
Appeal Decision

Site visit made on 19 January 2023

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2023

Appeal Ref: APP/Y5420/W/22/3308868

Ground Floor Flat, 2 Bloomfield Road, Hornsey, Haringey, London N6 4ET

- 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 Paul Ryb against the decision of London Borough of Haringey.
 - The application Ref HGY/2022/2048, dated 18 July 2022, was refused by notice dated 13 September 2022.
 - The development proposed is described as "single storey side and rear extension, amended windows, green roof added".
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear extension, amended windows, green roof added at Ground Floor Flat, 2 Bloomfield Road, Hornsey, Haringey, London N6 4ET in accordance with the terms of the application, Ref HGY/2022/2048, dated 18 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans (drawing numbers): 2022/1551/1, 2022/1551/2, 2022/1551/3, 2022/1551/4.
 - 3) The external materials to be used for the proposed development shall match in colour, size, shape and texture to those of the existing building.
 - 4) No part of any structure hereby granted shall be used as a roof terrace or balcony.

Preliminary Matter

2. A heritage statement, design and access statement, and section plans were not submitted as part of the planning application. Nevertheless, the Council proceeded to determine the application and refuse planning permission. My assessment of this appeal is based on the submissions made at the planning application stage as well as all representations made on the appeal.

Main Issues

3. The main issues are whether the proposal would preserve or enhance the character or appearance of the Highgate Conservation Area and the effect of the proposal on the living conditions of the occupiers of 135 and 137 Southwood Lane and 4 Bloomfield Road with regards to outlook, light and privacy.

Reasons

Conservation Area

4. The appeal site comprises of a large semi-detached residential building which sits within the Highgate Conservation Area (HCA).
5. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The area surrounding the appeal site is characterised predominantly by residential properties. The Council describe the area as a mixture of architectural styles and details, including roof shapes, but overall consistency in terms of the appearance and scale of buildings. The Council further state that this consistency greatly informs the significance of the HCA and forms a key part of its character and appearance. I largely agree with the Council's position on this.
7. The proposed development would be a ground floor addition built above an existing basement level structure. The proposal would be largely screened from public viewpoints given screening from the appeal property and surrounding buildings. Due to its sensitive massing, layout and design, the proposal would not appear as a bulky or incongruous structure within the surrounding area.
8. The proposed plans mainly show windows that would match the style, size and detailing of the existing windows of the appeal property and therefore the proposal would not appear out of keeping in this regard. The proposal would not have any harmful effects on the character and appearance of the appeal property or the surrounding area and would not compromise the significance of the HCA.
9. Accordingly, the proposal would preserve the character and appearance of the HCA. The proposal would accord with Policy HC1 of the London Plan 2021 (LP), Policies SP11 and SP12 of the Haringey's Local Plan 2017 (HLP), Policies DM1, DM9 and DM12 of the Haringey's Development Management DPD 2017 (DPD) and Policies DH2 and DH3 of the Highgate Neighbourhood Plan 2017 (HNP) which seeks development proposals affecting heritage assets to conserve their significance and enrich Haringey's built environment, and also achieve a high standard of design, being subordinate in scale to the original dwelling.

Living conditions

10. The building directly to the north of the appeal property is 4 Bloomfield Road (No 4) and this property has a number of windows and a veranda which face an eastly direction. There is a wall between No 4's veranda and the boundary with the appeal site, as well as high fencing and shrubbery along the boundary of the appeal site and the garden area of No 4.
11. A corridor window and a high level bedroom window is proposed on the north elevation of the extension. Given the size, position and design of these windows, as well as the existing level of screening by walls, fencing and shrubbery, the proposal would not create any adverse effects in terms of overlooking and privacy. The proposal is sensitively designed with a low roof and given its set back from

the boundary of No 4, it would not result in any overshadowing onto No 4 nor would it have a detrimental effect to the occupiers of No 4 in terms of outlook.

12. The properties of 135 and 137 Southwood Lane (Nos 135 and 137) are situated directly to the east of the appeal site and there is a high fence along the boundary between these properties and the appeal site. The location of the proposed windows in relation with the windows of Nos 135 and 137, as well as the high boundary fencing would ensure that there would be no adverse effects in terms of privacy to the occupiers of Nos 135 and 137. Due to the proposed height and positioning of the proposal, there would be no adverse effects created that would compromise the living conditions of the occupiers of Nos 135 and 137 in terms of outlook and light.
13. Given the size, design and positioning of the proposal, it would not create a sense of enclosure or have a harmful effect on the living conditions of occupiers of Nos 4, 135 and 137 in terms of outlook, light and privacy. The proposal would not be contrary to Policy D6 of the LP, Policy SP11 of the HLP, Policy DM1 of the DPD and Policy DH3 of the HNP which seeks proposals to be of high standard of design and ensure high standard of privacy and amenity for development users and neighbours.

Other Matters

14. I have had regard to representations made in relation to the proposed scheme including matters on previous development, green space, parking, traffic, nature conservation, noise and disturbance, density and development plan policies. I have given careful consideration to these matters, some of which the Council have not raised any objections on, but they do not lead me to a different overall conclusion on the main issues. The proposal would only introduce one additional bedroom which I do not consider would significantly affect, nature conservation, parking requirements or traffic generation in the area. Similarly, the introduction of one bedroom would not increase noise and disturbance to a level which would compromise the living conditions of neighbouring occupiers. As indicated in the main issues above, I am satisfied that the proposal accords with the relevant development plan policies.

Conditions

15. For certainty, I have imposed the standard timescale condition and a condition specifying the relevant drawings. A condition relating to materials is necessary in the interests of character and appearance of the area. To safeguard living conditions of neighbouring occupiers a condition is necessary in relation to roof terrace and balconies.

Conclusion

16. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
17. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR