



Appeal Decision

Site visit made on 9 July 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/Y5420/W/19/3227645

22 - 24 Norfolk Avenue, London N15 6JX

- 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 Feldman against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2019/0782, dated 26 February 2019, was refused by notice dated 23 April 2019.
 - The development proposed is erection of two first floor rear extensions across No. 22 & 24.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The address for the appeal property in the banner above is different to that included on the application form, which only refers to 22 Norfolk Avenue (No 22). However, it is clear from the plans and information provided that the appeal proposal relates to both No 22 and 24 Norfolk Avenue (No 24). Therefore, for accuracy reasons I have used the address as set out on the appeal form.
3. The description of development set out above refers to the erection of extensions at first floor level, shown on the plans as being above ground floor extensions. However, no ground floor extensions exist that correspond to those shown on the proposed rear elevation drawings. As such, the proposal would be better described as the erection of 2 storeys high rear extension across No 22 and No 24. I have therefore considered the appeal on this basis.

Main Issues

4. The main issues are the effect of the development on (i) the character and appearance of the surrounding area and (ii) the living conditions of the occupiers of adjoining properties with particular regard to visual intrusion.

Reasons

Character and appearance

5. The appeal properties are a pair of houses, both 2 storeys high and positioned in a line of properties facing Norfolk Avenue. Several of the neighbouring houses have single-storey rear extensions that vary in style and size. Also viewable are properties with upward extensions resulting in 3 storeys high

buildings. However, the appeal properties lie in a distinct group of several houses which have maintained the original ridgeline height. Whilst extended at ground floor level, the rear of the appeal properties and the closest houses on either side are generally unaltered at first floor level and above. This uniformity is attractive and contributes positively to the character and appearance of the area.

6. The proposal would result in a 2 storeys high extension projecting from the rear of the appeal properties. By virtue of its height and proximity, it would be seen from the back gardens and rear windows of several properties on Norfolk Avenue and Rostrevor Avenue.
7. Existing extensions that project to the rear of nearby properties are single storey and so do not affect the roofs of houses. Significant upward extensions are viewable, but these do not project beyond rear elevations. Unlike any other extension seen from the back gardens of the appeal site, the proposed extension would project out markedly beyond the rear elevation and be of a height to affect the main roof.
8. Furthermore, the proposed extension would have a gable rear elevation with shallow pitched roof sloping up to a central ridge. Whilst set off the side boundaries, this gable end is of a significant width. Notwithstanding the use of matching materials, the shallow pitch and width of the gable would result in the first-floor element of the proposed extension having a squat appearance that would be unsympathetic to the design and proportions of No 22 and No 24.
9. As such the proposed extension would be an incongruous feature at odds with the rear of houses seen in the vicinity of the appeal site. Also, for the same reasons, the extension would undermine the attractive uniformity at first floor level and above on the rear elevations of the distinct group of houses in which the appeal properties sit.
10. The proposed extension would be set down from the ridgeline of the main house and so would not be visible from the street. Even so, the appeal site lies in an area where houses lie close to each other and the development would be seen from the rear of several nearby properties. As such, the proposal would noticeably affect the character and appearance of No 22 and No 24 as well as the wider area, despite only been viewed from the rear of other properties.
11. The appellant refers to and provides a copy of an appeal decision that allows extensions to the rear of 19 and 21 Cadoxton Avenue¹. In that case, the Inspector noted a significant variation between the appearances of properties in the terrace. As such, the context for that appeal is different to this appeal site where there is a degree of uniformity. Reference is also made to an extension at 39-41 Wargrave Avenue, however I have been provided with no details of this scheme or the circumstances in which it was granted planning permission. Properties in Wargrave Avenue are not seen from the appeal site and so have no significant effect on its character and appearance.
12. For the reasons outlined above, I conclude that the development would cause significant harm to the character and appearance of the area. Consequently, and in this regard, it would be contrary to policies DM1 and DM12 of the Haringey Development Management Development Plan Document 2017

¹ Appeal reference number APP/Y5420/W/17/3188411.

(HMDPD), policy SP11 of the Haringey Local Plan Strategic Policies document, consolidated with alterations since 2017, policies 7.4 and 7.6 of the London Plan 2016 (LP), the provisions of the Haringey House Extensions in South Tottenham Supplementary Planning Document 2013 (STSPD) and the provisions of the National Planning Policy Framework (the Framework). These all aim, amongst other things, to ensure development proposals are of high quality design and to avoid harm to the character and appearance of an area.

Living conditions

13. The appeal site directly adjoins 20 Norfolk Avenue (No 20) where to the rear is a single storey flat roof extension and a garden outbuilding. As such, only a modest area of open space remains in the back garden of No 20 and this has a partial sense of enclosure because of the nearby houses, outbuilding and boundary features.
14. Whilst set off the common boundary, the proposal would bring the 2 storeys high element of No 22 closer to the open area in No 20's back garden. By reason of its height and proximity, the extension would cause a significant additional overbearing effect to this garden area. The effect would be particularly harmful given the limited amount of open garden to No 20 and the sense of enclosure it already experiences.
15. On the other side, a passageway between the boundary of No 24 and 26 Norfolk Avenue (No 26) means the proposed extension would be further away from the back garden of No 26 compared to No 20. Even so, the proposal would bring the 2 storeys high element of No 24 closer to No 26's back garden. By reason of its proximity and height, the proposed development would cause a visual intrusion on the rear of No 26.
16. The first floor element of the proposed extension is set away from the boundaries and thereby avoids significant loss of light to the rear windows of the neighbouring properties. However, this set-off fails to fully address or outweigh the concerns set out above in respect of visual intrusion to the rear gardens of the neighbouring properties.
17. For the reasons outlined above, I conclude that the development would significantly harm the living conditions of the occupiers of adjoining properties by reason of visual intrusion. Consequently, and in this regard, it would be contrary to policies DM1 and DM12 of the HMDPD, policy 7.6 of the LP, the provisions of the STSPD and the provisions of the Framework, which all aim, amongst other things, to create places with a high standard of amenity for existing and future occupiers of property.

Conclusion

18. For the reasons given above, and taking into account all other matters raised, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR