

Appeal Decision

Site visit made on 18 April 2017

by R W Allen B.Sc PGDip MRTPI

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

Decision date: 28 April 2017

Appeal Ref: APP/Y5420/D/17/3167488

125 Whittington Road, Wood Green, London N22 8YR

- 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 Harry Ibbs against the decision of the London Borough of Haringey.
 - The application Ref HGY/2016/3961, dated 16 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is two-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the living conditions of the occupiers of neighbouring dwellings having specific regard to light and outlook; and
 - The effect of the proposed development on the character and appearance of the host building and the area.

Reasons

Living conditions

3. The appeal property is a two-storey semi-detached dwelling with rear outrigger, which partially encloses a patio area located behind the main part of the dwelling and adjacent to the boundary with No 123 Whittington Road (No 123). No 127 Whittington Road (No 127) is the adjoining property and is broadly similar in appearance to the appeal dwelling. It is my judgement that the patio area is highly likely to be the most frequently used part of the garden in conjunction with the dwelling, and as such would be the area most sensitive to any effects from neighbourly development.
 4. Both the proposed ground and first floor elements of the scheme would result in sizeable additions along the boundary with No 127. Because the first floor extension would be positioned within very close proximity of No 127's existing first floor habitable room window, and having regard to the positioning of the property and the daily path of the sun, I find that it would have a significantly harmful effect on outlook, light and overshadowing to the occupiers of this property. I am, however, satisfied that the proposed ground floor extension
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would be sufficiently distant neighbour's side passageway and its main amenity area that it would not have the same considerably harmful effects to the neighbour. The Council cites no concerns with the effect of the proposed development on the living conditions of the occupiers of No 123, and from my observations at my site visit I have no reason to disagree.

5. The appellant cites a number of similar developments to neighbouring dwellings. I observed that No 121 Whittington Road appears to have been extended in a similar way to the proposed scheme. However, because the first floor extension of that property broadly aligns with extended outrigger of its adjoining neighbour No 123, I do not find that the scale of harm is equivalent in that respect. The circumstances of the existence of the first floor element of No 113 Whittington Road, which projects significantly beyond the first floor rear wall of its adjoining neighbour, are not before me to draw any specific or direct comparisons to the appeal scheme. In any event, I have made my decision on the evidence before me and from my observations at my site visit.
6. Therefore for the above reasons, I find that the proposed development would cause significant harm to the living conditions of the occupiers of No 127 Whittington Road. The proposed development would not accord with the relevant parts of policy UD3 of the Haringey Unitary Development Plan 2006 (UDP) and with emerging policy DM1 of the Haringey Development Management DPD (eDPD), which state that development proposal must ensure no significant adverse impact on residential amenity. As policies SP0 and SP11 of the Haringey Local Plan 2013 (Local Plan) are strategic policies and primarily concerned with design, I do not find they are particularly relevant in this regard.

Character and appearance

7. Although not insignificant in size, I find that the proposed development would not appear as a disproportionate or insubordinate extension to the dwelling, and I am satisfied that its remaining form and features would be readily identifiable and appreciable. The Council has not indicated any vantage points, and I observed none at my site visit, where the proposed development would be readily visible from surrounding streets. I am satisfied that the proposed development would not appear inconsistent with surrounding dwellings which have been altered in various ways at the rear, and it would have little bearing on the overall character and appearance of the area.
8. The proposed development would therefore accord with policies 7.4 and 7.6 of the London Plan (consolidated with alterations since 2011) 2016, with Local Plan policy SP11 and with the relevant parts of UDP policy UD3 and with eDPD policy DM1. These policies require extensions to be subordinate in scale and respect the architectural character of a building. It would also accord with the relevant sections of the Council's Supplementary Planning Document 2006 entitled 'SPG1a Design Guidance'.

Conclusion

9. I therefore conclude that the appeal should be dismissed.

R Allen

INSPECTOR