



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: 23 February 2023

Appeal Ref: APP/Y5420/W/22/3308103

116 Norfolk Avenue, Wood Green, Haringey, London N13 6AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr P Buxton against London Borough of Haringey.
 - The application Ref HGY/2022/1625, is dated 2 May 2022.
 - The development proposed is described as "demolition and erection of purpose built unit for 4 x flats".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area and (ii) the living conditions of existing and future occupiers of neighbouring properties and the development with regards to light, privacy and internal space.

Reasons

Character and appearance

3. The area surrounding the appeal site is characterised predominantly by terraced residential properties of similar architectural design and detailing. The built development in the area is modest in scale with properties being mostly two storey in design with simple roof forms. This modest built form and architectural styling contributes positively to the character of the area.
4. The proposed development, whilst being of similar height to the existing property and neighbouring dwellings and located at the end of the terrace, would introduce a large dominant building that includes a bulky dual pitched roof to the front and cumbersome structures extending out to the rear reaching three storeys in height.
5. The design and scale of the proposal would be out of keeping with neighbouring properties and would not complement the surrounding area. The proposal would have a contemporary and modern style that would be jarring with the surrounding traditional built form. The appellant describes other modern developments in the street, however, the proposal would not be in keeping with the traditional styles of development in the immediate area of the appeal site.
6. The appellant describes that the materiality, fenestration and terraces would not detract from the general character of the area and that there would be

sufficient garden area. Nevertheless, due to the size, bulk, massing and design of the proposal, it would be an incongruous structure within the surrounding area that would appear as overdevelopment in the street scene.

7. Accordingly, the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would be contrary to Policy D6 of the London Plan (LP), Policies SP2 and SP11 of the Haringey Local Plan 2017 (HLP) and Policy DM1 of the Haringey Development Management DPD 2017 (DMD) which seeks development to be of a high quality design and enhance the built environment.
8. I have had regard to the appellants statement of cases including previous approval¹ and submitted drawings. I do not consider this previous scheme¹ to be directly comparable to the appeal scheme particularly with regards to scale and design. In any case, I have determined this appeal on its own merits.

Living conditions

9. Policy D6 of the LP states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. Table 3.1 of the LP sets out the minimum internal space standards for new dwellings. This table indicates that for a residential unit with two bedrooms and bed spaces for four people, the minimum floor area should be 70 square metres (sqm).
10. The proposed floorspace for unit four would be 64sqm. The appellant describes unit four as a two bedroom, three person accommodation, however, the proposed floor plans show both bedrooms with double beds so I consider that unit four could accommodate four people. On this basis, the floor space of 64sqm for unit four falls short of the required 70sqm for a residential unit with two bedrooms and bed spaces for four people. The proposal would therefore not provide sufficient internal space to satisfactorily meet the day to day needs of future occupants and would have a cramped environment.
11. The proposed development would fail to provide satisfactory living conditions for future occupiers in terms of internal floor space. The proposal would be contrary to Policy D6 of the LP, Policies SP2 and SP11 of the HLP and Policies DM1, DM11 and DM12 of the DMD which seeks housing development to meet minimum standards for internal space and ensure a high standard of amenity.
12. Due to the design, positioning and location of fenestration of the proposal, I am satisfied that it would not create any adverse effects in terms of loss of light or privacy to neighbouring properties. The proposal would not have a detrimental effect on the living conditions of occupiers of neighbouring properties with regards to light and privacy. This matter, however, does not alter my findings with regards to internal space and effects on future occupiers of the proposal.

Planning Balance and Conclusion

13. In terms of the National Planning Policy Framework's (the Framework) three overarching objectives, there would be some social benefit in providing additional residential accommodation which would contribute to housing land supply. There would also be economic and environmental advantages rising from the occupation of new residential accommodation. The proposed

¹ Local Planning Authority Reference Number: HGY/2022/0902

development would provide cycle parking and parking for two vehicles. The Council do not raise any significant concerns in terms of the housing mix and the principle of residential development being in this location. Whilst all contributions have a value, it is noted that those offered by a development of four residential units in one building would be relatively limited.

14. Good design and protecting the environment are also key aspects of achieving sustainable development. There would be harm to the character and appearance of the area, as well as harm to the living conditions of future occupiers of the development with respect of internal floor space. So, on this basis, the harm and the conflict with the proposal and the development plan policies, I attribute considerable weight in this appeal.
15. The Council state that they cannot demonstrate a five year supply of deliverable housing sites. The Council further indicate that they can demonstrate a 3.87 year housing supply and on this basis I do not consider the shortfall to be significant. In these circumstances footnote 8 of the Framework establishes that the policies which are most important for determining the application are deemed out-of-date. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The site is not within a protected area.
16. Taking account of the above factors, I find that the adverse impacts of granting permission would significantly and demonstrably outweigh the relatively limited benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the proposed development cannot benefit from the presumption in favour of sustainable development. There are no other material considerations to indicate that the proposal should be determined otherwise than in accordance with the development plan. I have already identified significant conflict with relevant development plan policies.
17. I conclude for the reasons given above that the appeal should be dismissed.

Chris Baxter

INSPECTOR