



Appeal Decision

Site visit made on 3 October 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th October 2023

Appeal Ref: APP/Y5420/D/23/3322742

62 Cromwell Avenue, Hornsey, Haringey, London, N6 5HL

- 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 Prof. Tom Henry against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2023/0145, dated 16 January 2023, was refused by notice dated 9 May 2023.
 - The development proposed is erection of a single storey, lean-to-side infill extension to the ground floor.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey, lean-to-side infill extension to the ground floor at 62 Cromwell Avenue, Hornsey, Haringey, London, N6 5HL in accordance with the terms of the application, Ref HGY/2023/0145, dated 16 January 2023, subject to the following 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: 100-01; 100-02; 120-01; 300-01(A); 360-01(A); 370-01(A).
 - 3) No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Highgate Conservation Area.

Reasons

3. The appeal property is a semi-detached, two-storey dwelling with attic. It is located in an area that comprises dwellings of a similar design and appearance. These are mostly constructed in red brick with slate roofs, with stone lintels, quoins to windows, columns and stone detailing around recessed porches.

4. The site is located within the Highgate Conservation Area (CA). The character of the CA is formed by the relationship of its historic pattern of development, its buildings of architectural merit, its topography, green open spaces and distant views. Cromwell Avenue is distinctive in that was laid out in a serpentine form. Its well-planned curved street layout, together with its topography and overall architectural quality contribute the significance of the CA. The site's significance is derived from its collective contribution to the street scene along with other properties.
5. The appeal site is located on a steep gradient such that it is on higher ground than 60 Cromwell Avenue which it adjoins, but is at a lower level than the adjacent semi-detached pair, Nos 2 and 4 Winchester Place. The dwellings on this side of Cromwell Avenue are also stepped up at a higher level than the road.
6. The appeal property is located on a curved section of the road and accordingly, it is splayed at a different angle to the road compared to the adjacent semis in order to take account of the junction of Cromwell Avenue and Winchester Place. There is therefore, a wider than average gap between the appeal property and 2 Winchester Place than is characteristic between houses along the straighter sections of the road.
7. The appeal proposal is for a single storey extension which would be tapered in width and which would infill the gap between the flank wall of the host dwelling and the side boundary of the site with 2 Winchester Place.
8. Policy DH4 of the Highgate Neighbourhood Plan (2017) (NP) relates specifically to proposals for side extensions. Amongst other things, it states that side extensions should be sensitive to and respect the character of the streetscape, and not block or significantly infill gaps between buildings, or otherwise disrupt the integrity of the individual architectural composition or group where these contribute to the character of the local area. Extensions should be subordinate in scale to the original dwelling and complement its character in terms of design, proportion, materials and detail.
9. The Council state that the proposed extension would be dominant and imposing in views and would negatively intrude into the visual gap to the side of the property.
10. The proposed extension would be set back from the front elevation of the main dwelling by approximately 0.375m. It would be of a simple lean-to design with a maximum height of about 3.2m where it meets the main wall of the dwelling, falling to an eaves height of around 2.6m. The front elevation of the extension would be in the same location as an existing high fence panel and gate which separate the front garden of the dwelling from the access along the side of the house and already encloses the space to the side of the dwelling. At its highest point, where it meets the flank wall of the house, the extension would be approximately 0.66m higher than the existing fence and gate, with only an increase of about 0.12m at eaves height.
11. Whilst the appeal property is splayed at an angle to 2 Winchester Place, in my view, the proposal extension would not be dominant or visually imposing. When approaching the site from Winchester Place, views of the extension would be obscured by 2 Winchester Place which sits on higher ground. Partly due to the topography, views of the extension would also be obscured by the

- existing boundary fence to the side of No 2 and by the mature planting within the front gardens of No 2 and the appeal site. Similarly, when approaching the site from the south along Cromwell Avenue, views of the proposal would be obscured by the existing houses, vegetation and retaining walls.
12. Furthermore, due to the splayed angle of the front elevation of Nos 60 and 62, views of the proposal when approaching up the hill along Cromwell Avenue and Winchester Road would be obscured by the existing houses and by the mature planting within the front gardens. In my view, any close-range glimpses of the extension would be inconsequential as it would be of a scale and form that is clearly subservient to the main dwelling. Its subordinate appearance would also be reinforced by the proposed timber cladding to its front elevation. Given its lack of prominence in the street scene together with the staggered height of Nos 60 and 62 Cromwell Road, I do not consider that the proposal would result in any significant unbalancing of the semi-detached pair.
 13. Whilst the proposal would reduce the gap between the appeal property and No 2 Winchester Place at single storey level, given the overall height of the dwelling of about 13m to the ridge gable parapet, the majority of the space between the two dwellings would be unaffected. Furthermore, at ground floor level the gap between the two dwellings is not appreciable in the street scene due to the existing fencing at No 60, the boundary treatment to the side of No 2, along with the mature planting to the front of both dwellings. I therefore find that the proposal would not be harmful or detract from the architectural composition of the dwelling or the streetscape in this regard and would not conflict with the objectives of Policy DH4 of the NP.
 14. The Council also refer to a loss of vegetation and greenery in their officer report. The appellant has confirmed that two self-seeded Elders indicated for removal on the drawings have subsequently been removed following a separate permission¹. I am satisfied that the proposal would not result in any further removal of vegetation and greenery of significance.
 15. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) is of considerable importance and weight. Paragraph 197 of the National Planning Policy Framework 2023 (the Framework) states, amongst other things, that the desirability of new development making a positive contribution to local character and distinctiveness should be taken into account in determining applications. Paragraph 199 of the Framework also advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. However, for the reasons outlined above, I am satisfied that the proposal would preserve the character and appearance of the CA.
 16. Accordingly, I find that the proposal would not conflict with Policy HC1 of the London Plan (2021), Policies SP11 and SP12 of the Haringey Local Plan Strategic Policies (2017), Policies DM1, DM9 and DM12 of the Haringey Local Plan Development Management Development Plan Document (2017) and Policies DH2 and DH4 of the NP. Together, and amongst other things, these policies aim to ensure that development conserves the significance of heritage assets, is of a high quality design that respects local context and contributes to the distinctive character of the area.

¹ LPA ref. HGY/2023/0222

Conditions

17. In addition to the standard implementation condition, the approved plans condition is imposed for certainty. A condition requiring the approval of materials is necessary to protect the character and appearance of the dwelling and the local area.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

J Davis

INSPECTOR