



Appeal Decision

Site visit made on 20 January 2023

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2023

Appeal Ref: APP/Y5420/W/22/3306549

Unit 31-32 Peacock Industrial Estate, White Hart Lane, London N17 8DT

- 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 Dervis Aslan against the decision of London Borough of Haringey.
 - The application Ref HGY/2022/1105, dated 15 April 2022, was refused by notice dated 14 June 2022.
 - The development proposed is described as "extension on top of the existing property with an additional storey".
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by London Borough of Haringey against Mr Dervis Aslan. This application is the subject of a separate Decision.

Preliminary Matter

3. For the sake of brevity and clarity I have taken the appeal address from the appeal form.

Main Issue

4. The main issue is whether the proposal complies with the development plan policies that seek to provide comprehensive development of the High Road West area.

Reasons

5. The appeal site lies within site allocation NT5: High Road West as detailed in the Tottenham Area Action Plan 2017 (TAAP). The allocation describes a masterplanned, comprehensive development creating a new residential neighbourhood and a new leisure destination for London. The residential-led mixed-use development will include a public square, expanded shopping area and an uplift in open space and community infrastructure.
6. The High Road West Regeneration Proposals Masterplan Information Pack 2014 (MIP) details the masterplan for the High Road West area showing potential street layouts, public spaces, the amount of housing and where key buildings could be. A planning application¹ was also approved in August 2022 which included a masterplan for the High Road West area. The masterplan in the MIP and the approved application¹ both show a mix of residential accommodation and open space in the location where the appeal site is currently located.

¹ Local Planning Authority Reference number: HGY/2021/3175

7. Policy DM55 of the Haringey Development Management DPD 2017 (HDMD) relates to regeneration and masterplanning and states under part (A) that where development forms part of an allocated site, a masterplan should accompany the development proposal to demonstrate that the proposal will not prejudice future development other parts of the site or frustrate delivery of the site allocation. Policy DM55 further states under part (B) that masterplans for proposals should include engagement with landowners and occupiers of other parts of the site and neighbouring properties.
8. A masterplan has not been provided with the appeal proposal and there is no substantial evidence before me to suggest that the appellant has engaged with and sought the views of landowners and occupiers of other parts of the High Road West site and neighbouring properties. In this respect, the proposal would not accord with Policy DM55 of the HDMD.
9. The design of the proposal would be in keeping with the existing building and it is noted that the additional storey would be within the constraints of the extant footprint of the appeal building. The appellant produces commercial kitchen appliances, working tables and extract systems and it has been described that a suitable size display area is required for clients. The proposal would substantially increase the floor area for the premises however, this increased commercial use would directly contradict the aims of the masterplan and also the extant planning permission¹ which clearly indicate that the area where the appeal site is located is to be for residential accommodation and open space.
10. The appellant has detailed that the introduction of the masterplan, and indication that the Council needs to acquire land has led to a neglect of the area, resulting in the devaluation of properties and lack of interest from commercial businesses wanting to move to the area. These matters, however, are not planning matters which I can address when reaching my decision.
11. Accordingly, the proposal would not comply with Policy DM55 of the HDMD, Policy AAP1 and Site Allocation NT5 of the TAAP that seek to provide a masterplanned, comprehensive regeneration development of the High Road West area.
12. I have had regard to the appellants statement of case including that the business has been going for some 22 years and has grown loyal customers and a positive reputation, as well as the frustration felt by the appellant in which it is described as negative activity from the Council. I also note that there is support for the proposal including from a Local Councillor. However, these matters do not alter my findings above and the conflict with the development plan policies.

Conclusion

13. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweigh this finding.
14. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR