WRITTEN REPRESENTATION PLANNING APPEAL

STATEMENT in SUPPORT of PLANNING APPEAL

A Written Representation Planning appeal with regard to Section 78 of The Town and Country Planning Act 1990 (as amended), against the decision of the London Borough of Haringey to refuse a Householder planning application under 'delegated powers' on 9th September 2015 which sought ;

Loft conversion with rear dormer extension with roof light to front roof slope

LB Haringey - Planning File Reference Number : HGY/2015/2040

Site at

2 WALTHEOF AVENUE

London N17 7PL

Applicant

Ms Pamala Kerin
2 Waltheof Avenue
London
N17 7JPL

November 2015

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The refusal of this application HGY/2015/2040 at 2 Waltheof Avenue N17 7PL is subject of this written representation planning appeal before The Planning Inspectorates, Inspector. The Planning Inspectorate's 'Procedural Guide' published on 31st July 2015 states at Paragraph 2.4.2 ;

Refusal of a householder planning application

For an appeal in relation to: refusal of a householder planning application we must receive it within **12 weeks** from the date on the decision notice but if the local planning authority has taken enforcement action - note the important information in paragraph 2.4.3.

The application HGY/2015/1448 was refused on 9th September 2015 as stated on the Planning decision notice. The householder period for submitting an appeal within 12 weeks of the decision date expires on 2nd December 2015.

The submission of this householder written representation appeal has been submitted well in advance of the 2nd December deadline on Saturday 21st November 2015 by 'Special Delivery Postage' to ;

- **The Planning Inspectorate - Initial Appeals** (Special Delivery Postage)
  PO Box 3035, Temple Quay House, 2 The Square, Bristol, BS1 9FG.
- **LB Haringey - Planning Service** (Recorded Delivery Postage)
  6th Floor, River Park House, 225 High Road, Wood Green, London. N22 8HQ.

The following information regarding this planning appeal has been submitted to The Planning Inspectorate and the LB Haringey ;

Householder Planning Appeal Form		dated	:	21st November 2015
Planning Decision Notice	: HGY/2015/2040	dated	:	9th September 2015
Planning Application form	: HGY/2015/2040	dated	:	10th July 2015
Design & Access Statement	: HGY/2015/2040	dated	:	undated
OS Site Plan	: HGY/2015/2040	dated	:	undated
Statement in Support of Planning Appeal		dated	:	November 2015
Documents 1 - 14 Photographs & Planning Policy Documents and Planning Application Documents		dated	:	November 2015
Documents 15 - 23 Approved Applications in the Tower Gardens Conservation Area & Article 4 Direction Area		dated	:	November 2015

The Planning inspectorate advise in their 'Making your Appeal - How to complete your householder planning appeal form - England' at page 25, " **Do not send plans, the LPA will provide these ".** The submitted and determined 'existing and proposed plan, elevations and sections have not been submitted with this appeal submission, but the A4 OS site plan has.

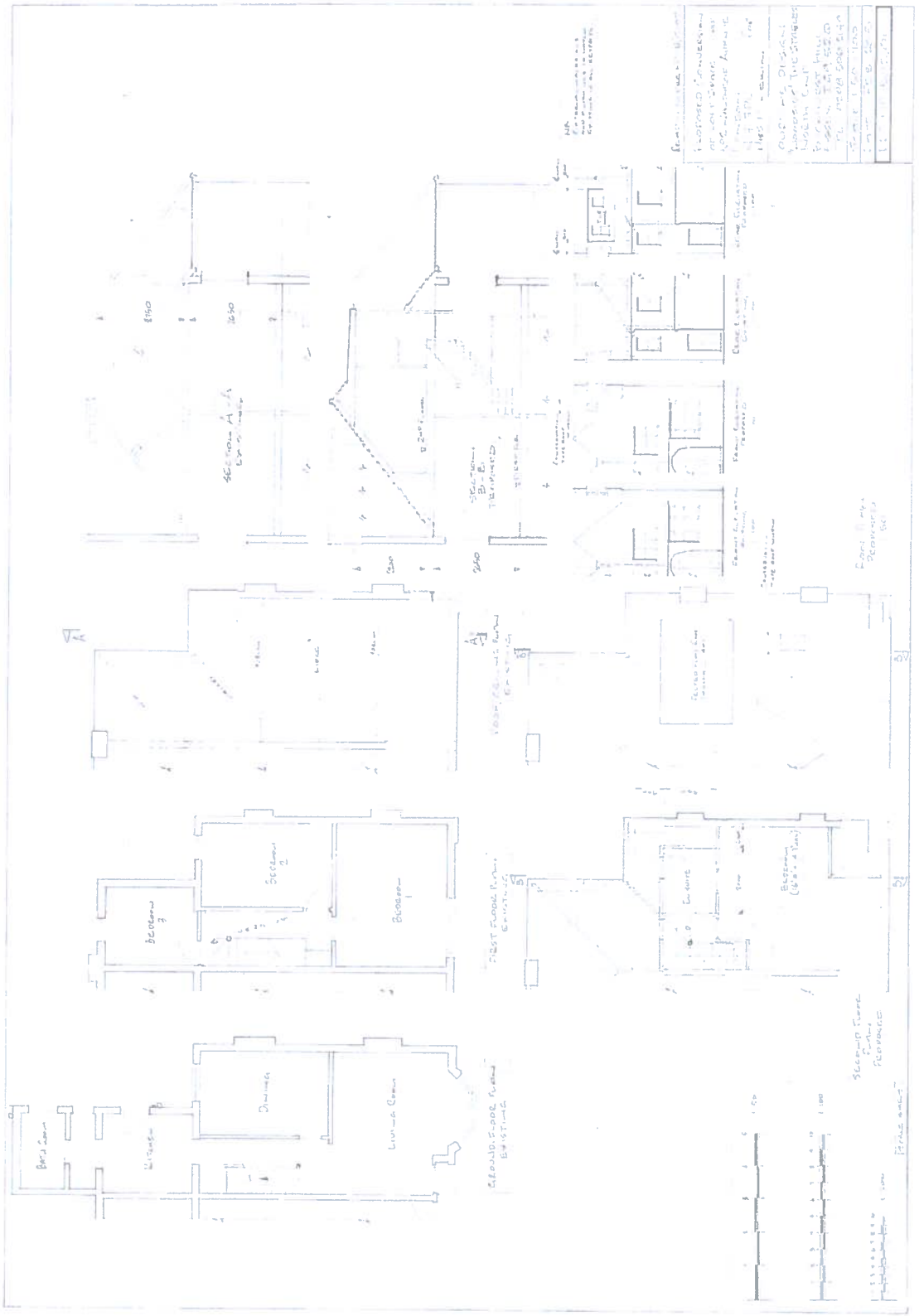
▪ Planning Application HGY/2015/2040 : PLANNING DETAILS

Local Planning Authority	:	**London Borough of Haringey**
Appeal Site Application Address	:	2 Waltheof Avenue London. N17 6PL
Applicant	:	Ms Pamela Kerin 2 Waltheof Avenue, London. N17 7PL
Applicants Agent	:	Mr Roy Hitch 'Woodside', The Stables, North End, Buckhurst Hill, Essex. IG9 5RQ
Type of Planning Application	:	Full
Application Dated	:	10th July 2015
Planning Application Registered by the LPA	:	15th July 2015
Planning Application Consultation End Date	:	13th August 2015
Planning Application Drawings - ' Submitted '	:	15/12/**01** - OS Site Plan (extract) 15/12/**02** - Existing & Proposed : Plans, Elevations & Sections
Planning Application Documents	:	Application Form and Design & Access Statement
Planning Application Reference Number	:	HGY/2015/2040

Planning Case Officer	:	Wendy Robinson
Ward	:	White Hart Lane
Conservation Area	:	Tower Gardens Estate (1987)
Article 4 Direction Area	:	Tower Gardens Estate (1981)
Planning Decision Level	:	Delegated
Planning Decision and Date	:	Refused - 9th September 2015
Number of Reasons for Refusal	:	1
Planning Policy Reasons for Refusal	:	London Plan - 2015 7.4 - Local Character ~~7.6 - Architecture~~ * 7.8 - Heritage Assets and Archaeology Haringey UDP - 2006 CSV5 - Alterations and Extensions in Conservation Areas ~~UD3 - General Principles~~ * Haringey Local Plan - 2013 SP11 - Design SP12 - Conservation Supplementary Planning Guidance SPG 3.1 - The Tower Garden Estate Repair and Conservation Area (1997) Supplementary Planning Guidance SPG 2 - Conservation and Archaeology (2003)

* *London Plan 2015 Policy **7.6** and Haringey UDP 2006 Policy **UD3** have been stated in the Council's 'delegated report' to be compliance with by the application proposal, although the LPA have been stated in the refused decision notice.* For confirmation the Planning Inspectors attention is drawn to Booklet **1** – Document **14**.

- **Planning Application HGY/2015/2040 : SUBMITTED PLAN 15/12/01**



1.0 The Location of Application Site and Dwellinghouse

1.1 The application site is located within the Metropolitan area of Greater London and within the boundaries of the London Borough of Haringey an 'outer' central London Borough. The administrative area of Greater London contains 32 London Boroughs with 12 'inner' London Boroughs and 20 'outer' London Boroughs.

