



Appeal Decision

Site visit made on 10 May 2023

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 19th June 2023

Appeal Ref: APP/Y5420/D/23/3317023

32 Holmesdale Road Hornsey Haringey London N6 5TQ

- 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 Nicholas Taylor and Associates (NTA Planning) against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/2260, dated 29 July 2022, was refused by notice dated 27 January 2023.
 - The development proposed is a part one, part two storey rear extension, alterations to roof, erection of two storey rear outbuilding, raised rear patio, removal of rear tree and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for a part one, part two storey rear extension, alterations to roof, erection of two storey rear outbuilding, raised rear patio, removal of rear tree and associated landscaping at 32 Holmesdale Road Hornsey Haringey London N6 5TQ in accordance with the terms of the application, Ref HGY/2022/2260, dated 29 July 2022, and the plans as amended on the 3 November 2022, subject to the conditions set out in the schedule below.

Application for costs

2. An application for costs was made by the appellant against the Council of the London Borough of Haringey. This application will be the subject of a separate Decision.

Procedural Matters

3. The description of the development in the banner heading above is based on that used in the decision notice. I note too that this description was used by the appellant within the appeal documentation. For clarity I have used this in preference to the description on the original application form as it is more precise.
4. The development, the subject of the appeal, consists of a number of different elements. The Council's concern relates to the proposed first floor rear

extension. I shall accordingly direct my assessment to this element of the appeal proposal.

5. Revised plans were submitted to the Council during the course of the application which amended, amongst other things, the projection of the proposed first floor rear extension to 3 metres. I note the appellant's request to consider both the original and revised sets of plans submitted to the Council. This however will result in material changes to the proposal before me; as such I am required to consider the proposal on the basis of the same details that were before the Council when it made its decision. Accordingly my decision is based on the revised plans.

Main Issue

6. The main issue in this appeal is the effect of the development on the character and appearance of the host dwelling and the area, having regard to its conservation area status.

Reasons

7. The appeal property, No 32 Holmesdale Road (No 32) forms part of a terrace of 3 properties sited on a residential street within the Highgate Conservation Area (HCA) where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. In addition, the National Planning Policy Framework (the Framework) states that great weight should be attached to the preservation of designated heritage assets, in this case the HCA.
8. Holmesdale Road is characterised by traditional Victorian residential terraces in a variety of styles and materials with deep rear gardens. The terrace of which No 32 forms part is of a more modest size than other dwellings on Holmesdale Road and it is noted by the Council for its attractive frontage retaining original features such as windows, landscaped gardens and architectural detailing. The terrace as a whole, and particularly its uniform frontage, makes a positive contribution to the character and appearance of the HCA. Limited views of the rear elevations of the properties on this side of Holmesdale Road are obtained from an adjacent side road, Orchard Road. On my site visit I observed that there is a wide variance in the form, style and design of roofs, extensions/elevations in this location which gives the rear of the properties a less consistent character to that found at the front.
9. No 32 benefits from an extant planning consent¹ similar to the appeal proposal as revised. The extant consent limits the depth of the first floor extension to 1.8 metres. The principle of a first floor extension to the rear of the property has therefore already been established. Whilst the proposed first floor extension would be deeper and more prominent than that approved under the extant consent, it would not in my view be unduly harmful to the character and appearance of the host dwelling and the area. It would have features designed to achieve subservience particularly given it would have a flat roof, would occupy less than half the width of the rear elevation and would be set down from the eaves. It would also be viewed in the context of the adjacent property, No 32A, which due to its set back position and extended rear projection, would remain a dominant feature in views from Orchard Road.

¹ HGY/2022/0874

10. Further, there is no uniform pattern of development to the rear north of No 32 and some of the properties project further rearward and higher than others. Given the siting of No 32 close to these rear elevations the proposed extension would not appear incongruous when viewed against the backdrop of these surrounding properties. I appreciate the concerns of the Council that the increased depth would introduce a feature at odds with the form of the original terrace of properties and the loss of the visual gap with No 32A. However, I am mindful that the extant consent already alters the form and plan of the terrace from its original build. In addition, due to its distance from Orchard Road the buildings in which No 32 is primarily viewed is not the terrace of which it forms part, but those to the north, which are of a greater scale than No 32. As such the depth of the first floor extension now proposed would not excessively dominate the appearance and its setting in views from the surrounding gardens or Orchard Road. Accordingly, the proposal would not have an unacceptable effect on the character and appearance of No 32, and the terrace of which it forms part, and the area in general.
11. Given my findings above the proposal would have a neutral effect upon, and thus preserve the character and appearance of the host dwelling and the HCA. Consequently as demonstrable harm would not arise it is unnecessary to consider the weight that can be attached to the public benefits of the proposal. Further there would be no conflict with national policy in the Framework where it is indicated great weight should be given to the conservation of designated heritage assets.
12. The Council has not raised any concerns with regard to the amenity of the neighbours of adjoining properties and I would agree with this assessment.
13. For the reasons given, I conclude that the proposal would not be an incongruous addition to the host property and would not harm the character and appearance of the HCA. As such it does not conflict with London Plan Policy HC1, Policies SP11 and SP12 of the Haringey's Local Plan Strategic Policies or Policies DM1 and DM9 of Haringey's Local Plan Development Management Development Plan Document, and Policies DH2 and DH3 of the Highgate Neighbourhood Plan. Taken together and among other things, these policies aim to ensure that development conserves the significance of heritage assets, is of a high quality of design that respects the local context and contributes to the distinctive character of the area.

Conditions

14. In addition to the standard time and plans condition imposed in the interests of certainty I have imposed a condition in relation to obscure glazing to the window of the rear outbuilding to protect privacy and the living conditions of neighbouring residential occupiers. In addition, I have imposed a condition as to matching materials to ensure a satisfactory appearance to the outbuilding is achieved. A condition in relation to the protection of the tree retained on site during construction works is necessary.

Conclusion

15. I therefore conclude that the proposal would not conflict with the Development Plan nor the Framework. Accordingly for the reasons given above, and having regard to all matters raised, I allow the appeal as set out in the formal decision notice above.

K Winnard

INSPECTOR

****Schedule of 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: Proposed Site Plan Drawing Number 301 Rev A Proposed Ground Floor Plan Drawing Number 302 Rev A Proposed First Floor Plan Drawing Number 303 Rev B Proposed Roof Plan Drawing Number 304 Rev A Proposed Elevations 1/3 Drawing Number 310 Rev A Proposed Elevations 2/3 Drawing Number 311 Rev A Proposed Elevations 3/3 Drawing Number 312 Rev A Proposed Section Drawing Number 320 Rev A and Proposed Louvre Details Drawing Number 325 Rev A.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, unless otherwise agreed in writing with the Local Planning Authority.
- 4) The tree shown on the approved drawing to be retained shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
- 5) No part of any structure hereby granted shall be used as a roof terrace or balcony.
- 6) Notwithstanding the plans hereby approved, the outbuilding hereby permitted shall not be occupied until the first floor window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
