



Appeal Decision

Site visit made on 21 October 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2025

Appeal Ref: APP/Y5420/W/25/3369374

Land at Weston Park, r/o 110 Nelson Road, Crouch End, London N8 9RT

- 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 Ms Syreeta Von Sierakowski against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/1382.
 - The development proposed is the demolition of existing buildings, erection of part single, part three-storey dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has referred to replacement drawings, they advise they were provided during the application process. The drawings referred to have been listed in the Council's decision notice. Accordingly, I have determined the appeal on the same basis as the Council.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of the occupiers of neighbouring properties and future occupiers of the development.

Reasons

Character and appearance

4. The appeal site is positioned between a three-storey end terrace at 85 Weston Park, and the residential gardens and homes at 110/110A Nelson Road. The site is positioned in an area which marks the beginning of the layout of buildings fronting Nelson Road, which has a perpendicular arrangement with Weston Park. This layout and spacing is loosely repeated in the area due to the pattern of roads and built development.
5. The site is occupied by existing buildings which present a slightly dilapidated, impermanent, but unobtrusive presence within the attractive mixed-use streetscene. The proposal seeks to demolish the existing buildings and replace them with a new dwelling. The dwelling would be built on the same footprint as the

buildings it seeks to replace. The siting reflects a more recent infill development and arrangement opposite the appeal site at 96a Weston Park.

6. The contemporary proposal is an interesting design and contains several carefully thought out design elements, including a range of traditional and recessive coloured materials to break up the massing, architectural details reflecting those in the area and cohesive fenestration for the proposed development. The proposal would comprise a single storey structure along the Weston Park footway but would be three-storeys rising up towards the height of the eaves of the adjacent end three-storey terrace at No 85. The proposed three-storey element would be on a similar building line as the projecting two-storey hipped bay at No's 110/110A, but it would project forward of the main bulk of the gable extension and some distance in front of No 85.
7. There are examples of more recent infill development in the vicinity of the site, however the area is predominantly characterised by traditional and attractive brick terraces, laid out in a regimented street pattern, with a largely consistent building line. In particular, the traditional three-storey terraces containing commercial uses forming the local centre on both sides of Weston Park are very similar in appearance and design. The terraces are largely unaltered at first and second floor providing a pleasing symmetry on both sides of Weston Park. Alongside the spaces between buildings, this arrangement creates a sense of place in a prominent location, visibly contributing to the spatial character and appearance of the area.
8. The proposal would uncharacteristically bring physically taller development closer to the footway and road. Despite the contrasting materials, glazing and planting this would not be lightweight in appearance. The proposal would have an enclosing effect on the three-storey terrace and space when viewed up and down the streetscene. Furthermore, the introduction of the balcony, an element not readily seen in the vicinity, would present an incongruous form of development in a very public and prominent position.
9. The proposal would also occupy more space between buildings. Whilst the development at No 96a has also infilled this space this proposal would be taller and more prominent than that property. I appreciate the site constraints and the reasons for the design concept, however overall due to its marked forward projection, height and external features it would diminish the primacy of terrace within the locale and would undermine the relationship with the terraces opposite.
10. The existing structure within the site may lack the architectural quality, but its position and height render it a discrete structure. Thus the replacement of the existing structure and the redevelopment of the site does not weigh heavily in support of the proposal. Although the site is not within a conservation area or near a listed building, nevertheless I conclude that the proposal would result in harm to the character and appearance of the area.
11. The proposal would therefore conflict with the Haringey Development Management Development Plan Document (DPD) (July 2017) Policies DM1 and DM7 in its aim to contribute to character and make a positive contribution to place and relate to the surrounding area. It would not reflect Policy SP11 of the Haringey Local Plan (2017) (the Local Plan) to create high quality places that respect local character. It would not accord with Policies D3 and D6 of the London Plan (2021)

(the London Plan) insofar as they require development proposals to be of high quality design and to respond to local character.

Living Conditions

12. The existing appeal buildings run alongside the north and east boundaries of the garden of the properties at No's 110/110A. The taller existing building is also positioned along part of boundary of the garden at 108 Nelson Road. The garden space for No's 110/110A is not deep or wide. Although the proposal seeks to replace existing structures, the increased height of the single storey element along the northern boundary and introduction of a three-storey element would lead to increased enclosure. The proposal would be overbearing and oppressive on this small garden area. Undoubtedly there would also be an effect on the garden of No 108 given that the three-storey element is also set directly up against the boundary, however the effect upon this garden would be less pronounced as it is larger and there is more space and openness around it.
13. I have not been directed towards any policy or guidance that sets out minimum separation distances between building faces. The physical presence of a third storey would be of such a magnitude in terms of overall mass (height, width and basic shape) and in such close proximity that it would be eminently present from within rooms and views from the neighbouring windows¹. Although oblique views to the side would be somewhat free from enclosure, nevertheless the second and third storeys would project into an area where previously there was no built development. Furthermore, the space to the side would not in my view mitigate the effect from the development being sited directly opposite and very close to existing windows. It would therefore also have an imposing and somewhat overpowering presence.
14. A daylight and sunlight assessment was submitted during the appeal, based on which the Council acknowledged that the proposed dwelling would not contravene BRE guidelines² as far as overshadowing or its effects on daylight for neighbouring properties and gardens were concerned. Although interested parties have raised concerns regarding this, even if I were to agree with the findings, this would not mitigate the harmful impact caused by the overbearing nature of the development.
15. The provision of the first floor balcony area for the proposed dwelling also has the potential to result in the loss of privacy into rooms and gardens. This would be an entirely new situation for the occupiers of neighbouring dwellings. I am not certain that the reduced balcony area and planting would successfully screen the development to a degree where privacy is preserved in its current form, or for the entire year. The proximity and lower height of the balcony area would not be appropriate in this tight knit environment, where it would be easy to view into other garden space, as well as introducing new levels of activity. Moreover, it would result in an element that is not a common feature of the surrounding area.
16. Although there may be some glazing on existing buildings, the proposed development would introduce larger amounts of it at increased height. The oblique relationship between some windows and high level windows could prevent direct overlooking. However, where windows are not high level, obscure glazing may not fully prevent the outline of occupiers inside the proposed dwelling. This is

¹ Numbered 10 and 11 in the T16 Daylight and Sunlight Assessment.

² Site layout planning for daylight and sunlight - a guide to good practice, BRE 2022.

particularly the case when lights are turned on and it is darker. The presence of people behind glazing can create an environment where neighbouring occupiers can feel overlooked. In such close proximity as in this case, this would be particularly noticeable and likely to cause unease. As such in the absence of detailed specifications, it has not been demonstrated that the proposal would not harm living conditions of nearby occupiers in respect of privacy.

17. Overall, the introduction of taller development would feel oppressive to those occupiers who would likely feel hemmed in. The proposed balcony could lead to loss of privacy, and in the absence of detailed information, the extent of the glazing in such close quarters, could result in a perception of being overlooked. The proposal would make the first floor rooms of 87 Weston Park, the rooms and garden of No 110/110A and the garden of No 108 less enjoyable to use as a result, which overall amounts to harm to living conditions.
18. Future occupiers would have a small area for cycle storage. Although a policy compliant balcony area is not achieved, the officer report evidenced suggests that all habitable spaces would benefit from adequate means of outlook and light, and areas of storage. Level means of access would also be provided alongside adequate floor to ceiling heights.
19. The extent of obscure glazing, although not ideal, has been designed to protect privacy of future occupiers. I also accept that there would be overlooking of the balcony area from neighbouring properties and passers-by. However, on balance, in this case, future occupiers would be well aware of the arrangements and potential for overlooking from neighbouring properties and could weigh this consideration when deciding to purchase, lease or rent the properties.
20. I therefore conclude the proposed development would not be harmful to the living conditions of future occupiers, nevertheless it would harm to the living conditions of the occupiers of neighbouring properties. The proposal would conflict with Policy DM1 of the DMP and Policy D6 of the London Plan 2021; together, and among other things, these policies seek to ensure that development ensures a high standard of amenity for its users and neighbours.

Other Matters

21. The appellant has drawn my attention to an appeal decision³ and other approvals⁴ which they consider to be similar to the appeal proposal. I note the similarities with the context in that they appear to provide small infill proposals of varying contemporary designs. However, I have not been provided with the full addresses or details of these sites. It has not been clearly explained how the sites and designs are the same as the case before me. Furthermore, they will have been determined under a different set of circumstances, planning policies and other evidence which is not before me in this appeal. The consideration of evidence put forward in support of those proposals would have required site specific judgements to be made and for these reasons I attach limited weight to these, and in any event, each proposal must be judged on its own merits.
22. The locality of the appeal site presents a context of established residential housing, good public transport links, and proximity to local amenities. The site has

³ Appeal Ref: APP/Y5420/W/16/3161053 46 Clovelly Road.

⁴ Appellant Statement of Case Appendix 6: 79 and 81 Ridge Road, Etherley Road, Rayleigh Road, Park Road, Fairfield Road, 61 Ridge Road/Denton Road, 93 Tottenham Lane/Montague Road and Lancaster Road.

good transport accessibility. The proposal also seeks to employ passive house principles and sustainable construction methods, alongside air source heat pump and green roof and green wall planting system.

23. In the context of the Government's objective to significantly boost the delivery of housing, I have had regard to the benefits of the scheme, including the provision of one additional dwelling to housing supply, and the economic benefits arising from employment opportunities created during the construction phase of the development and spending in the local area by future occupants. I also attach positive weight to the sustainability credentials identified as well as the accessibility of the location. There is national and local policy support for the development of small sites on previously developed land within settlements, and decisions should not prevent or discourage appropriate innovation or change. The proposal has gone through various iterations to address these aspects and the constraints of the site. However, the weight attributable to these benefits given the scale of the development proposed is small.
24. Furthermore, development should be sympathetic to local character and provide a high standard of amenity for existing users. For the reasons I have set out, the proposal would result in harm to the character and appearance of the area and harm the living conditions of neighbouring residents. Individually these attract significant weight.
25. I have limited information regarding the Council's suggested condition which sought to secure a Unilateral Undertaking for £1710 to offset carbon emissions, and how this meets the tests within Planning Practice Guidance. The appellant has also queried whether this should be levied on a minor development proposal at all. Interested parties have also raised concerns regarding the proposal, including disturbance from construction. However, as I am dismissing the appeal it is not necessary for me to address these matters further.
26. The site would therefore not be suitable for the development proposed, and I have found conflict with the most important policies in the development plan in the determination of this appeal. The benefits of the proposal do not individually or cumulatively outweigh the harm I have identified.

Conclusion

27. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, including the Framework, that outweigh the identified harm and associated development plan conflict. For the reasons given above, I conclude that the appeal should be dismissed.

K Williams

INSPECTOR