



Appeal Decision

Site Visit made on 22 November 2021

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2021

Appeal Ref: APP/Y5420/W/21/3273353

40 Willoughby Road, Haringey, London N8 0JG

- 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 Ahmet Tatar against the decision of London Borough of Haringey.
 - The application Ref HGY/2020/2735, dated 3 November 2020, was refused by notice dated 11 December 2020.
 - The development proposed is single storey extension to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to the rear at 40 Willoughby Road, Haringey, London N8 0JG in accordance with the terms of the application, Ref HGY/2020/2735, dated 3 November 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1811/20/Ext-P01; 1811/20/Ext-P02; 1811/20/Ext-P03; 1811/20/Ext-P04; 1811/20/Ext-P04a; 1811/20/Ext-P05; 1811/20/Ext-P06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the construction of the existing building.

Preliminary Matter

2. Since the determination of the application that is now the subject of this appeal, the London Plan 2021 was published in March 2021. The main parties to this appeal have had opportunities to comment upon any relevance of this to the outcome of the appeal.

Main Issues

3. The main issues are:
 - The effect upon the character and appearance of the area, and
 - The effect upon the living conditions of neighbouring occupiers at No 38 Willoughby Road (No 38), having particular regard to outlook.

Reasons

Character and appearance

4. The appeal property makes up part of a linear terrace that contains a mixture of commercial and residential uses. As a result of previous extensions to the rear of the appeal property, an external yard of only limited area remains. Upon inspection I observed this yard to contain two timber sheds. The proposed extension would occupy a discreet location, most particularly owing to the proximity of various neighbouring extensions/developments of bulk that address Turnpike Lane.
5. The extension would be small and represent a subordinate and low-key addition to the site. Whilst its flat-roofed design would not seek to mimic the pitched roof form of the host property's main roof, it would not appear incongruous when viewed and experienced alongside other close by additions to the rear of the terrace. In the context of the often dense and mixed makeup of the site's immediate surroundings, I find that an unduly cramped form of development would not materialise. This is particularly when noting the necessitated removal of the existing timber sheds.
6. Whilst a mostly bricked-up rear-facing window is referred to in the Council's evidence, this would appear to be due to the inclusion of existing boundary treatments upon the submitted elevations. In any event, the extension's rear elevation would not be clearly visible from any publicly accessible vantage point.
7. For the above reasons, the proposal would not cause harm to the character and appearance of the area. The scheme accords with Policies SP1 and SP11 of the Haringey Local Plan Strategic Policies (adopted March 2013, altered 2017), Policy DM1 of the Haringey Development Management Development Plan Document (July 2017) (the DPD) and Policies D4 and D5 of the London Plan 2021 in so far as these policies require all new development to achieve a high standard of design and to contribute to the distinctive character and amenity of the local area.

Neighbouring living conditions

8. The extension would be sited to the north of No 38 and an associated private residential garden area. Whilst this neighbouring garden space would be directly abutted by the proposed extension, the scale and height of the intended single-storey works dictates that an overbearing form of development would be avoided. Indeed, the extension would be experienced from No 38 in the context of (and against the backdrop of) nearby development of greater height and scale.
9. For the above reasons, having particular regard to outlook, the proposal would not cause harm to the living conditions of neighbouring occupiers at No 38. The scheme accords with Policy DM1 of the DPD in so far as this policy requires that development proposals must ensure a high standard of privacy and amenity for neighbours.
10. The proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conditions

11. The Council has suggested conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the National Planning Policy Framework (July 2021) and Planning Practice Guidance. As a result, I have made slight amendments for consistency and clarity purposes.
12. In the interests of certainty, a condition specifying the suite of approved plans is required. In the interests of protecting the character and appearance of the area, a condition is reasonable and necessary to ensure that external facing materials match existing. For the avoidance of doubt, due to the extension's discreet siting and low height, I find it unnecessary to require the submission of full materials details for written approval.

Conclusion

13. For the reasons given above, the appeal is allowed and planning permission is granted subject to conditions.

Andrew Smith

INSPECTOR