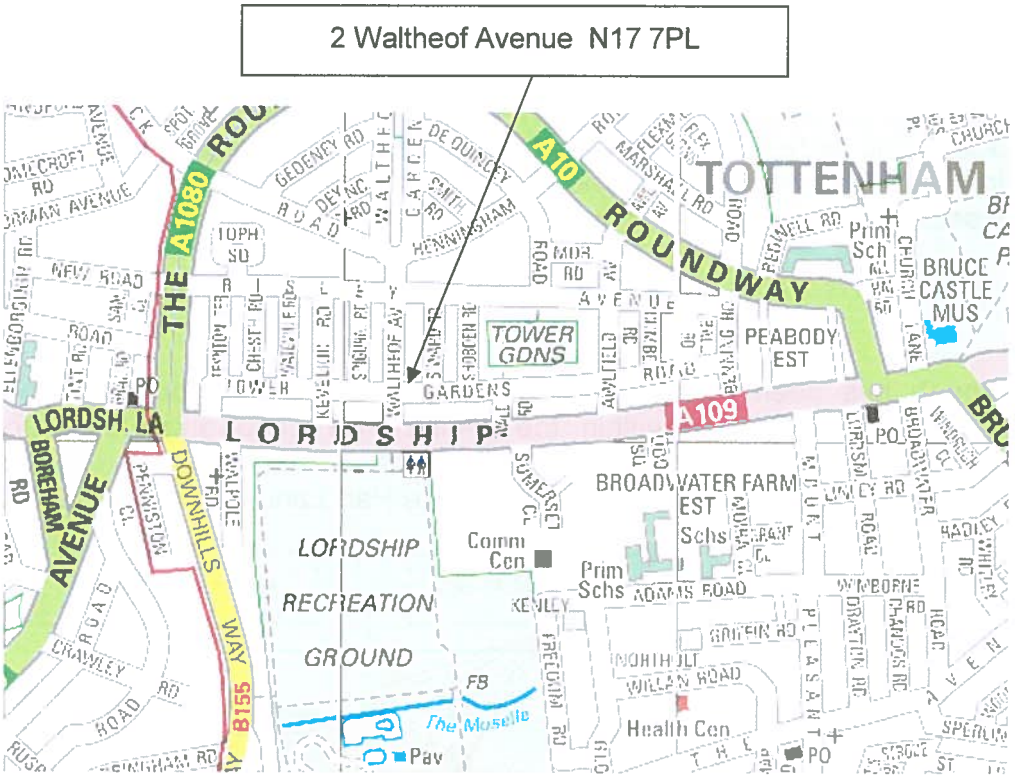


1.2 The London Borough of Haringey was formed from the merger of the municipal boroughs of Hornsey, Wood Green and Tottenham in 1965 and occupies 30 square kilometres. An area of more than 11 square miles including large areas of parks, recreation grounds and green open spaces which make up more than 25% of its total area. The more familiar local landmarks include Alexandra Palace, Bruce Castle and Tottenham Hotspur Football Club.

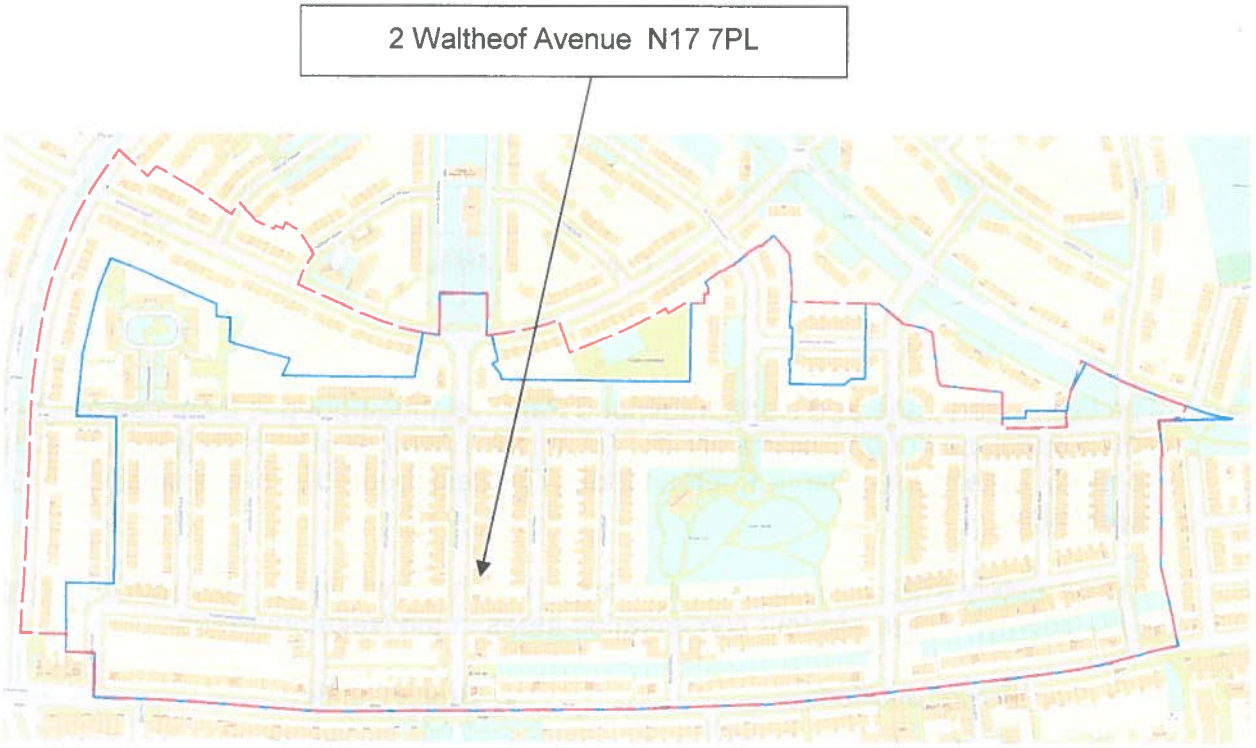
Haringey is currently home to almost 230,000 people. Nearly half of the population comes from ethnic minority backgrounds. 50% of the population overall and three-quarters of young people are from ethnic minority backgrounds and over 190 languages are spoken in the borough.

There is chronic need for housing and 3+ bedroom units which will be exasperated by Haringey's population which is set to increase by **15%** between 2011- 2026 an increase to over 260,000 people.

1.3 The application site is located within the north east area of the borough located between Tottenham and Wood Green.



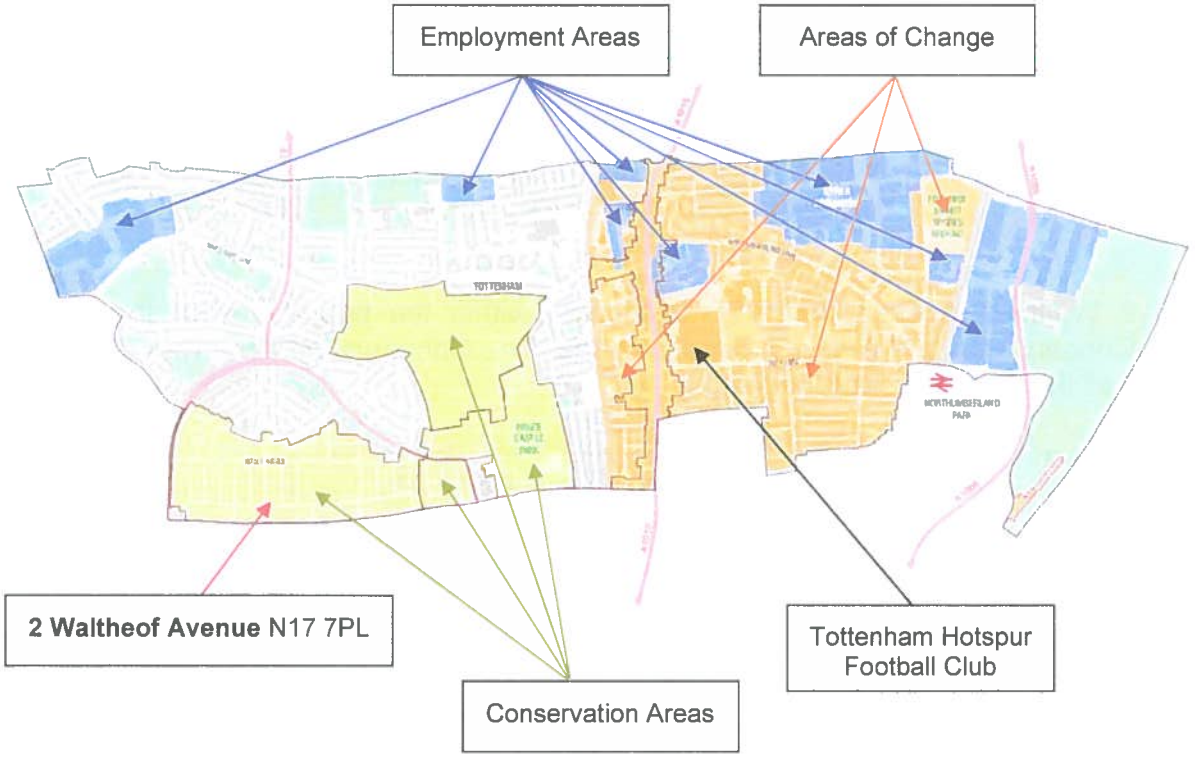
1.4 2 Waltheof Avenue N17 7PL is located within the boundaries of the Tower Gardens Conservation and Article 4 Direction Area. The Conservation Area was designated in 1978 and the Article 4 Direction Area in 1981.



1.5 2 Waltheof Avenue N17 is an end of terrace single family dwellinghouse comprising 2 stories with a front elevational gable roof facade that abuts a traditional pitched roof and comprises 2 bedrooms on the first floor. We desperately need an extra bedroom so that our two children Liberty 10 and Nathan 6 can have separate bedrooms. The dwellinghouse is set back from the pedestrian highway. At the rear elevation the property has the benefit of a rear addition of 2 stories with a pitched roof over and spacious end of terrace garden with our own separate side access entrance.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 1 (photographs).

1.6 The borough has been divided into 7 neighbourhoods. Our property and the Tower Gardens Estate are located within the 'White Hart Lane and Northumberland Park Neighbourhood' that is located in the north east corner of the borough including the borough wards of Northumberland Park and White Hart Lane.



1.7 The White Hart Lane and Northumberland Park Neighbourhood is a diverse neighbourhood with a population of approximately 26,000. It has a number of conservation areas and is the home to Tottenham Hotspur Football Club. The neighbourhood has a significant amount of deprivation.

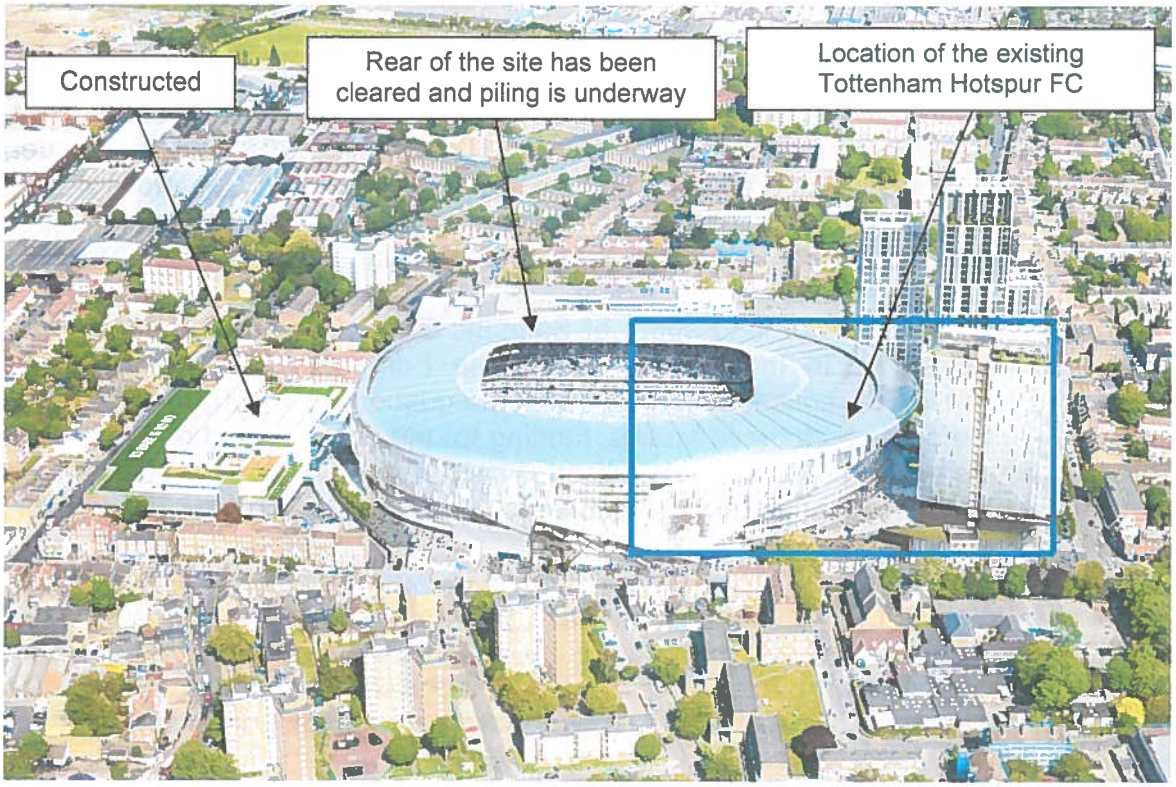
Approximately **87%** of residents live in areas which fall within the **10%** most deprived areas in the country. There are four conservation areas in the Neighbourhood ;

- Tower Gardens
- Tottenham Cemetery
- Bruce Castle
- Peabody Cottages

1.8 Northumberland Park contains part of the Lee Valley Regional Park which is part of London's largest Metropolitan Open Space but access to the Lee Valley to the east is currently poor. Although the area is not connected by an underground service the neighbourhood is well served by buses and the London overground railway line within an easy commuting distance to Central London.

1.9 The immediate area is due to benefit from the proposed major redevelopment and expansion of Tottenham Hotspur Football Club. The approved comprehensive development proposal which is fully supported by London's Major and LB Haringey, includes ;

- new stadium
- hotel
- club shop
- museum
- supermarket
- new homes
- associated improvements to local transport and the public realm



This redevelopment has the potential to deliver substantial employment and training opportunities to local residents. Construction has already started.

The source of the statistics in this paragraph has been taken from ;

- LB Haringey : Local Plan – Strategic Policies 2013 - 2026 (March 2013) [formerly the Core Strategy]

2.0 The Tower Gardens Conservation and Article 4 Direction Area

2.1 Forward

At the turn of the century Tottenham was a village suburb surrounded by fields that had been recently served by new railways at the end of the London Tram network. The London County Council (LCC) was established in 1889 just one year after the formation of Tottenham Hotspur Football Club in 1888 that were originally located on Tottenham marshes.

The provision for local authorities to supply much needed housing for working people was brought about following the 1885 Royal Commission Enquiry into such provision resulted in the 1890 Housing for the Working Classes Act. Part 3 of the act gave powers for local authorities to build housing for working people in need which was not utilised until 1898.

By the end of 1900 the population of Tottenham had increased ten-fold with the last remaining farmland having been lost by 1920.

2.2 Samuel Montague

The Jewish entrepreneur Samuel Montague, 1st Baron Swaythling (1832 - 1911) was a British banker who founded Samuel Montagu & Co, in 1853 and the Federation of Synagogues. He was a Liberal politician who sat in the House of Commons between 1885 - 1900 and who devoted himself to social services and advancing Jewish institutions. The jewellery chain H. Samuel was a cousin of Samuel Montague.

In 1899, if the 25 acres of land south of Salmons Brook Edmonton (north of Tottenham) that was first offered to the LCC and then the Edmonton UDC (in which Montague proposed to build 700 houses to provide accommodation for 3,000 to 4,000 people), had not been acted on by both these bodies, funding for the development of Tower Gardens for housing estate would not have materialised. This proposal was tied to the preference and resettlement of Whitechapel Jewish inhabitants out of the London's run down overcrowded east end.

However, both the LCC and Edmonton UDC prevaricated and in 1899 Montague gave a £10,000 donation (equivalent to £898,409.09 today) towards LCC housing on the 'Tower Gardens and White Hart Lane Estate'. Again, this donation was tied to the resettlement of Jewish inhabitants of Whitechapel's Tower Hamlets area of London. Hence the name, 'Tower Gardens'.

2.3 Construction of Tower Gardens Estate

Tower Gardens Estate was constructed over a period of 24 years between 1904 and 1928 by the London County Council and was first known as the White Hart Lane Estate. It was constructed in two phases. The first between 1899 - 1914 and the second expanded by the late 1920's. Tower Gardens Estate consists of 954 houses arranged in 24 streets each with its own architectural style. The residential properties are mostly two-up and two-down with some three bed houses and also flats in Topham Square, most being 2 bed units. The houses remain reasonable in price, due to the poverty in the area, when compared to most other London properties.

2.4 The Tower Gardens Conservation Area was designated in 1978 and comprises the oldest parts of the estate that was designed by the LCC's chief architect William Edward Riley (1852 - 1937) and constructed between 1904 and 1913. the Council designated the southern part of the Tower Gardens Estate as a conservation area that included the area within The Roundway and Lordship Lane that established that conservation area consent is now required for building works and for the felling of trees.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 3.

The dwellinghouses were constructed in yellow London stock with lime mortar. Steep pitched roofs with Westmorland roof slates were utilised rather than the more common Welsh slates with associated detailed chimney stacks. Window styles varied in size and styles, many being sash with also some examples of casement windows.

2.5 In 1903 the first house on the estate was constructed and between 1910 - 11 the local allotment sites were laid out for construction. In 1914 the first phase of 954 homes was completed for rent. As the rents were fairly high, occupation was by working class artisans and the working poor. In 1924 Topham Square flats was completed. In the 1920's and 1930's new poorer residents begin to arrive from the LCC waiting lists from the demolished areas of central London. In the 1930's and 1940's many of the better off residents moved out to the new suburbs.

In the 1940's during the 2nd World War a German bomb is dropped on The Roundway killing at least one resident.

2.6 In 1965 the estate was incorporated into the newly created London Borough of Haringey. In the late 1970's the London Borough of Haringey took over the estate from the Greater London Council (GLC).

2.7 In 1980 the Conservative Governments corner stone policy of 'Right to Buy' was passed in Parliament and in 1981 an Article 4 Direction came into force covering the southern rectangle between Risley Avenue and Tower Gardens Road, the area built before 1910.

* The Planning Inspectors attention is redrawn to Booklet 1 ~ Document 3.

Our property is located within the Tower Gardens conservation area and article 4 direction areas. Article 4 Direction controls alterations to specific features which include original doors and windows, roof outlines and roofing material in suitable tile or slate, chimney stacks and chimney pots, lime mortar, roughcast facades, gutters and down pipes, hard standings, footpaths, fences, gates, hedges, gardens, extensions and external clutter including meter boxes.

2.8 Due to the financial restrictions placed on Councils by the new Conservative Government at the time in the early 1980's that included rate capping, the LB Haringey sold off the Tower Gardens estate. At or around this time and to seek to protect the estate the Council designated the central part of the estate as a conservation and article 4 direction area in November 1982.

2.9 In February 1982 Haringey's Planning Department produced, 'Haringey Planning Matters Tower Gardens Design Guidelines'. These guidelines were produced at the time by Mr Gavin Clark and Mr Bhojraj of the Planning Departments Conservation Team.

At page 2 of these design guidelines it acknowledges that a small proportion of cottages have dormer windows notably at Topham Square and the properties facing Lordship Lane. Although the guidelines acknowledges that roof spaces in most of the properties are relatively small, dormer windows are not restricted 'in principle', The guidelines state at page 2 ;

" Where loft conversions are possible, dormers should not be built where they can be seen from the street, so as to preserve the original appearance of the roof. "

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 8.

2.10 The majority of the properties in the estate are 2 bed dwellinghouses as originally designed and constructed and since the 1970's the estate is suffering from inadequate maintenance. Like today, the biggest housing need in the borough was and is for 3 and 4+ dwellinghouses and flats.

2.11 The Council's Planning Department produced a Supplementary Planning Guidance (SPG) titled, SPG 3.1 - The Tower Gardens Estate Repair and Conservation Guide, on 30th November 1997. At pages 8 and 9 paragraph - Alterations and Extensions - Article 4 Direction Policy TG 11, states at page 9 ;

" ..... If existing roof space permits, one dormer per house of a similar size and design to those existing on similar houses may be permitted in roof - slopes hidden from street view, with materials, design and construction in keeping. "

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 9.

2.12 At or around this time the Council's Planning Department produced a leaflet titled, Tower Gardens Conservation Area - Important information relating to properties within the Article 4 Direction Area.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 11.

2.13 The current SPG 2 Conservation and Archaeology, dated September 2003, paragraph C - Alterations and Extensions in Conservation Areas, sub paragraph C2 at page 6, states ;

2. Roof extensions should be confined to the rear and should complement the appearance of the existing building, with telecommunications equipment, roof plant and ductwork being sensitively located and not adversely affecting the character or appearance of the conservation area.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 10.

2.14 In 2007 the Peabody Estate was given Article 4 protection that covers 154 cottages.

2.15 Our application proposal seeks a modest rear dormer window in size and scale that is set away from adjacent party walls and away from the hip and eaves that is only visible from a very oblique angle from Siward Road N17.

Our proposal would not cause demonstrable harm to the conservation and article 4 direction area as the Council has no 'in principle' objection to rear dormer windows, providing they have been designed well and accord with the relevant guidelines as established since 1982, in the following publications as detailed above ;

- 1982 Haringey Planning Matters - Tower Gardens Design Guidelines
- 1997 SPG 3.1 - The Tower Gardens Estate Repair and Conservation Guide
- 2003 SPG 2 - Conservation and Archaeology

* The Planning Inspectors attention is redrawn to Booklet **1** - Documents **8**, **9** and **10**.

2.16 An important point and 'material consideration' in the determination of this application is the desperate need for the alteration of the dwellinghouse from 2 bed units of accommodation to 3+ bed unit for the following reasons ;

a. in the 1970's there was a **severe** need for 3 + bed units of accommodation in the borough as can be traced through planning policy and the Council's conversion guidelines to date, 'encouraging' and 'policy requiring' 3+ bed units.

b. today there is an even more **chronic need** for 3+ bed units of accommodation in the borough.

Whilst the country suffered a severe housing crisis after WWII we are currently experiencing the worst and most devastating housing crisis that there has ever been in our history in which there is a desperate need for housing and to considerately adapt our homes as we have no chance of moving to a bigger property due to the extremely inflated market house prices.

3.0 Previous Planning History of the Application Site

3.1 Our home has no previous planning history.

Unfortunately, our properties elevations had been painted before I am my husband and our young daughter Liberty 3, moved into the property seven years ago.

* The Planning Inspectors attention is redrawn to Booklet 1 ~ Documents 1 (photographs).

3.2 The refused application HGY/2015/2040 was submitted to the Council by post by my agent Mr Roy Hitch with the following documents and plans being submitted ;

Documents & Plans	Dated	Drg No
Planning Application Form	10th July 2015	n/a
Design & Access Statement	undated	n/a
OS Site Plan (extract)	undated	15/12/02
Existing & Proposed Plans & Elevations	February 2015	15/12/01

3.3 The application dated 10th July 2015 was registered as valid on 15th July 2015.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Documents 12.

3.4 The application was determined under the Planning Departments 'delegated powers' and was refused planning permission on 9th September 2015 for the following reason ;

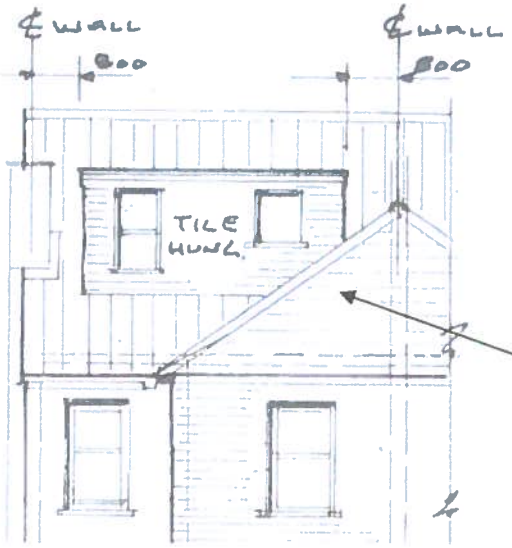
1. The proposed roof extension would be visually intrusive when viewed from adjoining streets and would alter the visual coherence and continuity of the overall roof form which would neither preserve or enhance the character and appearance of the Tower Gardens Conservation Area contrary to the NPPF, The Tower Gardens SPG 3.1, Saved policies UD3 and CSV5 of the Haringey Unitary Development Plan 2006, policies SP11 and SP12 of the Haringey Local Plan 2013, Policies 7.4, 7.6 and 7.8 of the London plan 2015 (FALP).

3.5 The refusal of our planning application HGY/2015/2040 is subject of this written representation appeal before The Planning Inspectorates, Inspector.

4.0 The Application Proposal

4.1 The planning application proposal HGY/2015/20040 seeks ;

- erection of a rear dormer window to facilitate an additional bedroom so that our children can have a bedroom each to the existing two bedroom end of terrace dwellinghouse.



setting the dormer 'in' from both party walls by 0.8m with a 'set down' height from the ridge of 0.95 m and 'set up' height from the roof gutter line of 1.10 m with a flat roof dormer pitch of 1 : 40.

as can be seen from the plan extract, part of the proposed rear dormer window would be masked by the existing rear additions pitched roof and could not be seen from any of the surrounding street scene public highways.

Extract of submitted and determined plan drg no. **15/12/01** (Feb 2015)

- the dormer will be constructed with the following external materials ;
  - facing Westmorland roof slates to match existing parent roof covering with second hand Westmorland roof slates will be sourced so that the dormer blends in sympathetically with the parent pitched roof.
  - both the dormer window and conservation small styled velux window will be constructed in timber and will be sustainably sourced.



minor alteration to the front elevation of the dwellinghouse with the provision of a traditional conservation velux window.

There are many examples of these small conservation style velux windows that the Council's Planning Department have approved in the immediate area

Extract of submitted and determined plan drg no. **15/12/01** (Feb 2015)

5.0 The Processing of the Application Proposal

5.1 The application was registered as valid on 15th July 2015 by the Councils Planning Department and was allocated the planning application number HGY/2015/2040.

The following 13 local residents were consulted regarding our proposal ;

1 Siward Road N17 7PJ
3 Siward Road N17 7PJ

79 Tower Gardens Road N17 7PH
81 Tower Gardens Road N17 7PH
83 Tower Gardens Road N17 7PH
85 Tower Gardens Road N17 7PH
87 Tower Gardens Road N17 7PH
89 Tower Gardens Road N17 7PH
91 Tower Gardens Road N17 7PH
93 Tower Gardens Road N17 7PH

1 Waltheof Avenue N17 7PL
3 Waltheof Avenue N17 7PL
4 Waltheof Avenue N17 7PL

No observations or objections were received regarding the proposed rear dormer window. from any of the 13 local residents consulted.

* The Planning Inspectors attention is drawn to Booklet **1** ~ Documents **13**.

5.2 The London Borough of Haringey Conservation Officer (Policy) was consulted located at the 6th Floor, River Park House, London. N22 8QH.

No objections or observations were received.

5.3 Joyce Rosser of the Tottenham Conservation Area Advisory Committee was also consulted located at 46 Redston Road, London N8 7HJ

No objections or observations were received.

5.4 The case planning officer, Ms Wendy Robinson's delegated report, states that a site notice advertising the development proposal was placed in the vicinity of the site,

No objections or observations were received.

5.5 The consultation period for making observations expired for all those formally and informally consulted ended on the 13th August 2015. **No** objections or observations were received from any of those consulted as stated in the case planning officers delegated report.

* The Planning Inspectors attention is drawn to Booklet **1** ~ Documents **14**.

5.6 Our agent Mr Roy Hitch of Ourtime Design rang the case planning officer Ms Wendy Robinson's on her direct line 0208 489 4543 leaving numerous messages seeking to know the progress of the application, but his calls were never returned. Unfortunately, Mr Hitch informs us that this seems common practice in Haringey as he has had this same problem with similar applications that he has submitted to Haringey's Planning Department.

5.7 The area case officer considered that there were 2 material planning considerations that needed to be addressed in her delegated report at Paragraph 5, stating the considered relevant planning considerations are ;

1. The impact of the proposed development on the character and appearance of the conservation area.
2. The impact on the amenity of adjoining occupiers.

With regard to these two points the area case planning officer considered that the proposal is unacceptable for the following 2 reasons ;

5.3 The proposed development incorporates a small roof light to the front roof slope and rear dormer. The rear roof dormer extension will be visible from the rear of neighbouring properties and may be viewed obliquely through the gap of terraces from Tower Gardens Road. It is considered that the alteration to the visual coherence of the overall roof form is unacceptable development which neither preserves nor enhances the character and appearance of the Tower Gardens Conservation Area.

However, the Council state at Paragraph 5.6 (below) of their delegated report that " **The proposed dormer is modest in scale and bulk** ".

5.8 In addition to the stated policies in the decision notice the Council also referred to Chapter 12 of the NPPF. However, in assessing the impact on the amenity of adjoining neighbours the area case planning considered that their amenities would not be harmed or compromised, stating ;

5.6 The proposed roof dormer is modest in scale and bulk and it is not considered that there will be any un-neighbourly overlooking to the surrounding properties, the proposed dormer is not likely to result in overshadowing, nor will the development reduce the outlook of any neighbouring properties.

5.7 The proposed development is not considered likely to impact of any adjoining occupiers in accordance with Policy 7.6 of the London plan and Saved policy UD3.

* The Planning Inspectors attention is redrawn to Booklet **1** ~ Documents **14**.

5.9 The area case planning officer makes no reference to a site visit being undertaken either unaccompanied or accompanied in her delegated report. However, the planning application details state that the case planning officer visited the property on Tuesday 1st September 2015.

* The Planning Inspectors attention is redrawn to Booklet 1 ~ Documents 12 and 14.

If the area case planning officer had visited the site unaccompanied she would only have been able to see the proposed rear dormer window from Siward Road N17 from a very oblique angle. If the area case had visited the site unaccompanied she would have seen the oblique angle I refer to rather than state in her report ;

" ..... and may be viewed obliquely through the gap of terraces from the Tower Gardens Road ".

As can be seen from the diagram below, Siward Road N17, not Tower Gardens Road N17.



The area planning case officer would also have also observed that there are many examples of small conservation styled velux windows in the conservation and article 4 direction area at both front and rear elevations of roofscapes that are visible from the public realm.

The area planning case officer would have also observed approved large and dominating ground floor extensions, extremely bulky and dominating ground and first floor rear extensions as well as many rear dormer windows that are visible from the public realm, all having been granted planning permission by the Council's Planning department, some recently.

All of these observable 'material considerations' have not been mentioned or considered in the delegated report and would have been observed if an unaccompanied site visit had taken place and observations and finding being formally recorded on the planning file.

5.10 The area planning case officers delegated report fails to mention 5 key planning 'principles' and 'material considerations' which are directly relevant in the determination of this appeal ;

1. No 'accompanied' site visit was made to fully determine the impact of the proposed rear dormer window. The decision to refuse this application was a pure paper exercise that did not take account of the approved rear dormer windows and front elevational conservation styled velux window also approved by the Council in the Tower Gardens estate.

