



Appeal Decision

Site visit made on 14 August 2024

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2024

Appeal Ref: APP/Y5420/W/23/3333756

665 High Road, London N17 8AD

- 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 Ibrahim Aslan against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/0251.
 - The development proposed is erection of rear double storey extension on first and second floor to accommodate two 2 bed 3 person flats with associated amenities and facilities, refuse storage and bicycle parking.
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1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on:
 - The character and appearance of the host building, a locally listed building (LLB), and wider area including the North Tottenham Conservation Area (CA).
 - The living conditions of the occupiers of the proposed flats and of neighbouring properties

Reasons

3. The appeal site is an end terraced property in a row of similar three storey terraced Victorian properties with accommodation within the roofspace served by traditional dormers. It lies in a corner location at the junction of High Road with Cedar Road, a residential street. The building fronts the main High Road with food shop and restaurant on the ground floor and residential accommodation on the upper floors. The ground floor unit extends forward of the terrace and across the majority of the depth of the site to the rear with an entrance off Cedar Road at the far western end giving access to stairs to the upper floors.

Character and appearance

4. The wider CA is linear in shape encompassing all of the properties which front the High Road and some within side streets, albeit not those in Cedar Road with the rear boundary of the appeal site coinciding with the western boundary of the CA. The Conservation Area Appraisal and Management Plan (CAAMP) notes that the CA is notable for preserving, until very recently, an almost intact 19th Century townscape incorporating notable surviving examples of earlier

periods, whilst its hinterland has changed dramatically. Character sub-area D, within which the appeal site is located, is significant in respect of the preservation of the historic open character and variety in the building line and the variety and contrast in architectural style and materials. It also notes that Number 665 is within a locally listed terrace of buildings known as Criterion Buildings, identified as being a positive contributor to the character and special interest of the CA. It is of late Victorian age with red brick elevations with stucco dressings. It is also opposite and within the setting of the Grade II listed Southern Gate Building at Whitbread's Brewery at 676 High Road. The significance of this part of the CA is derived from the above features and the architectural style and variety provided by these buildings.

5. The proposal would comprise a first and second floor addition to the rear of the building extending over the whole depth of the existing ground floor addition, though set in from the side boundary with the attached property to the north, No.667. It would have elevations finished in aluminium panelling with a flat roof to a height just below the top of the second-floor windows in the main building. It would introduce a large and contrasting addition to the rear of the building the full extent of which would be visible in the Cedar Road street scene; in addition, glimpsed views would be possible from the main High Road.
6. As a result of its rearward extent, design and form comprising a large, modern flat-roofed addition it would contrast starkly with the Victorian character and features of the locally listed building and would appear as an overly dominant and visually jarring addition to the rear of the building and wider terrace of which it forms a part. Whilst, in principle, a modern design can be appropriate, in this case it fails to complement the host building due to its overly deep proportions and lack of complementary form and detailing and would thus not appear sympathetic or subordinate to the host building notwithstanding that it would be of lower overall height.
7. The existing terrace of locally listed buildings is relatively unaltered from its original form and retains many original features and sense of openness to the front and rear. The proposal would result in the almost complete loss of the view of the rear terrace and thereby its contribution to the significance of the conservation area. Overall, the proposal would harm the significance of the locally listed host building and terrace of which it forms an integral part, which are considered to be non-designated heritage assets (NDHAs).
8. Paragraph 209 of the National Planning Policy Framework (the Framework) indicates that a balanced judgement will be required when weighing applications that affect a NDHA. In this case, the scale of harm is considered to be significant as is the loss of significance of the heritage asset and the benefits of the scheme would not outweigh these harms.
9. For the reasons set out above the proposal would also harm the significance of the CA, the conservation of which is to be given great weight in accordance with the Framework. The proposal would be a significantly harmful and detracting feature in the street scene viewed both along Cedar Road and in the glimpsed views from the High Road such that for the purposes of Framework paragraph 208, it would lead to less than substantial harm to its significance. This harm should be weighed against the public benefits of the proposal which in this case are principally derived from the contribution made by the proposal to local housing supply, specifically in the context of a need for smaller units.

Whilst noting these benefits, they are insufficient to outweigh the harm in this instance, therefore, the proposal would lead to unacceptable harm to the significance of the heritage assets.

