



Appeal Decisions

Site visit made on 15 February 2023

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal A Ref: APP/Y5420/W/22/3301777

15 View Road, Hornsey, London N6 4DJ

- 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 Stephen Ibbotson against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/0235, dated 23 December 2021, was refused by notice dated 20 May 2022.
 - The development proposed is refurbishment of glazed link and proposed single storey garden building to the side and rear comprising a basement and accommodation in the roofspace.
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Appeal B Ref: APP/Y5420/Y/22/3301838

15 View Road, Hornsey, London N6 4DJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Stephen Ibbotson against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/0236, dated 23 December 2021, was refused by notice dated 20 May 2022.
 - The works proposed are Listed Building Consent for the refurbishment of glazed link and proposed single storey garden building to the side and rear comprising a basement and accommodation in the roofspace.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. These decisions address both planning and listed building consent appeals for the same site and the same scheme. The remit of each regime is different, and the main issues below relate either to the planning appeal (Appeal A), or the listed building appeal (Appeal B), or both. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter.
4. The description of the works and development were amended by the Council from those detailed in the appeal application forms with agreement from the appellant. I have therefore taken the descriptions as detailed in the Council's respective decision notices.

Main Issues

5. The main issues, common to both appeals, are (a) whether the proposed works and development would preserve the Grade II listed building or its setting or any features of special architectural or historic interest, and (b) whether the character or appearance of the Highgate Conservation Area would be preserved or enhanced.

Reasons – both appeals

Significance and special interest

6. The appeal property (No. 15) is a Grade II listed building known as '15, View Road, N6' (List Entry Number 1109950) and is a detached dwelling located on the northern side of View Road which lies within the Highgate Conservation Area (CA).
7. According to the statutory list description, No. 15 was first listed in 1998 and was built in c.1905 in the vernacular revival style for Mr J Johnson to designs by George Sherrin FRIBA. It is asymmetrical, two storey with part attics, a red brick ground floor, half-timber and rendered first floor, tiled roof slopes and brick chimneystacks. projecting gables, bay windows, and timber casement windows with leaded lights. Along with the high relief porch panels by architectural sculptor John Daymond and Son, the statutory list description also identifies various internal features including the hallway with oak staircase, fireplaces, panelling and cupboards.
8. Within the grounds of No. 15 is a small, detached brick structure, with a somewhat neglected appearance referred to as the 'potting shed', which features a flat roof and roundel windows. Whilst not referred to in the list description, and with detailing more Classical in style compared with the principal building, it is ostensibly of similar age to it and part of its wider grounds and setting. A dilapidated glazed link structure understood to date from the 1970s had connected No. 15 with an adjacent Hospital, though any functional connection has now ceased.
9. The significance and special interest of the listed building is derived principally from its architectural aesthetic, decorative features and detailing that exemplify it as a building typical of the Arts and Crafts style of the early 20th-century and associations with renowned architects and sculptors from the period. While the listed building has undergone some changes, including conservatory additions to the rear and a 1970s link, the legibility of its original form, traditional fabric and layout, and contemporary ancillary potting shed structure within its garden are also aspects that contribute to its significance and special interest. Owing to the tree screening, the garden feels relatively secluded within its wider urban context. The listed building's spacious garden plot, which contains numerous mature trees, forms part of its setting and adds to its significance and interest as a suburban Edwardian dwellinghouse.
10. The Council's Highgate Conservation Area Character Appraisal and Management Plan 2013 (the Character Appraisal) identifies the CA as encompassing the earliest origins of Highgate as a village, with its High Street characterised by C17, C18 and C19 small-scale terraced houses and traditional shop frontages. Larger houses from similar periods cluster around the historic core with later Victorian and Edwardian planned developments on the outer

edges of the CA. The relevant phases of expansion of the CA are evident from the changes to the urban grain, but the various ages, designs and material treatment of buildings within the CA combine to add greatly to its character and appearance and to its significance as a designated heritage asset.

11. From the evidence, it appears that the area in which the site is situated was originally the hunting park of the Bishop of London. Within the View Road area, buildings are of varied periods from between C19 and C20, including Edwardian houses with Arts and Crafts references, with good cornicing and plasterwork decorations on the street fronting gables. Overall, the View Road area is a well preserved example of high quality residential development of the period. Houses tend to sit in generous plots and have gaps between them, which adds a characteristic sense of greenery and spaciousness to the CA. The style and detailing of the appeal dwelling within its spacious, verdant plot contributes positively to the special interest and thereby significance of the CA as a whole.

The proposals

12. The appeal scheme would involve the construction of a contemporary garden building to the side of No. 15, which would have a swimming pool at basement level, garden room on the ground floor and bedrooms within the roof. It would have a tiled roof to match the main house and its walls would be either glazed or clad with cedar.
13. Also proposed is replacement of the redundant c.1970s glazed link and its extension to the proposed garden building, as well as re-roofing of the detached potting shed.
14. To facilitate the construction of the new garden building, around 13 trees would need to be removed from the appeal site with a similar number of Field Maple trees to be planted on the boundary with the Hospital. Other notable protected trees within the garden would be unaffected. The rationale offered for the proposal is to shield the garden from the substantial rear extensions to the adjacent Hospital building which run the length of the appeal site's western boundary.
15. The proposed garden building, whilst subservient in scale to the host dwelling, would be a substantially large appendage to the side, projecting considerably beyond the main rear elevation. The proposal would also extend into the open garden, which currently contributes to the sense of spaciousness around No. 15 and alleviation between it and the adjacent domineering Hospital building.
16. Furthermore, through its substantial scale, siting and deliberate references to height, form and materiality, the proposal would introduce balance and symmetry to the building where asymmetry is a fundamental characteristic. Whilst the overall scale of the proposed garden building has been reduced since its initial submission, and works to the front largely omitted, nevertheless the proposals before me would nonetheless weaken the listed building's architectural integrity and legibility of its original form.
17. The glazed link is of no historic or architectural interest and its replacement would have no impact on the ability to appreciate the listed building's special interest. The proposals to upgrade the potting shed would, of themselves, be sensitive and upgrade its fabric. However, the proposed linking of the structures, along with the new garden building, would be a contrived

intervention that would undermine the ability to read the potting shed as a separate ancillary structure with distinct architectural characteristics. Rather than reading as a clear phase in the listed building's evolution, overall the proposal would appear incongruous, and substantially alter the listed building's overall form, layout and appearance. The proposal would also weaken the historic integrity of the building and undermine the spacious and mature verdant qualities of its garden setting.

18. I therefore consider that the proposed works and development would cause harm and consequently fail to preserve the listed building or its setting or features of special architectural or historic interest which it possess, contrary to the expectations of Sections 16(2) and 66(1) of the Listed Building and Conservation Areas Act 1990 (the Act).
19. Through diminishing the architectural integrity of No. 15, the contribution it makes to the well-preserved nature of the View Road would be weakened. So too would there be undermining the spaciousness of the plot and relationship between the building and its neighbour that underpins part of the significance of the CA. Consequently, proposals would fail to preserve or enhance the character or appearance of the CA as a whole but rather, albeit in a small way, cause harm. Conflict therefore also arises with section 72(1) of the Act.
20. In the terms of the National Planning Policy Framework (the Framework) and considering the scale and nature of the proposals, I consider the degree of harm to the significance of the listed building and the CA separately as a designated heritage assets would, in each case, be less than substantial. In these circumstances, paragraph 202 of the Framework requires the less than substantial harm be weighed against the public benefits of the proposal, including, where appropriate, securing [the asset's] optimum viable use.

Heritage and planning balance

21. The proposal would represent some investment in the fabric of the listed building and some upgrades to the potting shed. Some economic benefits would also be realised, largely associated with the construction phase. In the main, however, the benefits of the scheme would be associated with maximising living space and securing the seclusion of the garden. These benefits would largely accrue to the appellant and benefits from the enhancement of the living environment would not be of wider public benefit. That the proposal would not affect the key feature of the porch or its relief panels are neutral aspects of the proposals, not public benefits. There is no indication that the works and development are the minimum necessary to ensure the optimum viable use of No 15, or ensure its ongoing conservation or preservation, bearing in mind it is already in use a single and generously sized dwelling in good overall condition.
22. From the evidence, it appears that permission and consent for development and works were granted in 2001 for a garden building extension of a similar scale, position and contemporary design. However, the works allegedly undertaken to implement them have not been confirmed by way of a Certificate of Lawfulness under Section 191 of the Town and Country Planning Act and nor does the evidence contain anything of substance to suggest that such would be forthcoming. Consequently, I can only treat these lapsed entries in the planning history as carrying limited weight, rather than as affording any established fallback position. Nor do they offer any public benefit. The extant

extensions have been in situ for some time and there is a dense belt of trees which conceals much of the Hospital wing and prevents overlooking. There is limited evidence to suggest that these trees are at risk of failure in either the near or more distant future. Though a building in the form proposed would offer greater certainty of the garden being afforded privacy in the longer term, I do not consider this to be of any wider public benefit.

23. Taken together, I attribute the sum of public benefits associated with the proposals to carry limited weight in its favour. On the other hand, even less than substantial harm to a designated heritage asset, in each case, carries considerable importance and weight. Even cumulatively, the sum of public benefits of the proposals would not be of sufficient weight to outweigh the harm identified to the listed building and CA as individual designated heritage assets. The proposals therefore conflict with the heritage protection policies of the Framework.
24. For these reasons, conflict also arises with Policy HC1 of the London Plan 2021, Policy SP12 of the Haringey Local Plan 2017 and Policy DM9 of the Development Management Development Plan Document 2017. These Policies collectively seek to ensure the preservation or reinstatement of original or historic form, fabric, function and character of heritage assets and their settings and deliver positive benefits that conserve and enhance the historic environment.
25. I do not find there to be material considerations that indicate that Appeal A be determined other than in accordance with the development plan.

Other Matters

26. Whilst the Council may have suggested an alternative siting for an extension to the eastern side of the dwelling which would not offer a satisfactory alternative to the Appellant, this in itself does not justify the harm from the proposal which must be determined on its own merits.

Conclusion

27. For these given reasons, and taking all other matters raised into account, I conclude that Appeal A and Appeal B should be dismissed.

Hollie Nicholls

INSPECTOR