



Appeal Decision

Site visit made on 12 October 2021

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 29 October 2021

Appeal Ref: APP/Y5420/D/21/3278833

4 Lockmead Road, Tottenham, London N15 6BX

- 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 Isreal Worch against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1397, dated 19 April 2021, was refused by notice dated 21 June 2021.
 - The development proposed is erection of a Type 3 roof extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a Type 3 roof extension at 4 Lockmead Road, Tottenham, London N15 6BX in accordance with the terms of the application, Reference HGY/2021/1397, dated 19 April 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PR-L001, PR-P001, PR-P002, PR-P003, PR-P004, PR-P005, PR-P006, PR-E001, PR-E002, PR-E003, PR-S001.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. This shall include details of the proposed windows. Development shall be carried out in accordance with the approved details and permanently retained thereafter.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of current and future occupiers with particular regard to the provision of outdoor amenity space.

Reasons

3. The appeal concerns a mid-terrace property which, when viewed from the street frontage, has the appearance of a modest two-storey dwelling with an additional roof extension. However, as the basement has also been converted, there is living space on four different levels of the property. In addition, there

are also ground floor and first floor rear extensions. It is therefore evident that the property has been expanded quite substantially since it was originally constructed. The main impact of this has been to increase the size of the internal living space whilst reducing the size of the garden.

4. The proposed roof extension would increase the size of the property further by providing a fifth level of accommodation. Although the House Extensions SPD¹ supports 'Type 3' extensions of this nature, this is subject to the proposal being compliant with the other policies of the development plan when read as a whole. This includes policies which seek to maintain a good standard of amenity for both existing and future occupiers.
5. I saw on my site visit that the garden is relatively small for an extended dwelling of this size. However, the plans indicate that the development would lead to larger room sizes rather than an increase in the number of bedrooms. Therefore, the extension would be unlikely to result in a notable increase in the number of occupiers using the existing garden space. Considering that the proposal would result in improved living conditions inside the property, it seems to me that the overall level of amenity enjoyed by the occupiers of the property would not be harmed as a result of the proposal. This would not represent overdevelopment of the plot.
6. My attention has been drawn to paragraph 3.43 of the House Extensions SPD which says that the Council will not normally permit extensions which leave a rear garden of less than 50 square metres. The proposed Type 3 roof extension would not reduce the size of the garden any further and, for the reasons given above, the living conditions of the occupiers would not be harmed as a consequence of the extension.
7. The Council also refer to paragraphs 3.47 and 3.49 of the SPD which strongly discourage second floor rear extensions, even where Type 3 roof extensions are permitted on the main house. However, in this case, the plans indicate that the Type 3 extension would be constructed directly above the main house and the rear extensions would not be expanded any further.
8. I understand that a planning application² in Barry Avenue for a Type 3 roof extension was previously refused by the Council due to the cumulative impact of existing extensions. As I am not aware of the full circumstances of that particular case, I am unable to establish that it sets a convincing precedent for the current appeal. Nonetheless, each application and appeal must be assessed on its individual merits and in the current case I have found that the proposal would not result in harm. Differing site circumstances and the potential for cumulative harm would represent matters to be considered if similar proposals were to be advanced elsewhere in the future.

Conclusion

9. I conclude that the proposed development would have an acceptable effect on the living conditions of current and future occupiers. There would be no conflict with the objectives of the Housing Extensions SPD, Policy SP11 of the Haringey Local Plan³, Policies DM1 and DM12 of the Haringey Development

¹ House Extensions in South Tottenham Supplementary Planning Document, Haringey Council, October 2013.

² Council Ref: HGY/2020/1489.

³ Haringey's Local Plan Strategic Policies 2013 – 2026.

Management DPD⁴ or Policies D3 and D6 of the London Plan⁵. Together, these policies aim for appropriate standards of design.

10. The appeal should therefore be allowed.

Conditions

11. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To help protect the character and appearance of the area, I have also imposed a condition requiring further details of external materials and the proposed windows. However, I have not imposed a condition to withdraw permitted development rights as suggested by the Council as I do not consider that it would be necessary in this case. The condition requiring further details to be provided also requires permanent retention of the agreed details once they have been approved by the local planning authority. Nor I have I imposed the suggested condition for a qualified professional to demonstrate that the building can take the load. It seems to me that this is a matter for building regulations rather than planning. The application was accompanied by a structural report and this did not highlight any issues which would bring into question the feasibility of the development.

Colin Cresswell

INSPECTOR

⁴ Haringey Development Management DPD, July 2017.

⁵ The London Plan, March 2021.