The Planning Inspectorate

Appeal Decision

Site visit made on 25 October 2016

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 9 November 2016

Appeal Ref: APP/Y5420/D/16/3156784
64 Wellington Avenue, Tottenham, London N15 6BA

- 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 Mrs Esther Horowiz against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2016/1778, dated 31 May 2016, was refused by notice dated 27 July 2016.
- The development proposed is erection of first floor rear extension.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:

    - the living conditions of neighbouring occupiers at 62 Wellington Avenue, with particular regard to outlook; and
    - the character and appearance of the host property and the surrounding area.

Background and Reasons

3. The appeal site consists of an end of terrace, two storey property which has previously been extended with a single storey rear extension and a roof extension in the form of a loft conversion. The proposed development would add a first floor extension above the existing single storey rear extension which would be of full width and have a depth of 1.45 metres from the original rear elevation.

4. Policies 7.4 and 7.6 of The London Plan 2015 (London Plan) and saved Policy UD3 of the Haringey Unitary Development Plan (UDP) set out general principles for development. These include ensuring that proposals complement the character of the local area and take a sensitive approach to their nature and scale and, amongst other matters, demonstrate there would be no significant adverse impact on residential amenity in terms of aspect. Such principles are reflected in Policy SP11 of the Haringey Local Plan 2013 (the Local Plan) which requires development to be of the highest standard of design and respect local context and character. Draft policies DM1 and DM12 of the Haringey Development Management Development Plan Document (DPD) require development to ensure a high standard amenity for its users and neighbours.

5. The Council has also adopted its 'House Extensions in South Tottenham' Supplementary Planning Document (SPD) which is particularly aimed at addressing specific problems of overcrowding in an area characterised by large families. Furthermore, the SPD seeks to address concerns over the effects of extensions, especially roof conversions, which have already been carried out in the locality with many apparently undertaken without planning permission.

6. The SPD's focus on roof extensions makes it less relevant to the appeal scheme before me. Notwithstanding this, with regard to rear extensions generally, the SPD states that larger extensions will be discouraged and whilst considering such proposals their effect on neighbouring properties will require particular attention.

Living conditions

7. With regard to the above, a crucial consideration in assessing this proposal is its possible effect on the living conditions of the occupiers of any neighbouring properties. The Council argues that it would have a detrimental effect on the outlook of the occupiers of 62 Wentworth Avenue (No 62) by creating an overbearing and enclosing presence.

8. The proposed extension would be built up to the boundary between the appeal site and No 62. No 62 already has a half width first floor rear extension which projects out from the original rear elevation of the property to a similar distance to that of the proposal. Between the existing extension and the position of that proposed, there is a first floor window in the rear elevation of No 62. Given the similar extent of the existing and proposed extensions, if the appeal were allowed, the existing rear window of No 62 would be set back into a recess between the two extensions. This would have a 'narrowing' effect on the outlook from that window which would be overbearing and create a sense of enclosure. This detrimental effect would only be exacerbated by the three-storey flank wall of 86 Leadale Road which is located to the rear of the appeal property and is about 12 metres distant from the first floor window of No 62.

9. I note that the submitted plans indicate that the proposal would not breach the 45 degree line from the first floor rear window of No 62 and that no objections from neighbours have been made. Whilst I appreciate these considerations, a lack of objection does not necessarily lead to an acceptable proposal when assessed against relevant policy. From the evidence before me, I conclude that given the specific context of the proposed extension and the cumulative adverse effect which I have described above, the appeal proposal would have a significant harmful effect on the outlook of the occupiers at No 62.

10. Consequently, I conclude that the proposal would be contrary to Policy 7.6 of the London Plan 2015, saved Policy UD3 of the UDP and draft Policies DM1 and DM12 of the DPD.

Character and appearance

11. There are several examples of properties in the surrounding area which have additions and extensions. These are either single-storey rear extensions or roof extensions and loft conversions. These have clearly had a cumulative and material effect on the character and appearance of their properties and the surrounding area. However, it seems to me that there are very few first floor rear extensions in the area, with the exception of the previously mentioned

extension at No 62. Therefore, when viewed from Leadale Road and other nearby streets, the rear elevations of the terraced properties along on the south side of Wentworth Avenue have a relatively consistent appearance and form. Some have dormer roof extensions and most appear to have single-storey rear extensions. However, at first floor level, the properties generally conform to create a unifying element to the character of those properties.

12. I acknowledge that the proposal would introduce a relatively modest rear extension to the first floor level of the appeal property. However, in the context of the surrounding area, the first floor extension would be an incongruous and inconsistent addition to the property. Furthermore, its end of terrace location places the rear of the property in a prominent and highly visible position in the locality. As such, the rear elevation of the property can clearly be seen from Leadale Road. Therefore, the proposed first floor rear extension would be visible and prominent in the streetscene which would only exacerbate its adverse effects on the wider area.

13. I note that the appeal property benefits from a recent approval for a full second floor extension with loft accommodation at third floor level. Furthermore, the approved development is in keeping with others I have seen completed in the area. However, were the appeal allowed, I consider that the cumulative effect of the approved scheme and the proposed development would be significantly harmful to the character and appearance of the appeal property. Furthermore, the overall scale and appearance of the property once the developments were completed would have a detrimental effect on the character and appearance of the surrounding area.

14. I acknowledge the appellant's point that the proposed extension would provide some limited benefit in terms of providing additional accommodation which would help to address overcrowding in an area characterised by large families. However, this would not outweigh the significant harm which I have identified. Therefore, I conclude that the proposed development would have a materially harmful effect on the character and appearance of the host property and the surrounding area. Consequently, I conclude that it would be contrary to Policies 7.4 and 7.6 of The London Plan, saved Policy UD3 of the UDP, Policy SP11 of the Local Plan and draft Policies DM1 and DM12 of the DPD.

Other Matters

15. The appellant has referred to other applications and appeals relating to nearby properties. Whilst I have given due consideration to these and note that there may be some similarities to this case, I do not have the full details of each case before me. As a result, I give such matters only limited weight in my decision making. In any event, I must assess the proposal before me on its own merits and within its own context and I have determined the appeal on that basis.

Conclusion

16. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR