



Appeal Decision

Site visit made on 26 October 2022

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2023

Appeal Ref: APP/Y5420/W/22/3300942

31A Riverside Road, Tottenham, London N15 6DA

- 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 Mr Gluck against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3137, dated 30 September 2021, was refused by notice dated 22 December 2021.
 - The development proposed is development of a modern two storey 1 bed end-stop to terrace property on the side plot of No.31 Riverside Road.
-

Decision

1. The appeal is allowed and planning permission is granted for development of a modern two storey 1 bed end-stop to terrace property on the side plot of No.31 Riverside Road, at 31A Riverside Road, Tottenham, London N15 6DA, in accordance with the terms of the application, Ref HGY/2021/3137, dated 30 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Plans and Elevations – jw696-100 Rev D
 - 3) The development hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no. jw696-100 Rev D for 2 bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
 - 4) The development hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no. jw696-100 Rev D for storage of bins and that space shall thereafter be kept available for this purpose.

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site lies within a predominantly residential area. The site is an end-terrace corner plot currently occupied by a single-storey flat-roofed dwelling

(No 31A Riverside Road), constructed as a later development adjoining the original 2-storey end-terrace dwelling.

4. The dwellings in the vicinity are laid out mainly in terraces of varying length, ranging from short terraces of 3 or 4 dwellings to longer terraces in excess of 10 dwellings. Many of the traditionally designed houses in the immediate area have been subject to significant change through alterations and extensions, most notably through extensions to their front roof slopes and upward extensions to create additional storeys. The result is a diverse character of dwellings with varying scale and design, many of which bear little resemblance to their original form.
5. The terrace in which the appeal site is located is something of a rarity in the surroundings, with none of the dwellings within it being extended upwards. This contrasts significantly with the dwellings opposite, to the side and to the rear, where several have been extended upwards.
6. The proposed development would introduce a new dwelling of contemporary design and materials that would appear different to what is commonly found in the surrounding area. However, the surrounding character has been significantly altered over time, to the extent that the variety in the streetscene is now a prevailing part of its character. In this sense, the proposed development would add to this character and introduce an additional element of interest in an area already home to an eclectic blend of architectural styles. As such, I do not find the introduction of a contemporary building as proposed in this instance to generate any specific harm.
7. The proposed development's corner location would give it visibility from several surrounding vantage points. The footprint of the building would be slightly, though not excessively, larger than the existing flat-roofed single-storey building on the site. It would extend slightly further to the side and rear than the existing building. However, even acknowledging that the building would step beyond the corresponding front building line along Lockmead Road and the rear building line of the adjacent dwellings on Riverside Road, the flat-roofed structure would be comparatively lower than many surrounding buildings. Although the proposed development would be larger than the existing structure it would replace, it would appear proportionate and subservient to surrounding buildings in the streetscene.
8. For the above reasons, I conclude that the design, form, scale, massing, layout and location of the proposed development would respect the character and appearance of the area. The development would therefore accord with Policies DM1 and DM12 of the Haringey Development Management DPD (Adopted July 2017), Policy SP11 of the Haringey Local Plan Strategic Policies 2013-2026 (formerly the Core Strategy, March 2013 – Consolidated with alterations since 2017), and Policies D3 and D6 of the London Plan (March 2021). Among other objectives, these policies seek to ensure development proposals are of high quality; relate positively to their locality, including taking account of building heights, form, scale, urban grain and building lines; make the best use of land; and provide successful sustainable housing.
9. The decision notice also refers to Policies D1 and D10 of the London Plan (March 2021). These policies refer respectively to the approach to preparing development plans and basement developments. I do not find these policies to

be of direct relevance to the appeal subject and, therefore, they do not affect my conclusions.

Other Matters

10. I note the drawings subject to this appeal were granted planning permission in 2015. There have been subsequent planning applications and appeals relating to the site in the interim period, and I have had regard to these decisions in considering this appeal.
11. I have been provided a copy of the Council's delegated report for the 2015 planning permission. Whilst I note that the previously approved plans are identical to those subject to the current appeal, I am mindful of the time elapsed since this decision was made and the potential changes that may have taken place in the surrounding environment in the interim period. I am also aware that changes have been made to the development plan since this decision was made. As such, I have given this decision limited weight in my assessment.
12. The latest relevant appeal decision at the site was issued on 14 September 2022¹, for a 2-storey dwelling with a basement, which was dismissed. The main issues relating to this appeal were i) the living conditions of future occupiers of the proposed development; and ii) the effects on structural stability relating to the basement. Neither of these matters are main issues in the current appeal, and I have therefore given this decision limited weight in my assessment.
13. A detailed objection has been received, alleging inaccurate plans and dispute over whether the proposed development could be constructed fully on land within the appellant's control. I note that the ownership matter is disputed. Any development constructed under an approved planning permission would only be lawful if constructed in full accordance with the approved plans, and this would not grant any rights to access or build on third party land.

Conditions

14. To meet legislative requirements, a condition shall be imposed to address the period for commencement. I shall also impose a condition specifying the approved drawings, to provide certainty.
15. Because details of refuse, recycling and cycle parking facilities are shown on the approved plans, it is not necessary to require the submission of further details for these matters. Conditions can be imposed requiring their implementation prior to occupation of the development and their retention thereafter, in the interests of protecting the character and appearance of the area and promoting sustainable transport.
16. The Council has also suggested a condition for a Method of Construction Statement to ensure no adverse impacts on the flow of traffic on local roads. However, the scale and siting of construction works would, to all intents and purposes, be similar to that of a house extension. Such a condition would not usually be imposed on a development of this limited scale, and I am not in possession of any compelling evidence to justify why it is necessary in this instance. Accordingly, its imposition would fail to meet the tests outlined in the Framework.

¹ Appeal Decision - APP/Y5420/W/22/3293573

Conclusion

17. Taking all above matters into account, I conclude that the proposed development would accord with the development plan and the appeal should be allowed, subject to the conditions set out in my formal decision.

P Storey

INSPECTOR