   No reference has been made regarding the findings and observations of the unaccompanied site visit that is recorded as having taken place on Tuesday 1st September 2015 in the case officers delegated report.

5.11 We have undertaken an assessment of all planning permissions approved and granted by the Council's Planning Department that is available on line via the LB Haringey's web site and have found **nine** rear dormer windows (total of 11 approved), as well as velux windows that have been granted planning permission from 1998 to 2013.

2. The Council have approved a number of rear dormers notably at the following dwellinghouse in the Tower Gardens Article 4 Direction area ;

   - **28 Waltheof Avenue N17**

     Proposal: Erection of rear dormer.
     LB Haringey Planning Ref: HGY/2011/1258
     Decision: GRANTED on 24th December 2011

The area planning case officers delegated report states in support of the rear dormer window ;

..... The architect has submitted examples of the front dormers in the vicinity of the site and internal discussions with Conservation Team to the issue of rear dormers in this location reveal that it would be reasonable to allow a small dormer on the rear roof plane of the subject site. .....

To conclude, the amended proposal for the rear dormer is acceptable.

The proposal should be approved on the grounds that the rear dormer will retain a satisfactory appearance as the proposed materials will preserve the character of the property and Conservation Area as a whole. The front elevation maintains a traditional appearance and there will be no impacts to the living amenities of the adjoining residents. As such the proposals compliment with Policies UD4 Quality Design, CSV1 Development in Conservation Areas, CSV5 Alterations and Extensions in Conservation Areas and SPG2 Conservation & Archaeology of the Haringey Unitary Development Plan and the Council's Supplementary Planning Guidance SPG1a and Housing Supplementary Document 2008.

* The Planning Inspectors attention is drawn to Booklet **2** ~ Documents **15**.

The area planning case officer makes no reference to the approval of the rear dormer window at our neighbours dwellinghouse at 28 Waltheof Avenue N17 in the delegated report.

* The Planning Inspectors attention is again redrawn to Booklet **1** ~ Documents **14**.

5.12 • **128 Risley Avenue N17**

Erection of rear dormer and insertion of velux rooflights to front roof slope.

HGY/2003/1734

GRANTED on 24th December 2003

* The Planning Inspectors attention is drawn to Booklet 2 ~ Document 16 (decision notice, approved plans & delegated report) and to Booklet 1 ~ Document 2 (photographs).

The Planning Inspectors attention is specifically drawn to the proposed two front elevational velux windows elevational plans that were approved.

Our application proposal proposes a single conservation style velux window which is more obscure and far less dominant in its roofscape than the two velux windows that were approved planning permission at 128 Risley Avenue N17.

5.13 • **115 Tower Gardens Road N17**

Erection of rear dormer window with insertion of 2 x rooflights to front elevation to facilitate a loft conversion (Householder Application) (Amended Plans).
HGY/2011/1808

GRANTED on 23th January 2012

* The Planning Inspectors attention is drawn to Booklet 2 ~ Document 17 (decision notice and approved plans) and to Booklet 1 ~ Document 2 (photographs).

5.14 • **24 Shobden Road N17**

Erection of rear dormer.

HGY/2012/1689

GRANTED on 14th March 2013

The area planning case officers delegated report states in support of the rear dormer window ;

On balance it is considered that the proposed dormer window does not materially harm the existing property or the Conservation Area, the dormer is small enough to preserve the main roof slope of the roof.

The proposed rooflights will see two on the front elevation and one small one to the rear. The proposed rooflights are of a Conservation type and will not materially alter the shape of the dwelling therefore considered acceptable within the context of the street.

The proposed roof extension will not have an adverse affect on the privacy and amenities of any surrounding property and will not cause undue overlooking.

* The Planning Inspectors attention is drawn to Booklet 2 - Document 18 (decision notice, approved plans & delegated report) and to Booklet 1 - Document 2 (photographs).

5.15 • **87 Tower Gardens Road N17**

Erection of rear dormer and insertion of rooflights to front elevation.

HGY/2006/1476

GRANTED on 12th September 2006

* The Planning Inspectors attention is drawn to Booklet 2 - Documents 19 (decision notice).

5.16 • **132 Risley Avenue N17**

Erection of rear dormer window.

HGY/2006/1574

GRANTED on 26th September 2006

The area planning case officers delegated report states in support of the rear dormer window and also rear roofscape velux window;

The proposal for a rear dormer is considered to be acceptable, because the proposal is subordinate to the building and sits within the roofscape of the building preserving the character of the Article 4 Tower Gardens Conservation Area complying with Policies UD3 : General Principles, UD4 : Urban Design and CSV5 : Alterations and Extensions in Conservation Areas of the Adopted Haringey Unitary Development Plan (July 2006)

* The Planning Inspectors attention is drawn to Booklet 2 - Documents 20 (decision notice, approved plans & delegated report).

5.17 • **8 Chesthunte Road N17**

Installation of dormer and velux window to rear roof.

HGY/1998/0619

GRANTED on 11th August 1998

* The Planning Inspectors attention is drawn to Booklet 2 - Documents 21 (decision notice).

5.18 • **29 Teynton Terrace N17**

Insertion of rooflights to rear elevation, insertion of window at first floor level at rear, enlargement of existing window and installation of new doors at ground floor level to rear of property. Alterations to rear elevation.

HGY/2004/0753

GRANTED on 7th May 2004

* The Planning Inspectors attention is drawn to Booklet **2** ~ Documents **22** (decision notice).

5.19 • **24 Teynton Terrace N17**

Alteration to roof to create a habitable room including installation of two rooflights at rear and means of escape window in front roof.

HGY/1998/1519

GRANTED on 8th December 1998

* The Planning Inspectors attention is drawn to Booklet **2** ~ Documents **23** (decision notice).

5.20 A flank dormer window at 113 Tower Gardens Road N17 at the juncture with the aforementioned road and Shobden Road has been granted planning permission (documents not available on the Councils website).

This dormer is highly prominent within this juncture streetscape and visible from many directions with views of it observed from afar.

* The Planning Inspectors attention is redrawn to Booklet **1** ~ Document **2** (photographs).

5.21 A rear dormer window at 246 Risley Avenue N17 at the juncture with the aforementioned road and Bennington has also been granted planning permission (documents also not available on the Councils website).

This dormer is also highly prominent within this juncture streetscape and visible from many directions with views of it observed.

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **2** (photographs).

5.22 **2.** No 'material consideration' assessment has been made in the delegated reports assessment with regard to the boroughs chronic need for 3+ bed units of residential accommodation currently desperately required by the Council throughout the borough, but especially the need in Tower Gardens estate.

5.23 **3.** No 'material consideration' assessment has been made in the delegated reports assessment with regard to the non street visibility of the proposed dormer, yet the Council have granted planning permission for highly visible rear and flank dormer windows that have been constructed at ;

- 28 Waltheof Avenue N17
- 128 Risley Avenue N17
- 115 Tower Gardens Road N17
- 113 Tower Gardens Road N17
- 24 Shobden Road N17
- 246 Risley Avenue N17

* The Planning Inspectors attention is yet again drawn to Booklet **1** ~ Document **2** (photographs).

5.24 As previously stated, our application HGY/2015/2040 was formally refused planning permission under the Council's delegated powers on 9th September 2015 in which these 3 'material considerations' have not been taken into account or assessed in the determination of this planning application or considered in the Councils delegated report.

6.0 National Planning Policy Framework (NPPF) - March 2012

6.1 The Council refer to the NPPF in their delegated report yet they have made no assessment of the relevant paragraphs with regard to the proposed rear dormer window and front elevational small conservation styled velux window.

On 20th December 2010 the Minister for Planning Rt. Hon Greg Clark MP announced a review of planning policy which will be designed to consolidate all policy statements, planning circulars and planning guidance documents into a single and much simpler, NPPF. The coalition Government's NPPF was published in March 2012 of this year revoking and replacing 44 of the Government's statutory planning documents.

6.2 A core policy of the former coalition and current Government is to stimulate the economy through the planning system as the current planning system is considered too rigid and restricting regeneration. The overriding principle of the NPPF is a key part of the coalition Government's reforms to make the planning system much less complex and be more accessible by protecting the environment and having a presumption in favour of sustainable development. The NPPF will achieve this through the building a strong competitive economy, ensuring the vitality of towns and conserving the natural and historic environment and by delivering a wide choice of high quality homes through good design and promoting healthy communities.

6.3 Paragraph **9** of the NPPF details five guidance criteria that will assist this process ;

- making it easier for jobs to be created in cities, towns and villages ;
- moving from a net loss of bio-diversity to achieving net gains for nature ;
- replacing poor design with better design ;
- **improving conditions** in which people live, work, travel and take leisure ; and
- **widening the choice of high quality homes**.

The application proposal accords with both of the relevant highlighted objectives.

* The Planning Inspectors attention drawn to Booklet **1** ~ Document **4**.

6.4 At Paragraph **17** the Government provides core land-use planning principles that should underpin both plan-making and decision taking. The following planning principle is relevant to the application proposal ;

- not simply be about scrutiny, but instead be a creative exercise in finding ways to **enhance and improve** the places in which people live their lives ;

* The Planning Inspectors attention again drawn to Booklet **1** ~ Document **4**.

6.5 In addition to the stated policies in the decision notice the Council also referred to Chapter 12 of the NPPF 'Conserving and enhancing the historic environment'.

Whilst the Council refer to the NPPF, they do not state which paragraphs the application proposal is unacceptable to, or inconsistent with.

6.6 Chapter 12 at paragraph 126, requires Local Planning Authorities (LPA's) to set out in their local plans conservation policies to include heritage assets that are most at risk ;

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to **viable uses consistent with their conservation** ;
- the wider **social**, **cultural**, **economic** and environmental benefits that conservation of the historic environment can bring ;
- the desirability of new development **making a positive contribution** to local character and distinctiveness ; and
- opportunities to draw on the contribution made by the **historic environment to the character of a place**.

* The Planning Inspectors attention again drawn to Booklet **1** ~ Document **4**.

Chapter 12 at paragraph 131, requires LPA's in determining planning applications, local planning authorities should take account of ;

- the desirability of **sustaining and enhancing** the significance of heritage assets and putting them to viable uses consistent with their conservation ;
- the positive contribution that conservation of heritage assets can make to **sustainable communities** including their **economic vitality** ; and
- the desirability of **new development making a positive contribution to local character and distinctiveness**.

* The Planning Inspectors attention yet again drawn to Booklet **1** ~ Document **4**.

The application proposal accords with the relevant highlighted heritage and conservation objectives, is modest in scale and does not cause demonstrable harm when compared to existing and other recently granted planning permissions that have extended Tower Gardens estate dwellinghouses, either by extension or dormer windows.

6.7 Chapter 12 at paragraph 137, requires that LPA's should look for opportunities for new development within Conservation Areas and World Heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset, should be treated favourably.

The application proposal preserves the parent buildings architectural features and details and proposes wooden dormer windows as well as matching the existing slate roof with the dormer slate covering, thereby softening its impact and according with Council guidelines.

Most importantly Chapter 12 of the NPPF does not restrict dormer alterations in Conservation and Article 4 Direction areas, to the contrary, it promotes sensitively designed alterations.

7.0 The London Plan 2015

7.1 The Council refer to three London Plan 2011 policies in their delegated report and the reason for refusal.

On March 2015 the London Plan 2015 replaced the London Plans 2011 and 2008 (consolidated with alterations since 2004 - published in February 2008). The earlier document 2011 now having no formal effect. The London Plan 2015 was replaced as the Mayor of London is legally required to keep the London Plan under review. Government guidance also sets out the procedure to be followed when the London Major decides that the Plan should be amended (or 'altered' under planning law), or when the London Major decides there should be a completely new (or 'replacement') Plan.

7.2 Strategic planning in London is the shared responsibility of the Mayor of London, the 32 London boroughs and also the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the London Mayor has to produce a Spatial Development Strategy (SDS), which has become known as 'the London Plan', and to keep it under review. London boroughs local development documents have to be 'in general conformity' with the London Plan and legally part of the development plan which has to be taken into account when planning decisions are taken in any part of London, unless there are planning reasons why it should not.

7.3 The London Plan 2015 is the overall strategic plan for London and sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031 and forms part of the development plan for Greater London.

7.4 The Council refer in their single reason for refusal to London Plan 2011 policy 7.4 'Local Character', policy 7.6 'Architecture' and policy 7.8 'Heritage Assets and Archaeology'. To assist the Planning Inspector each of these planning policies will addressed with regard to the application proposal.

* The Planning Inspectors attention yet again drawn to Booklet 1 ~ Document 5.

However, in the delegated report, the Area Case Planning Officer states ;

5.6 The proposed roof dormer is modest in scale and bulk and it is not considered that there will be any un-neighbourly overlooking to the surrounding properties, the proposed dormer is not likely to result in overshadowing, nor will the development reduce the outlook of any neighbouring properties.

5.7 The proposed development is not considered likely to impact the amenity of any adjoining occupiers in accordance with Policy 7.6 of the London Plan and Saved Policy UD3.

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 14.

The Council have conceded in their delegated report that London Plan Policy 7.6 and Saved UDP Policy UD3 are no longer applicable as the application proposal complies with there considerations. However, the single reason for refusal has included it both of these policies ?

The applicable policies are therefore 7.4 and 7.8.

7.5 Policy 7.6 'Architecture', in which the Council concede that the proposed rear dormer is in general accordance with, and therefore in full accordance with this policy and its relevant sub sections B. (a), (b), (c) and (d).

A the architecture of the proposal is considered to make a positive contribution to the coherent public realm, streetscape and wider cityscape and is considered to be of the highest quality of materials and its design is appropriate to its context.

B(a) of the highest architectural quality.

B(b) be of a proportion, composition, scale and orientation enhancing and defining the public realm.

B(c) comprise details and materials that compliment the local architectural character.

B(d) not cause unacceptable harm to the amenities of surrounding land and buildings, particularly residential buildings.

7.6 Relevant policy 7.4 'Local Character' is divided into three sections 'strategic', 'planning' decisions and 'LDF preparation', stating that all developments should improve an areas physical connection with natural features.

The proposed rear dormer is respectful and subordinate in relation to the form, function, and structure of the immediate area in which it is set, the place or street and the scale and mass, and also the orientation of the surrounding residential terraced buildings.

7.7 Relevant policy 7.8 'Heritage Assets and Archaeology' is divided into 7 sub sections that define the protection of the country's heritage assets and archaeology.

The key aim for new developments and alterations to buildings so defined should conserve their significance by being sympathetic to the form, scale, materials and architectural detail. The application proposal accords with these policy criteria. The proposed dormer conserves this heritage asset and would not cause demonstrable harm of any significance to the Tower Gardens Conservation and Article 4 Direction Area and the Council state with regard to policy 7.6 'Architecture' that " **The proposed roof dormer is modest in scale and bulk** " in their delegated report.

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **14**.

8.0 LB Haringey Planning Policy

8.1 In December 2001 the Government announced a range of reforms to the planning system in its Planning Green Paper 'Planning – Delivering a Fundamental Change'. The bulk of these reforms have since been adopted as Government policy and are now embodied in the Planning and Compulsory Purchase Act 2004. The Planning and Compulsory Purchase Act 2004 requires that Councils provide plans to guide development and the determination of planning applications.

Section 38(6) of the Act 2004 states ;

" The statutory Development Plan will continue to be the starting point in the consideration of planning applications for the development or use of land, unless material considerations indicate otherwise ".

8.2 The most significant reform to the planning system is the introduction of Local Development Frameworks (LDF's) which will replace Unitary Development Plans (UDP's). To facilitate the transition of local planning authorities to the new LDF framework the Government has introduced a regulation requiring local authorities to submit a Local Development Scheme (LDS). LDS's set out document by document to facilitate the 'mechanisms' and 'processes' that will enable the planning authority's transition to the new framework.

8.3 The Council refer to a number of LB Haringey planning policies in their delegated report and the reason for refusal.

8.4 The Haringey UDP was adopted back in 2006 over 9 years ago now. Many of the original UDP policies are now extant and have not been saved under Section 38 of the Planning and Compulsory Purchase Act 2004. The UDP policies stated in the reason for refusal UD3 and CSV5 were saved in 2013.

This application HGY/2015/1448 was refused planning permission on 9th July 2015 for a single reason in which the following two UDP planning policies were referred to ;

UDP (2006) - saved policies 2013	UD3	- General Principles
	CSV5	- Alterations and Extension in Conservation Areas

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **6**.

The Planning Inspectors attention is drawn to Paragraph 7.4 of this statement in which the Council, in their delegated report, consider that the application proposal accords with policy UD3.

* The Planning Inspectors attention is drawn yet again to Booklet **1** ~ Document **14**.

8.5 Policy CSV5 requires that alterations and extensions proposed preserve and enhance conservation areas and reinstate characteristic features and have regard to the guidance set out in the LPA's SPG 2 'Conservation and Archaeology' (September 2003).

* The Planning Inspectors attention is again drawn to Booklet 1 ~ Document 6.

The application proposal accords with this policy criteria being positioned and sited at the rear of the building and therefore would not be visible from the street scene, has been sympathetically designed and would not cause demonstrable harm to the Tower Gardens conservation and Article 4 Direction Area.

8.6 The Haringey Local Plan – strategic policies 2013 - 2026 (formerly the core strategy) was adopted in March 2013 and sets out a vision and key policies for the future development of the borough up to 2026. It takes forward the priorities of Haringey's Sustainable Community Strategy and other plans and strategies and identifies a vision for Haringey as a place to live, work and visit and contains key policies and an implementation framework to deliver the vision.

This single reason for refusal also included the following two Local Plan 2013 planning policies ;

Local Plan 2013 - policies

SP11 - Design
SP12 - Conservation

* The Planning Inspectors attention is again drawn to Booklet 1 ~ Document 7.

8.7 Policy SP11 and SP12 requires that developments enhance and enrich the built environment and should be of a high standard of design which has been achieved by the design and setting within the roofscape of the proposed rear dormer window.

8.8 As stated at Paragraph 2.9, the Council have produced Design Guidelines for the Tower Gardens Conservation Area in February 1982. These design guidelines are still relevant and used by the LPA and 'material' in the determination of this appeal and available on the Council's website. At page 2 of the guidelines a separate section details the LPA's considerations with regard to dormer windows stating ;

Dormers

The roof spaces in most properties are very small and there seems to be little scope for loft conversions. Where loft conversions are possible dormer windows should not be built where they can be seen from the street so as to preserve the original appearance of the roof.

* The Planning Inspectors attention is again drawn to Booklet 1 ~ Document 8.

The proposed rear dormer window accords all of the considerations and advice of the Town Planning Departments Tower Gardens Design Guidelines.

The Town Planning Department also produced an information leaflet titled the 'Tower Gardens Conservation Area' in the 1990's. This leaflet gave information on the history of Tower Gardens and information that local residents need to know.

* The Planning Inspectors attention is again drawn to Booklet 1 ~ Document 11.

8.9 Haringey's Cabinet made a decision to 'withdraw' a number of SPG's on 15th July 2014. This decision to revoke these SPG's which had been adopted required permission from the Secretary of State. This permission was granted on 11th November 2014.

The relevant SPG's relating to this appeal are ;

- SPG 3.1 - The Tower Gardens Estate Repair and Conservation Area Guide (30th November 1997)
- SPG 2 - Conservation and Archaeology (Sept 2003)

* The Planning Inspectors attention is again drawn to Booklet 1 ~ Documents 9 and 10.

8.10 Paragraph 11.13 of the Local Plan referring to policy CSV5 states that alterations and extensions in Conservation Areas should have regard to the guidance set out in the Council's SPG 2 'Conservation and Archaeology'(Sept 2003).

Although the Council refer to " ..... along with relevant SPD/SPG documents, ... " in the single reason for refusal, the Council have not detailed the specific paragraphs that they consider relevant of SPG 3.1 (1997) and SPG 2 (2003) documents. We therefore wish to draw the Planning Inspectors attention to the following relevant paragraphs ;

8.11 At page 5, Roofs - Article 4 Direction Policy TG 3, the Council will only permit like for like reusable natural slates and no other material. We propose to reuse existing removed slates and match any additional slates with salvaged slates from an architectural salavage company, complying with policy TG 3.

As previously stated at paragraph 2.11, SPG 3.1 – The Tower Gardens Estate Repair and Conservation Area Guide (Nov 1997) at pages 8 and 9 paragraph - Alterations and Extensions - Article 4 Direction Policy TG 11, states at page 9 ;

" ..... If existing roof space permits, one dormer per house of a similar size and design to those existing on similar houses may be permitted in roof - slopes hidden from street view, with materials, design and construction in keeping. "

* The Planning Inspectors attention is drawn to Booklet 1 ~ Document 9.

The Council accept rear dormers 'in principle'. Our application proposal accords with Policy TG 11.

8.12 SPG 2 - Conservation and Archaeology (Sept 2003) has a number of Paragraphs that are relevant our proposal ;

- Para 4 : Preservation and Enhancement of Conservation Areas
- Para C : Alterations and Extensions in Conservation Areas
- Para D : Materials
- Para E : Article 4 Directions

* The Planning Inspectors attention is drawn to Booklet 1 – Document 10.

8.13 Paragraph E details the need for Article 4 Direction areas in the borough in which our dwellinghouse is located within the Tower Gardens Conservation and Article 4 Direction Area.

8.14 Paragraph 4 details six criteria relating to preservation, enhancement and characteristics that all alterations must adhere to. The relevant criteria that relate to the application proposal being 1, 2, 4 and 5.

The defined identity of the Tower Gardens Conservation and Article 4 Direction Area is that of permitted historical and recent change in which the LPA have allowed recent rear extensions and rear dormer windows. The emphasis being on preservation and enhancement, high aesthetic design that respects and is sympathetic to the local character of the conservation area. The visual character of the conservation is respected as well as local views.

As stated at Paragraph of this statement, Paragraph C - Alterations and Extensions in Conservation Areas, sub paragraph C1(2) at page 6, states ;

2. Roof extensions should be confined to the rear and should complement the appearance of the existing building, with telecommunications equipment, roof plant and ductwork being sensitively located and not adversely affecting the character or appearance of the conservation area.

Again, the Council accept rear dormers 'in principle'. Our application proposal also accords with sub paragraph C1(2). Our proposed dormer is modest in size and scale sitting comfortable in its roof plane and would not cause demonstrable harm. However, the Council have approved planning permission for six rear and flank dormers that unlike our proposal, are highly visible from the public realm at ;

- 28 Waltheof Avenue N17
- 128 Risley Avenue N17
- 115 Tower Gardens Road N17
- 113 Tower Gardens Road N17
- 24 Shobden Road N17
- 246 Risley Avenue N17

* The Planning Inspectors attention again drawn to Booklet 1 – Document 2 (photographs).

8.15 Paragraph C – Alterations and Extensions in Conservation Areas, details three criteria that all alterations and extensions should observe. Criteria C.1 & 2 states that extensions to buildings in conservation areas should preserve and enhance the character and appearance of the conservation area and be confined to the rear or least important facade and should not upset the scale and proportions of the building or its setting.

The proposed rear dormer window does not affect or cause harm to the architectural integrity of the parent building or prejudices the conservation area.

The LPA clearly considers rear dormer windows acceptable with regard to this SPG criteria or they would not have granted planning permission for six rear and flank dormer windows detailed and photographed at Paragraph 8.12 of this statement

Our application proposal accords with Criteria C.1 & 2.

8.16 Paragraph D requires that all materials be traditional or other durable materials that preserve and enhance the character and appearance of the conservation area.

The application proposal accords with paragraph D.

9.0 The Applicants Planning Considerations

9.1 We wish to draw to the attention of the planning Inspector the following six 'material considerations' that the LPA have not considered or given little weight to in their delegated report ;

9.2 **1. Consultations – Processing of Application HGY/2015/1448**

No objections were received from any person or group consulted regarding the application proposal from either ;

- 13 consulted local residents
- LB Haringey - Conservation Officer
- Tottenham Conservation Area Advisory Committee (TCAAC)
- the site notice advertising the development proposal

* The Planning Inspectors attention is again drawn to Booklet **1** – Documents **13** and **14**.

All local residents, the Planning Departments - Conservation Area Officer, the Tottenham Conservation Area Advisory Committee, and from the advertised site notice outside our home, all consider the provision of the proposed rear dormer acceptable, or they would have formally objected to our application proposal.

Our application has not been objected to by anyone and is therefore acceptable to all those consulted or they would have formally objected against it.

9.3 **2. Site Visit – Processing of Application HGY/2015/1448**

If the area planning case officer visited the site she did so unaccompanied and did not view our proposed rear dormer window from our rear garden even though our agent tried to contact her on numerous occasions, all resulting in his calls not being returned.

The proposed front elevational small conservation styled velux window could be seen by the area planning case officer an unaccompanied visit and so could be seen the number of front and rear similar front elevational velux windows that the Council's Planning Department have been granted.

No record of a site visit is recorded in the Councils Delegated Report or the findings from this site visit and no record is found on the planning file.

9.4 **3. Not Considered – Delegated Report : Material Planning Considerations**

The effect of the area planning case officer not recording her findings and observations when visiting the site or immediate area unaccompanied has resulted in important 'material' considerations not being obtained in the determination of our application and included in the delegated report and importantly, in the formal assessment of the application proposal.

My husband and I surveyed all of the properties in the Tower Gardens Conservation and Article 4 Direction area both visually and from the LB Haringey's Planning web site to establish if the LPA had granted planning permission for any rear dormer windows.

We found through both sources of information that ;

a) **11 rear dormer windows** have been granted planning permission by the Councils Planning Department from 1998 - 2013, (one being a flank dormer window) at ;

- **28 Waltheof Avenue N17**
- 24 Shobden Road N17
- 128, 132 and 246 Risley Avenue N17
- 87, 113 (flank) and 115 Tower Gardens Road N17
- 24 and 29 Teynton Terrace N17
- 8 Chesthunte Road N17

* The Planning Inspectors attention is again drawn to Booklet **2** ~ Documents **15** to **23**.

b) **6** of these **approved** rear and flank dormer windows are highhly **visible** from public areas in the Tower Gardens Conservation and Article 4 at ;

- **28 Waltheof Avenue N17**
- 24 Shobden Road N17
- 128 Risley Avenue N17
- 246 Risley Avenue N17
- 113 (flank) Tower Gardens Road N17
- 115 Tower Gardens Road N17

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **1** (photographs).

c) There are many front elevational velux windows visible as well as numerous rear elevational velux windows, many much bigger in size than we propose. The Council's planning department have granted two velux windows at both front and rear roof elevations of dwellinghouses.

d) We even found a dwellinghouse that had been granted planning permission for a rear velux window and solar panels that are both visible from the street scene.

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **2** (photographs).

The Area Case Planning Officer has failed to mention all of these 'material considerations' in her delegated report at Paragraph 6. Material Planning Considerations.

9.5 The area planning case officer has also failed to mention that since Tower Gardens estate was constructed between 1904 and 1928 it has undergone major changes with alterations, extensions as well as rear and flank dormer windows being constructed.

Some of these alterations and changes have been granted planning permission for dominating property additions that are bigger in size and scale and much more bulkier and dominant and street scene visible, than our proposed modest rear dormer and small velux window.

The Planning Inspector is drawn to the following dwellinghouses ;

- 106 Risley Avenue N17 - **Large** and dominant and out of character ground floor rear extension **highly visible** from Siward & Risley Avenues.

- 118 Shobden Avenue N17 - **Large** and dominant and out of character ground & first floor 'double storey' extension **highly visible** from Siward, Shobden and Risley Avenues.

- 120 Shobden Avenue N17 - **Large** and dominant and out of character ground & first floor 'double storey' extension **highly visible** from Siward, Shobden and Risley Avenues.

* The Planning Inspectors attention is yet again drawn to Booklet **1** ~ Document **2** (photographs).

9.6 **4.** Considered – Delegated Report : Material Planning Considerations

The area planning case officer has stated in the LPA's delegated report with regard to the assessment of the impact on the amenity of adjoining neighbours that ;

5.6 The proposed roof dormer is **modest in scale and bulk** and it is not considered that there will be any un-neighbourly overlooking to the surrounding properties, the proposed dormer is not likely to result in overshadowing, nor will the development reduce the outlook of any neighbouring properties.

5.7 The proposed development is not considered likely to impact the amenity of any adjoining occupiers in accordance with Policy 7.6 of the London Plan and Saved Policy UD3.

* The Planning Inspectors attention is again drawn to Booklet **1** ~ Document **14**.

Therefore ;

- the Council concede that " The proposed roof dormer is **modest in scale and bulk** and accords with Policy **7.6 – Architecture** of the London Plan and Saved UDP Policy **UD3 – General Principles**.

  The Council therefore fully concede that the proposed rear dormer window complies will **all** of the sections of sub sections of Policy **7.6**, which states ;

A the architecture of the proposal is considered to make a **positive contribution** to the coherent public realm, streetscape and wider cityscape and is considered to be of the **highest quality of materials** and its **design is appropriate to its context**.

B(a) of the **highest architectural quality**.

B(b) be of a proportion, composition, scale and orientation **enhancing and defining the public realm**.

B(c) comprise details and materials that **compliment** the local architectural character.

B(d) **not cause unacceptable harm** to the amenities of surrounding land and buildings, particularly residential buildings.

The Council also fully concede that the proposed rear dormer window complies will **all** of the sections of relevant sub sections of Policy **UD3**, which state ;

The Council will require development proposals to demonstrate that :

a) there is **no significant adverse impact on residential amenity** or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water, light and noise, pollution (including from the contamination of ground water / water courses or from construction noise) and of fume and smell nuisance ;

b) the proposal **compliments the character of the local area** and is of a **nature and scale that is sensitive to the surrounding area** ;

c), d) & e) are not relevant to the application proposal.

However, the Council have stated in their delegated report that the proposed roof dormer is **modest in scale and bulk** and accords with London Plan 2011 Policy **7.6** and UDP 2006 Policy **UD3**, yet the LPA have refused our application and referred to both of these planning policies in their single reason for refusal.

9.7 **5.** Assesment – Delegated Report

We challenge the LPA's assessment of our proposal in their delegated report for the following reasons ;

- the Council acknowledge that the proposed rear dormer is **modest in scale and bulk**.
- the Council have approved dormer windows that are highly prominent and visible from the public realm which we have highlighted to the Planning Inspector. The proposed rear dormer **is not visible** from the public realm.
- the Council have approved **11** similar rear dormer windows (**6** being highly prominent and visible from the public realm), which were not taken into consideration in determination this application.

9.8 **6. Other Material Considerations – 2015 Housing Need & Additional Bedrooms**

Background : In 2007 the Labour government set a target for 240,000 homes to be built a year by 2016. The current UK house building programmes is nowhere near that.

For decades after World War Two the United Kingdom built more than 300,000 new homes a year. Recently it's managed only half of that figure. The country is facing a house building crisis. A decade ago the Barker Review of Housing Supply noted that about 250,000 homes needed to be built every year to prevent spiralling house prices and a shortage of affordable homes.

That target has been consistently missed.

The closest the country got to this figure was in 2006-07 when 219,000 homes were built. In 2012-13, the country hit a post-war low of 135,500 homes, much of which was due to the financial crisis. Last year the figure recovered slightly to 141,000 homes. Labour's 2007 target was dropped by the previous coalition Government.

In May 2014 Mark Carney, the governor of the Bank of England, complained that house building in the UK was half that of his native Canada, despite the UK having a population twice the size.

The consequences have been rocketing house prices in London, the South East and some other parts of the country. About 95% of house builders surveyed this year thought that the "modest" industry target to build 200,000 new homes a year by 2016 was unachievable.

The planning system and local opposition to building were two of the main reasons cited. The Home Builders Federation states that while things have improved recently the planning system is "still far too slow, bureaucratic and expensive".



However, between the late 1940s and late 1950s Councils built more homes than the private sector. Right up to the late 1970s local authorities were building 100,000 homes a year. But with the election of Margaret Thatcher in 1979 house building by local authorities fell.

Private sector construction rose, but not by enough to compensate for the fall in public sector building. Housing associations were supposed to fill the gap but have come nowhere near the state's building figures.

Kate Henderson, of the Town and Country Planning Association considers that the current failure to build anything like the numbers from the 1950s and 1960s, when Councils were building as many homes as the total house building figure today, shows the private sector is incapable of delivering on its own.

As recently reported in The Times, Mark Carney, the governor of the Bank of England, considers that problems with housing are the "biggest risk" to the UK economy. The CBI agreed, saying: "A perfect storm is brewing in the housing market. Now is the time for action."

Across Greater London as a whole there was increase in population of 900,000, or 12%, since 2001, leaving the rest of England and Wales behind. Since 2008 the population has grown by more than 100,000 a year.

London's population boom is a measure of its economic and cultural success, but with that success comes challenges. The un-affordability of housing has now moved up the political agenda with the number of people living in London expected to grow by more than a million people in less than 10 years.

London's population will reach more than nine million by 2020, an increase of 14 per cent, in a decade which has been pushed up by immigration and rising birth rates. In a further decade London will be home to more than 10 million people as it continues to draw in migrants and generate young families. The ONS projections show that London is estimated to have a 2010 population of 7.95 million which will grow to 9.083 million in 2020 and hit 10 million at the end of 2030.

Today, the country is experiencing a chronic housing crisis, the worst housing crisis the country has ever experienced, even when compared to after the Second World War.

The need for new homes and of 3 and 4+ residential dwellings due to the increase in London's birth rate is a chronic need.

Our application proposal seeks an extra bedroom to our 2 bedroom dwellinghouse. We need the space as our two children are growing and need separate bedrooms. Our proposal is modest and will give us the room we desperately need.

10.0 Conclusion

10.1 We are somewhat surprised that the LPA have not taken into consideration a number of key planning considerations that are both 'established planning precedents' and 'material considerations' in the determination of this planning application which we have highlighted for the Planning Inspector at Paragraph 9 of this statement.

10.2 The reason that we have applied for the rear dormer is that of the need for more space for an additional bedroom.

Our two children, Liberty 10 and Nathan 6 are growing up and desperately need their own separate bedrooms, as girls and boys of this age do.. We know that rear dormer windows are permissible in our area to provide a much needed additional bedrooms, as the LPA have granted many, some eleven since 1998.

10.3 It seems to us that the following planning considerations are relevant ;

a) do the LPA permit rear dormer windows ? – YES.

b) the LPA have granted planning permission for 11 rear dormer windows between 1998 and 2013.

c) have the LPA granted planning permission for a rear dormer in Waltheof Avenue N17 ? – YES.

d) the LPA have granted planning permission for a rear dormer window at our neighbours dwellinghouse at 28 Waltheof Abenue N17 on 24th November 2011 (HGY/2011/1358).

e) have planning policies changed since 2011 to restrict dormer windows ? – NO.

f) the LPA acknowledge that the proposed rear dormer is " modest in scale and bulk " and have stated so in their delegated report.

g) do the LPA grant planning permission for prominent and highly visible rear dormer windows ? – YES.

h) the LPA have granted planning permission for 6 highly visible and prominent rear and flank dormer windows since 1998 that are much more prominently positioned in the public realm, than our proposal.

i) the Area Case Planning Officer states in her delegated report that the proposed rear dormer " may be viewed obliquely through the gap of terraces from Tower Gardens Road ", is this the case ? – YES, only at a very oblique angle and much less prominent from the public realm, that the 6 already approved and built.

j) do the LPA permit front and rear elevational velux windows ? – YES.

10.4 The Government, the London Plan 2011 (updated in 2015) and the changing planning system acknowledges that the current housing crisis in London is a top priority in which hundreds of thousands of new dwellings are required to meet London's chronic housing shortage.

The Government in addressing London's chronic housing crisis has deregulated permitted development rights for a time limited period in which 6.0m rear extensions can be constructed. B1 units can be converted to C3 residential units without planning permission also for a time limited period.

All of these deregulated planning policies could result in visual changes to the street scene and be visible from it, whereas our proposed rear dormer window could not be seen from the immediate street scene of Waltheof Avenue or any surrounding roads or avenues or any gaps between these respective dwellinghouses.

10.5 Their is a chronic need for both additional dwellings and additional bedrooms to existing properties in London and in our area.

The proposed rear dormer is " modest in scale and bulk " as acknowledged by the LPA and is set away from both party walls, well below the ridge and set up from the eaves thereby retaining all sides of the existing roof. All materials will match the existing roof slates.



Extract of submitted and determined plan drg no. **15/12/01** (February 2015)

The proposed rear dormer window and the small conservation styled velux window preserves the parent buildings architectural features. Natural second hand slate will be used to fit in well with the existing weathered slate roof and the dormer slate covering, thereby softening its impact, which is not much different from the recently approved eleven dormer windows in the Conservation and Article 4 Direction Area between 1998 and 2013.

* The Planning Inspectors attention again drawn to Booklet **2** ~ Documents **15** – **23** and the photographs of Booklet **2** ~ Documents **2**.

10.6 The LPA acknowledge in their delegated report that the rear dormer window would not cause harm to the amenities of surrounding neighbours with regard to any loss of daylight/sunlight, outlook or increased sense of enclosure and in accordance with UDP 2006 policy UD3 and London Plan 2011 policy 7.6. The LPA also state at Paragraph 5.6 ;

The proposed roof dormer is modest in scale and bulk .....

* The Planning Inspectors attention is yet again drawn to Booklet 1 ~ Document 14.

Our application proposal complies with the current planning system's bench mark for determining planning applications being of good innovative sympathetic design with the protection of heritage and local residents amenity. The proposed rear dormer window has been designed sympathetically with regard to the requirement of preservation and enhancement and has sought not to cause demonstrable harm to the parent building, the terrace in which it is set and the Tower Gardens Conservation and Article 4 Direction Area, and is not visible from the public domain, unlike the six other approved rear and flank dormers.

10.7 All current guidelines, planning policies and SPG's do not restrict dormer windows in conservation areas providing they are of good design and modest in scale, bulk and mass and constructed in similar materials, on this basis they are acceptably 'in principle' by the LPA.

The LPA have recently granted **11** planning permissions for similar dormer windows in the Tower Gardens Conservation and Article 4 Direction area ;

Property Address	Planning File Ref	Date Granted Planning Permission
24 Shobden Road N17	HGY/2012/1689	14th March 2013
115 Tower Gardens Road N17	HGY/2011/1801	13th January 2012
28 Waltheof Avenue N17	**HGY/2011/1258**	**24th December 2011**
87 Tower Gardens Road N17	HGY/2006/1476	12th September 2006
132 Risley Avenue N17	HGY/2006/154	26th September 2006
29 Teynton Terrace N17	HGY/2004/0753	7th May 2004
128 Risley Avenue N17	HGY/2003/1734	24th December 2003
8 Chesthunte Road N17	HGY/1998/0619	11th August 1998
24 Teynton Terrace N17	HGY/1998/1519	8th December 1998
113 Tower Gardens Road N17	unknown	unknown
246 Risley Avenue N17	unknown	unknown

10.8 Permitting rear dormer windows is acceptable to the Councils Planning Department '**in principle**' since the first guidelines of 1982 with 11 rear and flank dormer windows being granted planning permission since 1998.

A rear dormer window was granted planning permission at our neighbours home at 28 Waltheof Avenue N17 in 2011 (HGY/2011/1258 – 24/12/2011), therefore all being acceptable in the Tower Gardens Conservation and Article 4 Direction Area with regard to the London Plan 2011 & 2015 policies, NPPF planning policies, LPA planning policy, LPA SPG's and LPA Tower Gardens Conservation Area guidelines.

10.9 The Council state in their delegated report ;

> 5.6 The **proposed roof dormer is modest in scale and bulk** and it is not considered that there will be any un-neighbourly overlooking to the surrounding properties, the proposed dormer is not likely to result in overshadowing, nor will the development reduce the outlook of any neighbouring properties.
>
> 5.7 The **proposed development is not considered likely to impact the amenity** of any adjoining occupiers in accordance with Policy 7.6 of the London Plan and Saved Policy UD3.

Therefore, and on this basis, and as the Council state that the proposal would be in accordance with Policy 7.6 and Policy UD3 which states that the proposed rear dormer is of the highest architectural quality and makes a positive contribution to the coherent public realm, streetscape and wider cityscape incorporating the highest quality materials and its design is appropriate to its context [A and sub paragraph B(a)].

Is of proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm [sub paragraph B(b)], comprise details and materials that compliment, not necessarily replicate, the local architectural character [sub paragraph B(c)] and does not cause harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate [sub paragraph B(d)].

10.10 For the reasons outlined in this statement the Planning Inspector is respectfully requested to allow our appeal so that our children Liberty and Nathan can have separate bedrooms, subject to any planning conditions that the Planning Inspector sees fit to impose in allowing our planning application.