



Appeal Decision

Site visit made on 6 April 2021

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2021

Appeal Ref: APP/Y5420/W/20/3262021

142A Hornsey Park Road, London, N8 0JY

- 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 Christopher Brown against the decision of Council of the London Borough of Haringey.
 - The application Ref HGY/2020/2053, dated 3 August 2020, was refused by notice dated 28 September 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 142A Hornsey Park Road, London, N8 0JY in accordance with the terms of the application, Ref HGY/2020/2053, dated 3 August 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: XX-R00-PR-101 Existing Site Plan; XX-R00-PR-101 Proposed Site Plan; XX-R00-PR-101 Location Map; HP-R00-EX-102 Existing Floor Plans; HP-R00-EX-102 Proposed Floor Plans; HP-R00-EX-103 Existing Elevations; HP-R00-EX-103 Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The Council's reason for refusing the application refers to Policies 7.4 and 7.6 of the London Plan (2016), which relate to the quality of design, its contribution to local character, and residential amenity. That plan has since been superseded by the London Plan 2021 (LP) which was published in March 2021. Policy D3 of the LP sets similar requirements for development with respect to the quality of design and how it responds to local character and the need to ensure appropriate amenity. I have therefore determined the appeal with

regard to policy D3 and am satisfied that neither party will be caused an injustice by taking this approach.

Main Issues

3. The main issues are the effect of the proposed development upon:
- the character and appearance of the building and area; and,
 - the living conditions of occupants of the neighbouring property, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site relates to a ground floor flat in an end of terraced property. It is located on the corner of Hornsey Park Road and Mayes Road. There is a small community garden on the street corner along the boundary with the appeal site, which in combination with the boundary fence and vegetation in the appellant's rear garden screen views from the street into the site.
5. There is an existing rear single storey extension with an attached conservatory. Views of the conservatory from the neighbouring property, 140 Hornsey Park Road, are limited due to a large holly tree close to the boundary with the appeal site and the conservatory side wall.
6. The Council is concerned that the proposed development, by replacing the existing conservatory with an extension projecting over a metre further into the garden, would appear dominant and lead to the site being cramped and overdeveloped.
7. The existing conservatory consists of an approximately 1-metre-high wall with glass panels above it which extend up to a slightly sloping corrugated plastic roof. Glass double doors open out onto the garden. At the boundary with No 140, the extension and conservatory side wall is solid with no glass panels and extends up to the roof.
8. The Council contend that the existing conservatory has a light appearance in contrast with the proposed development. However, in my view, the walls give the conservatory a more solid appearance than would be the case for a fully glazed structure.
9. The proposed extension would have a flat roof with two large roof lights in place of the existing plastic roof. Glass folding doors opening out onto the garden would cover most of the width of the rear extension and provide a larger area of glazing than currently exists on the rear elevation. I do not consider that it would appear substantially more solid or of a greater mass than the existing conservatory and extension, or that it would dominate or harm the character or appearance of the building. Although the proposed extension would project over a metre further into the rear garden, enough garden space would be retained to ensure that the proposal would not lead to

overdevelopment or a cramped appearance to the site as the Council suggest. As a single storey structure, it would remain subservient to the main dwelling and it would have no impact on the surrounding area due to the site being well screened.

10. Overall, I conclude that the proposed development would not harm the character or appearance of the building and area and there would be no conflict with Policy D3 of the LP, Policy SP 11 of Haringey's Local Plan Strategic Policies 2013 – 2026 (2017) and Policy DM1 of Haringey Development Management DPD 2017 (DPD) which require development to respect local character and context and have regard to scale and massing.

Living conditions

11. The existing conservatory has a slightly sloping roof. It drops down approximately 0.4 metres from where it meets the main extension. The proposed extension would be slightly higher, extend beyond the existing conservatory, and replace the sloping section of roof with a flat roof. As noted, the existing conservatory side wall closest to No 140 is solid, despite the Council appearing to suggest otherwise.
12. In my view, the difference in form and mass between the existing and proposed extension, as it would be viewed from No 140, is relatively minor. As such its impact would not be significantly greater than is already the case. I consider that the proposed development would not appear overbearing or visually intrusive and it would not, therefore, result in an unacceptable impact on the living conditions of occupants of No 140. Furthermore, views of it would be largely obscured by the tree within their rear garden.
13. Overall, I conclude that the proposed development would cause no harm to the living conditions of neighbours and there would be no conflict with Policy D3 of the LP and Policy DM1 of the DPD which require development to deliver a high standard of amenity for the development's users and neighbours.

Conditions

14. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring the external materials used in the construction of the extension to match those of the existing building.

Conclusion

15. For the reasons above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR