



Appeal Decision

Site visit made on 3 September 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2024

Appeal Ref: APP/Y5420/W/24/3336281

7 Brantwood Road, Tottenham, Haringey, London N17 0DT

- 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 Mustafa & Husniye Ayvas against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/0101.
 - The development proposed is redevelopment of the site to provide 5No. new self contained dwellings within a three storey building. Redevelopment will also include the donation of parts of the site for improvements to the public realm bordering the site.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the Council's statement they refer to the existing single storey building as a non-designated heritage asset. The Council have had the opportunity to comment on this designation and provide further information and have confirmed that it is not located within a conservation area and does not form part of a listed building. They also confirm that it has not been added to any local list or historic environment records and that it does not have any designation. I have taken this into account in determining the appeal.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site is a corner plot at the junction of Brantwood Road and Altair Close in a predominantly residential area. It is currently occupied by a single-storey dwelling with a garden area to the rear and is adjacent to a row of two-storey terraced dwellings. In the vicinity of the proposal there is a mix of building heights including those with three or more storeys.
5. The proposal would replace the single storey dwelling with a three-storey building that would accommodate four one-bedroomed flats and one three-

bedroomed duplex apartment. It would have the form and massing of a traditional Turkish Yali with a shallow pitched hipped roof and projecting windows.

6. Whilst there are buildings of three or more storeys in the vicinity of the proposal, including on the opposite side of Altair Close, the appeal site is adjacent to a terrace of two-storey dwellings. The height of the proposal would therefore be taller than the adjacent buildings and would appear dominant in the streetscene. Whilst the proposal would increase the number of dwellings on the site, to make the best use of land, it would also have a larger footprint than the existing single storey building, extending further along Altair Close and would cover most of the plot. This would reduce the amount of outdoor amenity space around the building and would appear as overdevelopment of the site. This, in addition to the bulk and massing, including the height of the eaves, would add to its dominance.
7. The proposed building would also include architectural details that would not reflect the prevailing characteristics of the area, including the steel balustrades to the side elevation and projecting windows to the first and second floors of the front and rear elevations. Whilst the adjacent terrace has ground and first floor bay windows these are smaller and reflect the scale of the property. In addition, the height of the eaves and design of the roof would appear excessive and incongruous next to the two storey terraced buildings.
8. I acknowledge that the design of the building relates to the personal circumstances of the appellant, would be different to buildings around it and that this would not necessarily result in dismissing the appeal. However, in this case, this would not outweigh the harm to the character and appearance of the area.
9. I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policy SP11 of the Haringey Local Plan (2013), Policies DM1 and DM12 of the Haringey Development Management Development Plan Document (2017) (DPD) and Policies D3 and D4 of the London Plan (2021) which together amongst other matters seek to ensure that development is of a high standard of design that respects local context and contributes to the distinctive character and amenity of the area.

Living conditions

10. The proposal would be close to the shared boundary with 9 Brantwood Close. The additional height and massing to the rear of the plot, beyond the rear of the existing building, would be overbearing when viewed from the garden and rear rooms of the neighbouring property. In addition, the first floor windows would overlook the garden. I note that the proposal includes opalescent glazing for these windows, however this would not remove the perception of overlooking and loss of privacy. In addition, this would remove any outlook for future occupiers of the proposed flats reducing their living conditions.
11. The appeal was not accompanied by a daylight and sunlight assessment and the appellant has suggested this matter could be agreed by condition. However, the matter of the impact of the proposal on the living conditions of the neighbouring occupiers goes to the heart of the case as to whether it would be acceptable. I do not therefore agree that, in this case, this matter is suitable to be conditioned.

12. I conclude that the proposal would harm the living conditions of neighbouring occupiers with particular regard to outlook and light. It would conflict with Policies DM1 and DM12 of the DPD which together amongst other matters seek to ensure that development takes into account the privacy and amenity of neighbouring uses.

Other Matters

13. I note the appellant's concerns regarding the Council's handling of the case. However, this is a matter that would need to be taken up with the Council in the first instance. In determining this appeal, I am only able to have regard to the planning merits of the case.
14. The proposal would provide space for a footway along Altair Close which the appellant states would assist in highway safety. Additionally, a bin store and additional parking would be provided on land outside the appellant's control. I have no evidence before me that these elements could be provided within the time-limit imposed by the permission and therefore do not consider that a Grampian condition would be reasonable or enforceable.
15. Whilst the proposal would retain on-street parking for the occupiers this is a neutral matter in my decision.
16. The appellant has stated that amendments could be made to the scheme in terms of its design and materials. These changes are not before me and in any event, I must determine the appeal on the basis of the plans submitted to and considered by the Council.
17. There was a previous approval on the site¹ for the erection of two, two-storey dwellings. Whilst the appellant has criticisms of this scheme, it has lapsed and was considerably different to the scheme before me and is not therefore relevant to my consideration of this appeal.

Planning Balance

18. The appeal scheme would not accord with the development plan with regard to the character and appearance of the area and the living conditions of neighbouring occupiers. The proposed development would however result in the creation of additional dwellings, which would support the Government's objective of significantly boosting the supply of homes. It is also a small site for which there is a presumption in favour of development and it would replace a building with one that would be more energy efficient. Due to the size of the development, these matters would attract moderate weight in favour of the proposal. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole, and I find that the adverse impacts of the proposal are matters of significant weight against the grant of planning permission that outweigh the stated benefits.

¹ HGY/2006/1063

Conclusion

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR