm to the character and appearance of the site and its surroundings and to the living conditions of existing occupants. That harm when taken together would be significant. With the above in mind, the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh its benefits when assessed against policies in the Framework taken as a whole. Therefore, it would not represent sustainable development for which the presumption in favour applies.
18. For the reasons given, I have found that the proposal conflicts with the development plan when read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

KL Robbie

INSPECTOR