



Appeal Decision

Site visit made on 30 November 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/Y5420/W/21/3272753

131 Olinda Road, London N16 6TS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Sumal against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/0573, dated 19 November 2020, was refused by notice dated 26 March 2021.
 - The development proposed is adding on an additional storey to principal elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal was submitted as a prior approval application under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). Although the Council have referred to Policies DM1 of the Haringey Development Management DPD (the DPD) (adopted July 2017), SP11 of the Haringey Local Plan Strategic Policies 2013 – 2026 (SP) (adopted March 2013) and D6 of the London Plan (LP) (adopted March 2021), I am required to assess the proposal as a prior approval application as set out within the parameters of the GPDO. Regard can be given to development plan policies insofar as they are material considerations.
3. The Council has concluded that the proposal is eligible to be considered under the prior approval process and have not raised any conflict with the requirements of paragraphs AA.1 (a)-(k) as set out in the GPDO. I have no evidence before me to conclude differently. Similarly, there are no conflicts with regard to any of the conditions set forth in section AA.2(2) (a-d). Accordingly, the focus of this appeal will be the conditions in paragraph AA.2.(3)(A).
4. I understand a separate planning application was submitted¹ for the adjoining property at 133 Olinda Road. Although the application form submitted with this appeal gives the site address as 131 and 133 Olinda Road, based on the information before me it is clear the appeal relates only to 131 Olinda Road.

¹ HGY/2021/0575

The address in the banner heading above is therefore taken from the decision notice rather than the application form.

5. The reasons for refusal detailed in the decision notice and officer report refer to the effect of the proposal on the character and appearance of the host property and the local area, among others. However, I have dealt with the appeal in accordance with the conditions given in section AA.2(3)(ii) which refer to the external appearance of the dwellinghouse, including its principal elevation and any side elevations that front a highway.

Main Issues

6. The main issues are the effects of the proposal on the amenities of adjoining properties and on the external appearance of the dwellinghouse.

Reasons

Amenity

7. The appeal site is located to the rear of two rows of terraced houses which front Craven Park Road and Olinda Road. It is somewhat contrary to the prevailing layout of development in the area, with properties otherwise typically fronting Olinda Road and Craven Park Road with rear gardens abutting one another. Instead, single storey No 131, along with No 133, are set between 134-140 Craven park Road and 123-129 Olinda Road
8. The proposed additional storey would introduce an overbearing and visually dominant feature which would be perceived as a large structure adjacent to, and extending across, a large proportion of the width of the adjoining rear gardens of 123-129 Olinda Road. This would reduce outlook from these rooms at the rear and create an increased feeling of enclosure within the rear garden which would diminish the enjoyment of these spaces.
9. Such an arrangement would not be typical of prevailing conditions and, notwithstanding some variety in the surrounding built form, I was unable to identify comparable inter-relationships between properties in the surrounding area as is proposed here. The dominating presence of the proposal would therefore detract from the quality of the living environment for occupiers of these adjoining dwellings.
10. These adjoining gardens of properties fronting Olinda Road are north facing. Due to their location to the south of the appeal site there would be no loss of sunlight. Nevertheless, being north facing, they will already experience a reduced amount of daylight to the rear due to the houses themselves. However, the introduction of this significant built form at first floor level would further decrease the amount of daylight. The submitted 'VSC Daylight' document does not include an explanation of the figures submitted, although I note the last column which advises the impacts to some windows of both 127 and 125 would not meet BRE recommended standards. As such the proposal would result in some harm to the occupiers of these dwellings, by virtue of reducing the availability of natural light from which they currently benefit.
11. I note the further concerns of the Council with regards to impacts in terms of natural light on properties to the north which front Craven Park Road. However, due to the orientation of No.132 in relation to the appeal site, I am satisfied

that the proposal would not have an unduly detrimental effect upon sunlight or daylight levels to the rear of this property.

12. Due to the above, the proposal would result in unacceptable harm to the amenities of occupiers of No's 123-129 Olinda Road with regards to outlook and loss of daylight. Insofar as they are material considerations, I have also had regard to Policies DM1 of the DPD, SP11 of the SP and D6 of the LP. Given my findings on this matter, the proposal would also conflict with these policies, which state, among other things, that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours.

External Appearance of the Dwellinghouse

13. The host building is of simple form, forming one half of a pair of semi-detached bungalows. I disagree with the appellant's position that the proposal would not significantly alter the existing appearance of the bungalow. The architectural detailing of the extension, including fenestration, would reflect that of the existing dwellinghouse. However more broadly the design, which includes the intended enlargement, would appear excessively bulky, and as an unsympathetically designed addition to the appeal property on each elevation, including the principal front elevation which faces the highway. It would result in a dwelling of highly atypical and awkward design.
14. For the above reasons, I conclude that significant harm would be caused to the external appearance of the dwellinghouse. Insofar as they are material considerations, I have also had regard to Policies DM1 and DM12 of the DPD, SP11 of the SP and D6 of the LP. Given my findings on this matter, the proposal would also conflict with these policies, which seek, among other things, for all new development and changes of use to achieve a high standard of design.

Other Matters

15. The appellant has referred to the benefits of the proposal, including making more efficient use of the building, although this is not substantiated. While an additional storey may benefit occupiers of the property with increased living space, my considerations are necessarily limited to the conditions, limitations and restrictions specified within this section of the GPDO. Given that I have identified that impact on amenities of neighbouring occupiers and the external appearance of the dwellinghouse would be unacceptably harmful, prior approval should be refused.

Conclusion

16. For the above reasons, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR