
Appeal Decisions

Site visit made on 7 October 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th February 2026

Appeal A Ref: APP/Y5420/W/25/3362582

399-401 High Road, Tottenham, LONDON, N17 6QN

- 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 Islamic Community Millî Görüş Centre against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/2103.
 - The development proposed is replacement of two damaged existing canopies (Retrospective).
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Appeal B Ref: APP/Y5420/Y/25/3362585

399-401 High Road, Tottenham, LONDON, N17 6QN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Islamic Community Millî Görüş Centre against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/2216.
 - The works proposed are replacement of two damaged existing canopies (Retrospective).
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to 399 – 401 High Road which is a Grade II listed building, The British Legion Club, 401, High Road¹, situated within the Tottenham Green Conservation Area (CA). The descriptions of development/works is the same for both proposals and the issues within the appeals are similar. As such I have dealt with them within the same Decision letter. I have, however, set out two separate formal Decisions in the interests of clarity.
4. As required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

¹ National Heritage List for England Number: 1079201

5. At the time of my site visit development and works had been completed and appeared to be in accordance with the submitted plans. However, for the avoidance of doubt I have considered the proposals on the basis of the plans submitted with the applications.
6. The National Planning Policy Framework (the Framework) was updated during the consideration of these appeals. Insofar as is directly relevant to the appeals, there are no substantive changes and no parties have been prejudiced as a result.

Main Issue

7. The main issue in these appeals is whether the proposal would preserve the building or any features of special architectural or historic interest which it possesses and, linked to that, whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

Special interest and significance

8. The appeal property is a former pair of circa 18th Century houses which have since been combined into one large property. Each property is three storeys plus a basement and is constructed in yellow stock brick. The building has a flat-roofed appearance and the principal elevation retains a strong sense of symmetry and a simple uniformity due to the regular pattern of fenestration and the largely uncluttered visual appearance. The building is set well-back from the road behind a large front garden and parking area and a sense of spaciousness is created by the size of the plot and the ratio of open space to built form.
9. A number of extensions have been added to the property over time. I note that the property was extensively reconstructed following a significant fire in the 1980s and accept that the building which stands now lacks some of the accuracy and quality of the previous buildings.
10. Nevertheless, the building retains its status as a Grade II listed building and the evidence before me suggests that it is the last surviving example of the dwellings that would have previously lined the High Road. Given the above, the special interest and significance of the building mainly stem from it exemplifying the polite Georgian form, scale and appearance of the previous building, including the large front garden; and its representation of the last vestiges of this type of building on the street.
11. The appeal site is situated within the Tottenham Green Conservation Area (CA). The Tottenham Green Conservation Area Appraisal and Management Plan (CAA) sets out that the special interest of the CA derives from two significant features; the historic scale and character of the large public open space of Tottenham Green and the unique concentration of public buildings including civic buildings, health, education and religious buildings and places of entertainment. The CAA specifically references the appeal property, noting that it is the sole survivor of the large Georgian houses that stood along this stretch of the High Road and also notes that despite some issues the open aspect of this section of the street frontage preserves significant views through. Consequently, the listed building contributes positively to the character and appearance of the CA as a whole and thus to its significance as a designated heritage asset.

Effects of the proposals

12. The proposals constitute the erection of two external canopies; one to the front of the building and another running along the side. The canopies would be timber framed with translucent uPVC roof sheets and would be largely open at each side. Though of a simple design, the proposed structures would be highly visible from the surrounding area. This level of visibility is increased by the prominent and somewhat elevated position of the host building.
13. The timber framed structures would be fairly large in terms of their scale. The structure to the side of the building, particularly, would extend across the full depth of the main building and beyond. The canopies would jut out from the building obscuring and detracting from the modest elegance of the proportions and symmetry of the principal elevation of the listed building. Furthermore, the structures would add visual clutter eroding the sense of spaciousness and the regularity and order of the front of the building.
14. I accept that the building has a sense of functionality in terms of its appearance. However, the materials used are of a traditional style and the building retains the appearance of a pair of dwellings combined into one larger building and does not possess features and materials which would generally be more readily associated with purpose built functional, civic, buildings.
15. The materials proposed for the roof of the structures in this instance would be distinctly modern and of a low quality. I accept that the materials are intentionally of a more “transient” nature and are not attempting to be a more permanent fixture. However, the applications are not for temporary permissions, and the nature of the materials is such that they do not reflect or respect the appearance, status or importance of the building as a whole. Consequently, the structures would fail to assimilate well with the host building and would appear as incongruous additions which would fail to respect the character or status of the listed building.
16. Notwithstanding the preceding paragraph, as a consequence of the considerations set out above, the alteration of the form and design of the host building and the use of unsympathetic materials would fail to sustain and enhance the identified significance of the designated heritage asset and would harm its special interest. The proposals would therefore fail to preserve the special architectural and historic interest of the Grade II listed building.
17. I note that the building, and the surrounding area, has been altered over time. However, to my mind, this consideration heightens the importance of retaining the remaining qualities of the building and resisting any further development or works which would cause further degradation.
18. The proposals would degrade the quality of the listed building and cause harm to its significance as an example of the large Georgian houses that stood along this stretch of the High Road. The section of the street frontage occupied by the host building would become more cluttered and the open aspect would be reduced. The proposed structures would be prominent from a number of viewpoints within the CA and would appear as an incongruous feature. An asset which contributes positively to the CA would be harmed. For these reasons, the proposals would also fail to preserve or enhance the character or appearance of the CA.

19. In finding harm to the significance of a designated heritage asset the National Planning Policy Framework (the Framework) requires the category of harm to be identified. The Planning Practice Guidance (PPG) expands upon this by requiring the extent of harm within that category to be clearly articulated. In this instance, given the limited extent and nature of the proposed development and works, the harm to the significance of the designated heritage assets would be at the lower end of less than substantial. Notwithstanding this, the identified harm is of considerable importance and weight.
20. The approach set out in paragraph 215 of the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public benefits and heritage balance

21. I accept that the proposed canopies would be an improvement on those shown to have been in place previously. However, the previous structures were unauthorised. Whilst the proposal would represent an improvement it would, for the reasons set out above, nevertheless cause harm to the significance of the designated heritage assets and the existence of previous structures of a lower calibre is not sufficient justification for the grant of planning permission and listed building consent. Neither does this constitute a public benefit to add weight in favour of the scheme.
22. I recognise that the scheme would enhance the ability for the building to be utilised as a community asset. I note the value of the building in terms of its function providing live music, theatre, culture, arts, a place of worship and enabling spaces to be rented out to schools, youth groups and the wider community. Notwithstanding this, there is no substantive evidence before me which demonstrates that the proposed development and works are necessary to secure the ongoing use of the heritage asset as a community centre.
23. Conversely, on the other side of the balance, I have found that the proposals would fail to preserve the Grade II listed building and would also fail to preserve or enhance the character or appearance of the Tottenham Green Conservation Area. The Framework indicates that great weight should be given to the conservation of such heritage assets. Consequently, the public benefits of the scheme do not outweigh the harm identified.
24. The proposals would, therefore, conflict with the statutory presumptions of s.16(2), s.66(1) and s.72(1) of the Act. The proposals would also fail to accord with Policy SP11 of Haringey's Local Plan Strategic Policies 2013 – 2026, March 2013 (LP) and Policy DM1 of the Haringey Development Management DPD, July 2017 (DPD). Amongst other things these policies encourage high quality design and set out that all new development should enhance and enrich the Borough's built environment and create places and buildings that are high quality and attractive (amongst other things).
25. The proposals would also conflict with LP Policy SP12 and DPD Policy DM9 which, taken together and amongst other things, state that the Council shall ensure the conservation of the historic significance of Haringey's heritage assets, their setting and the wider historic environment.

26. The proposals would also conflict with Policy HC1 of The London Plan, 2021 (The London Plan) which, in part, states that development proposals affecting heritage assets and their settings should conserve their significance.

Conclusion

27. For the reasons set out above, the appeals are dismissed.

L J O'Brien

INSPECTOR