The Planning Inspectorate

Appeal Decision

Site visit made on 11 October 2016

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2016

Appeal Ref: APP/Y5420/D/16/3155492
57 The Chine, Hornsey, London N10 3PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Vivienne Constad against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2016/0542, dated 11 November 2015, was refused by notice dated 7 July 2016.
- The development proposed is a new 1 storey side extension. 2 new dormer windows to an existing loft room.

Preliminary Matters

1. The appellant indicates that planning permission was granted on 5 September 2016 for the same form of side extension as proposed here (ref HGY/2016/2428). Consequently, despite the above description of development taken from the application form, I have not considered this element as part of this appeal.

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Decision

3. The appeal is allowed and planning permission is granted for 2 new dormer windows to an existing loft room at 57 The Chine, Hornsey, London N10 3PX. The permission is granted in accordance with the terms of the application, Ref HGY/2016/0542, dated 11 November 2015, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) Development shall be carried out in accordance with the following approved plans: location plan, 101/a Revision A, 103/A Revision A and 105/A Revision A.

    3) The materials to be used in the construction of the external surfaces of the dormer windows hereby permitted shall match those used in the existing building.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Rookfield Estate Conservation Area.

Reasons

5. The Rookfield Estate Conservation Area is a predominantly residential area characterised by low density housing, communal open spaces and unadopted gated roads with grass verges and mature trees. No 57 is a two storey semi-detached dwelling located close to the junction of The Chine with Cascade Avenue.

6. Properties along the same side of The Chine as No 57 are of similar design and appearance, and most include front-facing dormers. There are examples of side-facing dormers also, including at No 49. Front and side-facing dormers have also been approved at the adjoining property, No 55, and these were being installed at the time of the inspection.

7. Therefore, while these might not be original elements of dwellings in The Chine, over time dormers have become a characteristic feature of this part of the conservation area. Moreover, these are largely of a uniform size, design and appearance, which the proposed dormers would reflect. Each window would be proportionate to the roof plane and would be positioned well below the roof ridge, above the eaves and inset from either side. Their design would match the fenestration of the host dwelling and would mirror the position and appearance of the permitted dormers at No 55. Consequently, as Nos 55 and 57 are viewed as a pair of properties from their immediate surrounds, the proposed dormers would provide greater uniformity of appearance given the existing similar dormers to No 57.

8. I accept that the side elevation and roof slope of the appeal property are highly visible from close to the road junction and in views along Cascade Avenue. Where the side-facing dormer would be seen in isolation, it would not appear incongruous due to its limited scale and sympathetic design to the host dwelling, nor would it be an uncharacteristic feature as there are properties along Cascade Avenue with dormers. In particular, Nos 36 and 38 close to the road junction both have front dormers and these would provide a visual context for the side-facing dormer to No 57.

9. I acknowledge concerns that allowing this proposal could set a precedent for further similar development. However, I am mindful of the principle that development proposals must be considered on their individual merits and I have found that no unacceptable harm would result from the current proposal. Any future development proposals would need to be similarly considered on their merits against policies and circumstances pertaining at the time. However, current concerns about such proposals coming forward are not of sufficient weight to lead to a different overall conclusion in this case.

10. In reaching these findings I have had full regard to the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or

appearance of that area[1]. Also, I have had regard to all representations made by interested parties.

11. For the above reasons, I conclude that the proposed development would preserve the character and appearance of the Rookfield Estate Conservation Area. As such, it is not contrary to the following development plan policies: 7.4, 7.6 and 7.8 of the London Plan 2015, SP11 and SP12 of Haringey's Local Plan, UD3 of the Haringey Unitary Development Plan (the UDP), and DM1 and DM9 of the Development Management DPD, all of which concern design quality, including the effect on local character, and conservation and enhancement of heritage assets. All these policies are consistent with the National Planning Policy Framework, particularly with regard to relevant guidance on good design and the historic environment. Policy CSV1 of the UDP, also referred to by the Council, has not been provided.

Other Matters

12. Concerns are raised by neighbouring occupiers about overlooking and loss of privacy from the side-facing dormer, which would be positioned above the garden area to the side of No 29 Cascade Avenue. I note, however, that this side elevation already includes windows at first floor level and, therefore, the addition of a further small window will not change the existing relationship between these properties to the extent that it will result in unacceptable harm to the neighbouring occupiers' living conditions.

Conditions and overall conclusion

13. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider conservation area.

14. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should succeed.

J Bell-Williamson

INSPECTOR

[1] Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.