



Appeal Decision

Site Visit made on 30 July 2021

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th August 2021

Appeal Ref: APP/Y5420/W/21/3268600

Flat A, 17 Stanmore Road, Tottenham, London N15 3PR

- 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 Ms Victoria Zalin against the decision of London Borough of Haringey.
 - The application Ref HGY/2020/1693, dated 26 June 2020, was refused by notice dated 24 August 2020.
 - The development proposed is erection of a single storey rear extension to the ground floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey rear extension to the ground floor flat. at Flat A, 17 Stanmore Road, Tottenham, London N15 3PR in accordance with the terms of the application, Ref HGY/2020/1693, dated 26 June 2020, 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; Drawing Number 450.052 – Ground Floor Plan as Proposed; Drawing Number 450.055 – Section AA Proposed; Drawing Number 450.058 – Section DD Proposed; Drawing Number 450.059 – Rear Elevation as Proposed; Drawing Number 450.060 – Section EE Proposed.

Preliminary Matters

2. I have taken the description of development from the Council's Decision Notice as this is more precise.
3. Since the original decision The London Plan 2021 (LP) has been published by the Mayor of London. It comprises the spatial development strategy for London and is now part of the development plan. The policies contained in the LP replace those of The London Plan 2016 referred to in the Council's original decision.
4. The Council have commented that Policies D1 and D4 of The London Plan 2021, replace Policies 7.4 and 7.6 of The London Plan 2016 as referred to in the original Decision Notice.
5. On 20 July 2021, the Government published its revised National Planning Policy Framework ('the Framework'). It replaces the previous version published in

February 2019. The Framework represents the Government's up-to-date planning policies for England and how they should be applied.

6. The circumstances of this appeal are such that it has not been necessary to seek comments from the parties on the revised Framework.

Main Issues

7. The main issues are the effect of the proposed development on 1) the character and appearance of the host property and the surrounding area, and 2) the living conditions of the occupants of neighbouring residential properties with regard to light and outlook.

Reasons

Character and appearance

8. The appeal property is a ground floor flat. It forms part of a two-storey terrace of residential properties and is situated within a predominantly residential area. The proposed single storey extension is situated to the rear of the property and incorporates a flat roof.
9. The extension would leave a space at the side of the existing outrigger undeveloped and create a courtyard area. It would project from the existing outrigger, a distance of 3.3m into the rear garden.
10. Due to its overall height, being a single storey structure with a flat roof, when combined with the length of projection into the rear garden, I do not consider that it is of such a degree that it would dominate the host property or be out of scale. The creation of the courtyard may be uncharacteristic; however, it is relatively small and does not create harm overall. Due to its scale and siting, the extension would not be readily visible from any public vantage points.
11. The Council consider that the extension would be out of keeping with the pattern of development of the locality. The appellant has submitted a number of examples of extensions in the area that would suggest this form of extension is not entirely uncommon. Whilst the form of extension that is proposed may not be prevalent, in the absence of harm, I do not consider that this would be reasonable grounds to dismiss the appeal.
12. I therefore find that the proposed development would not have an unacceptable impact on the character and appearance of the host property or the surrounding area. It would comply with Policy SP11 of Haringey's Local Plan – Strategic Policies (2013) and Policy DM12 of Haringey's Local Plan – Development Management DPD (2017) which require, amongst other things, that development is of a high standard of design including for residential extensions.
13. The proposed development would also comply with Policies D1 and D4 of The London Plan (2021) which also require good design to be delivered in all developments.

Living Conditions

14. The proposed extension would run for 3.3m along the common boundary with nos. 15 and 19 Stanmore Road. It would be visible above the existing boundary treatments that are shared with each neighbouring property.

15. Although part of the proposed development would be visible above the existing boundary treatment, due to its overall height and depth it would not have an unacceptable impact on the outlook from neighbouring properties. The increase in height that would result relates to a small section of the overall boundary for the properties on either side and this would not create a harmful sense of enclosure.
16. There would be a small reduction in light levels to the neighbouring properties, however due to the orientation of the rear of the terrace, overshadowing would not be at all times and would not be unreasonable overall.
17. I therefore find that the proposed development would not have an unacceptable impact on the living conditions of occupants of neighbouring properties with regard to outlook and light. It would comply with Policy DM12 of Haringey's Local Plan – Development Management DPD (2017) which requires, amongst other things, that residential extensions take account of the amenity of neighbouring uses.

Other Matters

18. Representation was received in relation to the potential impact of the development on surrounding structures, walls and fencing. These matters are not pertinent to the main issues and would be addressed through Building Control regulations. Matters pertaining to boundary wall issues are civil matters between the relevant landowners.

Conditions

19. 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 for the avoidance of doubt and in the interests of certainty.

Conclusion

20. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR