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# Appeal Decision

Site visit made on 7 May 2024

**by Elaine Moulton BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 May 2024**

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**Appeal Ref: APP/Y5420/W/23/3334232**

**636A Green Lanes, Hornsey, Haringey, London N8 0SD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Andy Ull of Dealers Estates Ltd against the decision of the Council of the London Borough of Haringey.
  - The application Ref is HGY/2023/1554.
  - The development proposed is the demolition of existing building and provision of a part single part two storey house.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - the effect of the development on the character and appearance of the area;
  - the effect of the development on the living conditions of the occupiers of adjoining properties with particular regard to outlook and light; and
  - whether the proposal constitutes sustainable development, in respect of minimising energy use and carbon emissions.

## Reasons

### *Character and appearance*

3. The appeal site fronts onto Harringay Gardens to the rear of 636 Green Lanes. Harringay Gardens is mainly characterised by two-storey terraced dwellings with pitched roofs and two storey bays within projecting gables. The dwellings are set back from the road with small front gardens and have a consistent building line.
4. The appeal site contains a flat roofed, single storey building, which has no architectural merit and due to its dilapidated appearance is a negative feature within the street scene. Nonetheless, together with the rear of the property on Green Lanes on the opposite corner of Harringay Gardens, the appeal site gives visual relief from its more built-up surroundings by providing a break in the frontage at first floor level. In this regard the appeal site positively contributes to the character of the area.
5. The proposal would be a partly two storey, box-like structure. The smaller, off centre, first-floor element would be attached to 2 Harringay Gardens by a flat

roof, frameless glazed link of a height that is in line with the eaves. The larger part of the first-floor element would, however, extend above the eaves of the adjoining property. Consequently, it would not respect the consistent eaves height of properties in Harringay Gardens. Furthermore, the incorporation of windows of varying sizes would contrast with the consistent window design that prevails in the street scene. Accordingly, the proposal would appear overly conspicuous, contrasting sharply with the prevailing character of the area.

6. Whilst the first-floor element of the proposal would not extend across the full width of the plot, there would be a limited gap between it and the rear of the adjoining three-storey outrigger to 636 Green Lanes. Consequently, the development would appear cramped within its plot and the spaciousness at first floor level that positively contributes to the street scene would be eroded to the detriment of the character and appearance of the area.
7. I acknowledge that it is not always essential to replicate the existing design and appearance of an area, and that contemporary buildings can be the most appropriate approach to the redevelopment of sites. I also acknowledge that the proposal would result in the removal of a building that is currently in a poor state of repair. Nevertheless, the effect of the scheme would be to unacceptably diminish the character, appearance, and integrity of the street scene for the reasons set out above.
8. In reaching this conclusion I have had regard to the dwelling, of a broadly similar design to the appeal proposal, that has been constructed on nearby Park Road. That development is some distance away from, and is not visible in views of, the appeal site. It is not, therefore, a component of the streetscape within which the appeal proposal would be viewed. Thus, the existence of this dwelling does not assist in the assimilation of the proposal into its surroundings or reduce the harm that I have identified. Furthermore, that dwelling retains more space around it at first floor level and it is consistent with the prevailing eaves height, unlike the proposal before me.
9. In conclusion, I find that the proposal would harm the character and appearance of the area. As such, it would be contrary to Policies DM1 and DM7 of the Haringey Development Management DPD (the DPD), Policy SP11 of the Haringey Local Plan (HLP) and Policies H2 and D3 of the London Plan (LP) which seek to deliver high quality design and development that relates appropriately to the surrounding area and establish street scene.

#### *Living Conditions*

10. The adjoining property, 634 Green Lanes (No 634), has a modestly sized rear garden which has a wider, and more useable, section beyond the single storey rear outrigger of that property. The rear elevation of the proposed building would form the side boundary of that rear garden and the first floor element would extend along the full length of the wider section. The proposal, together with the existing two storey rear outrigger to 2 Harringay Gardens, which forms the rear boundary, would have an enclosing and dominating effect when viewed from within the garden, which would not be addressed by the existing of mature planting. Furthermore, whilst the position of the development would not lead to the loss of direct sunshine in the garden, as the proposal would result in it being enclosed on two sides by high structures, the amount of natural light that the garden of No 634 would receive would be limited. Consequently, the proposal would create an unacceptable visual intrusion and

gloomy rear garden which would be detrimental to the occupants of No 634 enjoyment of their limited amenity space.

11. The upper floor of the proposed building would extend partially in front of the first-floor bedroom window of 636 Green Lanes (No 636) thereby impeding the outlook from that window. Although its outlook would not be completely restricted, given the scale, position and proximity of the proposal it would have a substantial and unacceptable enclosing and dominating effect on the outlook from that bedroom window.
12. I conclude that the proposed development would cause unacceptable harm to the living conditions of the occupiers of adjoining properties with particular regard to outlook and light. As such, it would conflict with DPD Policies DM1 and DM12 and LP Policy D6 which seek high quality design and takes account of the amenity of neighbouring users.

#### *Energy use and carbon emissions*

13. The appeal documents provide no information that demonstrates compliance with the requirement of HLP Policy SP4 that a reduction in predicted carbon dioxide emission of 20% is provided from onsite renewable energy regeneration. The documents do refer to the development achieving a 35% carbon reduction which exceeds the 31% lower carbon emissions standard for new dwellings set out at Part L of the Building Regulations. Even so, it does not meet the requirements of HLP Policy SP4, that all new dwellings shall be zero carbon from 2016 onwards. Whilst this may exceed London Plan guidance, it is consistent with the requirement of the National Planning Policy Framework that the planning system supports the transition to a low carbon future in a changing climate. As such this policy can be attributed significant weight due to its consistency with the Framework.
14. I therefore find that the proposal does not constitutes sustainable development in respect of minimising energy use and carbon emissions and does not accord with the aims for sustainable design of HLP Policy SP4 and DPD Policy DM21.

#### **Conclusion**

15. Whilst I have found that the proposal would not harm the character and appearance of the area this does not outweigh the harm to living conditions that I have identified. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
16. I therefore conclude that the appeal should be dismissed.

*Elaine Moulton*

INSPECTOR