



Appeal Decision

Site visit made on 28 March 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/Y5420/D/22/3313359

75 Hillfield Park, Hornsey, Haringey, London N10 3QU

- 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 Mark Shaw against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/2672, dated 28 September 2022, was refused by notice dated 21 November 2022.
 - The development proposed is new first floor mansard extension to an existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the appeal property and the Muswell Hill Conservation Area (MHCA).

Reasons

3. The appeal site is located within a residential area on a corner plot fronting Hillfield Park and St James's Lane. It accommodates a two-storey end of terrace dwelling with an attached single storey garage. The site is steeply sloped, with the gradient falling from west to east.
4. The site is within the MHCA and I have assessed the appeal scheme against this heritage asset. From my observations and the Muswell Hill Conservation Area Character Appraisal (2008), the significance of the MHCA includes its consistency of character and appearance that derives from the development of buildings and layout of streets over the period 1896-1913. The appeal site, as part of the row of terraces on Hillfield Park, contributes positively to the MHCA and the character appraisal refers to the appeal property having an attractive flank elevation on to St James's Lane of yellow stock brick with red brick dressing.
5. The proposed development would introduce an additional floor on top of the existing garage. It would be set within the existing footprint of the garage, have materials to match the main dwelling and street scene, and has been designed through an iterative process, including design measures to ensure a modest internal floor to ceiling height. However, the proposed development would sit very prominently in this corner plot location resulting in an incongruous form of development. Irrespective of whether the appeal scheme would be an upper ground floor or lower first floor development, the addition of

an extra floor in this location would create a dominant form of development, resulting in the garage no longer being read as subservient to the appeal property.

6. The existing garage is forward of the building line and is of a considerable width, the full extent of which is experienced from St James's Lane. The addition of an extra floor would result in a bulkier development than the existing garage and would draw the eye, in doing so it would detract from the appearance and special qualities of the side elevation of the appeal property which would be detrimental to the St James's Lane Street scene and the MHCA.
7. The proposal would be visible in views looking down St James's Lane, even allowing for the topography to mitigate the height of the development. In this direction it would obscure vegetation and the brick infill of the bridge behind. However, despite the presence of the bridge, and irrespective of where the conservation area boundary is, in views in the opposite direction looking up St. James's Lane, the proposal would sit so prominently in the street scene and forward of the building line that it would obscure the side elevation of the appeal property.
8. Two storey additions or 'outriggers' to the rear of properties may well be commonplace in the surrounding area, including the example given of No 50 opposite the appeal site. However, I observed that this example is not forward of the building line and does not adversely affect the character and appearance of the area in the way the appeal scheme would. I have considered the examples of other properties with mansard roof designs in the wider area. The context of the examples differs in overall appearance and relationship with the street scene. They are on a different section of Hillfield Park or on a different street, and as such would not be seen with the appeal scheme and are not directly comparable. Moreover, they are at a different height to the appeal scheme. The other examples do not, therefore, lead me away from my above findings.
9. Consequently, the proposal would fail to preserve or enhance the character and appearance of the MHCA. The harm that I have identified is 'less than substantial' harm. The National Planning Policy Framework requires that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Any harm to the significance of a designated heritage asset should also require a clear and convincing justification.
10. The proposal would allow for the ongoing upkeep of the property to adapt and better suit the appellant's growing family needs now and in the future. Whilst weighing moderately in favour of the proposal these are largely private benefits. As such, in having special regard to the desirability of preserving and enhancing the character and appearance of the MHCA, overall, there are no public benefits sufficient to weigh against the permanent harm that would arise to the significance of the heritage asset.
11. For the reasons given, the proposal would harm the character and appearance of the area, including the appeal property and the MHCA, in conflict with policies D3 and HC1 of the London Plan (2021), policies SP11 and SP12 of Haringey's Local Plan Strategic Policies (2017) and policies DM1, DM9 and DM12 of the Development Management DPD (2017). These policies, amongst other things, require development to be of a high standard of design that responds positively to a site's context, having regard to the form, scale and

massing prevailing around the site. The cumulative impact of incremental change from development on heritage assets should be actively managed, and extensions to existing buildings in conservation areas should not appear overbearing or intrusive.

Other Matters

12. It is not in dispute that the proposal would be acceptable in relation to living conditions, including privacy with regard to the position of the proposed additional windows to the side elevation. The lack of harm on this matter would be a neutral factor. While there were no objections from neighbouring occupiers to the scheme, this is not a reason, in itself, to allow harmful development. The appellant has expressed frustrations with the Council's handling of the case, however this has not affected my consideration of the planning merits of the scheme.

Conclusion

13. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR