The Planning Inspectorate

Appeal Decision

Site visit made on 30 November 2016

by Karen L Baker DipTP MA DipMP MRTPI

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

Decision date: 21 December 2016

Appeal Ref: APP/Y5420/D/16/3163098
4 Wargrave Avenue, Tottenham, London N15 6UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr D Reichmann against the decision of the Council of the London Borough of Haringey.
- The application Ref. HGY/2016/3232, dated 18 July 2016, was refused by notice dated 4 November 2016.
- The application sought planning permission for the erection of additional storey 'Type 3' without complying with a condition attached to planning permission Ref. HGY/2015/2010, dated 1 September 2015.
- The condition in dispute is No. 2 which states that: Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans: WA.4.PR.01 and WA.4.EX.01 received 10/07/15 and WA.4.EX.02 received 28/08/15.
- The reason given for the condition is: To avoid doubt and in the interests of good planning.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of varying Condition No. 2 on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal site is located on the southern side of Wargrave Avenue, in a predominantly residential area. The dwelling at No. 4 Wargrave Avenue is a 2 storey terraced property which benefits from planning permission for a 'Type 3' roof extension, which is defined in the Council's House Extensions in South Tottenham Supplementary Planning Document (SPD), First Revision, adopted in October 2013, as a full second floor extension with loft accommodation at third floor level possible within the pitched roof. It was apparent from my site visit that a number of properties in the local area have been extended at roof level to provide an additional level of accommodation through developments including front and rear box dormers and 'Type 3' roof extensions. The proposal seeks to vary Condition No. 2 to include amended plans which would increase the height, and make changes to the design, of the proposed roof extension.

4. Policy SP11 of Haringey's Local Plan: Strategic Policies 2013 – 2026, adopted in March 2013, says that all development shall be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity. Policy UD3 of the Haringey Unitary Development Plan (UDP), adopted in July 2006, says that development proposals will be required to demonstrate that the proposal complements the character of the local area and is of a nature and scale that is sensitive to the surrounding area. This is reflected in Policies 7.4 and 7.6 of The London Plan (2016).

5. The SPD advises, at paragraph 3.17, that many houses in the area have 2 storey bay windows with pitched roofs with a pointed gable facing into the street, as is the case at the appeal property. It goes on to say that it is important to retain this pitched roof and pointed gable over bay windows in houses that have been extended. Furthermore, at paragraph 3.18, the SPD states that generally the bay should be extended to the additional floor, with the bay window roof replicated at the new level.

6. Paragraph 3.8 of the SPD says that the height of extensions should be determined by the requirements of room height and appearance and it is desirable, but not necessary, for neighbouring extended houses to have some consistency of height, as the original existing houses vary in height. Paragraph 3.10 states that 'Type 3' extensions should have windows to match those on the floor below and roughly the same distance from window cill to the head of the window below as found in the existing house. Finally, Paragraph 3.12 says that 'Type 3' extensions should have a roof eaves to match the existing eaves, with the height of the eaves above the heads of windows immediately below the same as existing.

7. The approved scheme would include the extension of the 2 storey bay feature, with its eaves aligning with the eaves of the main roof, to reflect its current alignment and that of other dwellings in the terrace. The proposal would not do this. It would extend the bay up to the new second floor, but its eaves would be set significantly below the eaves of the proposed roof. I note that this would be similar to the design of the roof extension at No. 12 Wargrave Avenue. However, in my opinion, this design would result in the proposed roof extension at No. 4 appearing bulky and disproportionate to the host dwelling and neighbouring properties, to the detriment of the character and appearance of the area.

8. I conclude, therefore, that varying Condition No. 2 would harm the character and appearance of the host property and the surrounding area. As such, it would be contrary to Local Plan Policy SP11, Policy UD3 of the UDP and Policies 7.4 and 7.6 of The London Plan and would not accord with the Council's SPD.

9. I have considered all the other matters raised by the appellant including the provision of enhanced headroom and a better quality of accommodation in the new top floor; the use of appropriate materials; and, the needs of the appellant's family, particularly his daughter, who requires 24 hour care; but none changes my overall conclusion that the appeal should be dismissed.

Karen L Baker

INSPECTOR