10. Therefore, the proposal would harm the character and appearance of the host building and would fail to preserve the character or appearance of the CA. It would thereby conflict with Policies SP2, SP11 and SP12 of the Haringey Local Plan 2013-2026 (2013) (HLP), Policies DM1 and DM9 of the Haringey Development Management Document (2017) (HDMD) and Policies D3 and HC1 of The London Plan (2021) (LP) which seek high quality development that contributes to the distinctive character and amenity of the local area and that is of site specific, sensitive design quality that respects or complements the form, setting, period, architectural characteristics and detailing of the original buildings and should be of high quality matching or complementary materials. They also seek to ensure that the special interest and significance of a heritage asset is conserved and enhanced. It would also fail to satisfy the CAAMP in that its design, detailing and materials would not complement the existing building or character of the area.
11. With regard to the effect on the setting of listed building opposite the site, the Council does not appear to conclude that its setting would be harmed and due to the location of the proposal to the rear of the host building, I also conclude that it would have a neutral impact on its setting.
12. For the above reasons, the proposal would also fail to satisfy the policies of the Framework which seek to conserve and enhance the historic environment, conserve heritage assets in manner appropriate to their significance and achieve well designed places that are visually attractive and sympathetic to the built environment. I have had regard to the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and on the basis of the above, find that the character and appearance of the CA would not be preserved. In respect of the setting of the nearby listed building and having regard to the duty under Section 66(2) of the above Act, I find for the reasons given above that it would not affect its setting.

Living conditions

13. In respect of the living conditions of the occupiers of the proposed flats, the Council contends that a poor environment would be provided due to the lack of amenity space for either of the units proposed. LP Policy D6 and associated Table 3.2 requires that development achieves suitable quality and standards and, in respect of outdoor space, requires a minimum of 5 sq.m. of outdoor space which should be usable and have a balance of openness and protection. Whilst the appellant notes the proximity of public open spaces and parks that could provide some amenity in this respect, there would appear to be no practical reason why some private amenity space could not be 'designed into' the scheme.
14. I also saw at the time of my site visit that the existing flat roofed area provides some amenity for the existing flats, which would be lost as a result of the proposal. Overall, there would be conflict with LP policy D6 and HDMD Policy DM12 which requires development to provide suitable external space.
15. In respect of the living conditions of the occupiers of exiting adjoining flats, I note that the appellant has provided a floor plan which shows the layout of

rooms within the adjoining property at no. 667, though only in respect of the first floor. That confirms that the nearest window which serves a kitchen would be affected due to the position and depth of the proposed extension which would introduce a high, long blank elevation close to and to the south of it which would significantly overshadow that window and result in a loss of outlook. There would be a similar impact on the adjoining second floor window which also appeared to serve a habitable room.

16. The rear elevation of the proposal would also be located close to the flank elevation of the adjoining property at No. 1 Cedar Road. However, that property has a blank flank elevation facing the appeal site. Whilst the proposal would extend forward of the front elevation of this property, the separation would be such as to not result in any unacceptable impact on light or outlook of front facing windows. Overall, there would be no unacceptable impact on the living conditions of the occupiers of this property.
17. However, due to the harm that would arise to the living conditions of the occupiers of the proposed and existing adjoining properties as found above, there would be conflict with HLP Policies SP2 and SP11, HDMD Policies DM1, DM11, DM12 and LP Policy D6 which seek to ensure that all new residential extensions are of high quality that take account of the privacy and amenity of neighbouring uses and provide suitable living environments in respect of light, outlook and amenity space. This would also result in conflict with the relevant standards of the London Housing SPG.

Other Matters

18. The Council has confirmed that the Housing Delivery Test is not currently satisfied, and it is delivering substantially below its housing targets. As a result, paragraph 11(d) of the Framework applies by virtue of footnote 8. However, my findings above in respect of the impact on heritage assets provide a clear reason for refusing the development and therefore, paragraph d(i) indicates that the 'presumption' in favour of granting permission does not apply.
19. The proposal would contribute to the supply of smaller housing units in accordance with the policies of the HLP and LP which seek to encourage such small site provision. However, the relevant policies also require such housing to be well designed and in this instance that would not be the case. Further economic and social benefits would also arise but, overall, these factors are insufficient to outweigh the conflict with the development plan that arises.

Conclusion

20. I therefore conclude that the appeal should be dismissed.

P B Jarvis

INSPECTOR