The Planning Inspectorate

Appeal Decision

Site visit made on 27 October 2015

by Karen Radford BA (Hons), Dip Arch, Dip Arch Cons, IHBC

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

Decision date: 3 December 2015

Appeal Ref: APP/Y5420/W/15/3129873
14A, Vincent Road, Tottenham, London N15 3QH

- 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 Frank Mc Donagh of Falcon Property Services against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2015/0784, dated 16 March 2015, was refused by notice dated 12 May 2015.
- The development proposed is a residential annexe unit for letting including change of use from builder's yard.

Decision

1. This appeal is dismissed.

Procedural Matters

2. The Council's reason for refusal does not indicate clearly what would be the harm to the living conditions of future and existing residents. However, from my reading of their evidence I have concluded that the main issues are as shown below.

Main Issues

3. The main issues are the effects of the proposals on:
    - The living conditions of future occupants of the proposed development with respect to privacy and on occupants of adjacent properties with respect to outlook,
    - The character and appearance of the area.

Reasons

4. The proposed development would result in the erection of a small residential annexe in the rectangular piece of land to the rear of 14A Vincent Road, which is currently used as a builder's yard. Located to the south of the site is a modern three storey residential block with integral garages and pedestrian entrances which are accessed from a service lane situated to the rear of the appeal site. The ground rises gently from the rear of the appeal site towards 14A at the front of the site.

Living conditions of the future occupants of the proposed development with respect to privacy

5. The garden area of the proposed residential annexe and the only window to the principal habitable room would be overlooked by a number of rear windows of 14A Vincent Road. These windows would only be about 14m from the front elevation of the proposed building, and views from them would be accentuated by the sloping nature of the site. In light of this I conclude that the proposed development would result in a significant lack of privacy for the future occupiers. The proposed development would therefore conflict with policy UD3 of the Haringey Unitary Development Plan 2006 and also with the Mayor's Housing SPG 2012, which both seek, amongst other things, to ensure that development has no adverse impact on privacy for residents.

Living conditions of occupants of adjacent properties with respect to outlook

6. The existing residents of 14A already have a small external patio and the proposal would increase this patio area. In this regard the existing residents would be provided with an increased external space and improved outlook.

Character and appearance

7. The existing builder's yard contains several storage structures formed out of scaffolding poles which are clearly visible from the rear service lane. These structures vary in height but the tallest is over 4m tall. There are also two other buildings in adjacent rear gardens. These are relatively large and of a similar height to the proposed annexe. Whilst it is not clear whether or not these other buildings have a residential function, it is nonetheless evident that part of the established character of the immediate area is one of small ancillary buildings situated at the end of rear gardens.

8. The proposed development would not therefore be out of keeping with the prevailing character or appearance of the area in this respect. Furthermore, the removal of the builder's yard would make a positive contribution to the appearance of the area and the proposed building would be of a reduced scale and feature a pitched roof which would help to reduce its mass.

9. It follows that the development would not conflict with policies 3.5, 7.4 and 7.6 of the London Plan 2011, policy SP11 of the Haringey Local Plan 2013, or saved policy UD3 of the Haringey Unitary Development Plan 2006, all of which seek, amongst other things, to ensure that development is of a high quality that enhance the character and appearance of the area.

Conclusion

10. I have found that the proposed development would be significantly harmful to the living conditions of future occupiers with respect to privacy, and this outweighs my findings on the other main issues. Therefore, having had regard to all other matters raised, I dismiss the appeal.

Karen Radford

INSPECTOR