
Appeal Decision

Site visit made on 24 May 2022 by S Witherley CIHM MRTPI

Decision by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2022

Appeal Ref: APP/Y5420/W/21/3287476

10A Ground Floor Flat, Tower Terrace, Wood Green, London N22 6SX

- 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 John Doyle against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/2467, dated 29 July 2021, was refused by notice dated 25 October 2021.
 - The development proposed is: Erection of single storey wraparound extension with a partial infill creating a courtyard and 3x rooflights.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of single storey wraparound extension with a partial infill creating a courtyard and 3x rooflights at Ground Floor Flat, 10a Tower Terrace, London, N22 6SX, in accordance with the terms of the application, Ref HGY/2021/2467, dated 29 July 2021, subject to the following conditions:
 - 1) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
 - 2) The development shall be carried out in complete accordance with the approved plans as detailed on the following plans: 1945JD-FUL Rev:0
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The appellant notes that an amended drawing, 1945JD-FUL Rev:A was submitted to the Council during the determination of the application. The Council, however, confirmed that this amendment was not accepted. As such, the appeal has proceeded on the basis of the scheme that was submitted at the start of the planning application. The appeal has been determined on that basis.

Main Issue

4. The delegated report makes reference to the proposal having a negative impact on the living conditions of the occupiers of the appeal site and the neighbouring amenity. However, these issues were not set out in the Council's reasons for refusal. Nevertheless, it is clear from the appellants statement of case that they are aware of the Council's concern in this regard.
5. The main issues, therefore, are i) The effect of the proposal on the character and appearance of the appeal building, a locally listed property and the surrounding area, including whether it would preserve or enhance the Wood Green Common Conservation Area (CA), and; ii) The living conditions of the occupiers of the proposal, in regard to privacy, light and living standards, and the living conditions of the neighbouring occupiers at No. 9 with respect to outlook.

Reasons

6. The appeal property is a ground floor flat located in a terrace block in a predominantly residential area. It is one of a number of properties in the terrace row which is locally listed, recognised for its important design and contribution to the street scene. The special interests of the properties are primarily in the front elevations where there are a number of interesting architectural features, and whilst the rear elevations are uniform in appearance, they have a much more plain and functional aesthetic.
7. It is located in the CA with the boundary drawn around the rear garden of the terrace and beyond that along Parkland Road. The significance of the CA, in so far as it relates to this appeal, drives from the mixed character of Victorian and Edwardian housing intermixed with twentieth century flats, commercial and retail development which make a positive contribution to the areas special character and forms part of its significance.
8. The proposal seeks to extend at ground floor beyond the rear L shaped outrigger and wrap around the side leaving a courtyard area between it and the principal elevation.
9. The proposal would extend out from the rear outrigger by approximately 3.7 metres. Its approximate depth, including the courtyard area, along the shared boundary with No. 9 would be 9.5 metres. Whilst this may appear excessive when considered on its own, in the broader context of the site, and when considering the proposal's overall design and mass, it would, nevertheless, appear subservient to the predominant form of the two storey L-shaped rear addition and the associated external space.
10. Views of the rear elevation are possible from the surrounding area, particularly from the adjacent street on Parkland Road, however, these are largely obscured at street level by the surrounding tall fencing and mature planting. The main views of the rear are of the upper parts of the characteristic L shaped paired outrigger. Thus, having regard to the proposals design, scale and form, the uniformity of the visible parts of the existing rear additions would not be significantly affected when viewed from these public areas.
11. At ground floor the stepped elevation would be lost, it would still remain the predominate visual aspect at first floor. Furthermore, and as noted above, the architectural interest of the property is primarily in the front elevation rather

than the rear and whilst the proposal would alter its appearance, it would not fundamentally undermine the legibility of the rear elevation of the terrace.

12. The proposal would not, therefore, harm the character or appearance of the appeal building, a locally listed property, the surrounding area and would preserve the significance of the CA, as it relates to the appeal site, and as a whole. It therefore accords with Policies SP11 and SP12 of the Haringey Local Plan (2017) (HLP), Policies DM1 and DM9 of The Development Management DPD (2017) (DMDPD) and Policies D3 and HC1 of the London Plan (2021) (LP) which amongst other things seek collectively to ensure that development achieves a high standard of design; respects the local context; enriches the built environment; and sustains and enhances heritage assets.

Living Conditions

13. The Council assessed the proposal against Policy D6 of the LP and state the proposal's internal layout would not meet with the minimum internal space standards for new dwellings as set out in Table 3.1 and Table 3.2 of Policy D6. However, the standards themselves only apply to new self-contained dwellings and this is further defined in the note to Table 3.1 which states *New dwellings in this context includes new build, conversions and change of use.*
14. Given that the proposal seeks to extend an existing dwelling, I do not consider that the standards, as set out in Policy D6 of the LP are applicable to this type of household development. Notwithstanding this, the proposal would provide additional living space which is of a high-quality design with a comfortable and functional layout that is fit for purpose and that meets the needs of the occupants.
15. Furthermore, the internal layout of the building enables the main living area to overlook the large open rear garden where it would afford a pleasant outlook over the rear garden and benefit from more than adequate light levels. Whilst the outlook to the proposed bedrooms/study room would be limited to the courtyard area, these rooms function as secondary bedrooms/study room with the main living room and main bedroom receiving a good level of light and outlook.
16. Light penetration into these secondary bedrooms would seemingly be adequate as each room would be serviced with a window, and in the case of the bedroom/study room, a window and rooflight. This would appear sufficient in the absence of technical evidence to the contrary. Moreover, light levels would be commensurate with the way in which the appellants wish to utilise the rooms and the extension would increase space elsewhere in the home, including an extra bedroom, such that overall living conditions and flexibility of space within the home would be enhanced as a result of the proposal.
17. In terms of privacy, the occupiers would be aware of the relationship between the windows and the rooms function thereby would take whatever steps they consider appropriate to maintain privacy within their own home. Overall, and based on the evidence submitted, it is considered that no harm would arise to the living conditions of the occupants of the appeal property in regard to privacy, light and living standards.
18. The roof of the proposal would be chamfered where it runs along the shared boundary with No. 9. This, along with the drop in ground levels and the

existing tall boundary fence that runs between the properties would ensure the proposal would appear subordinate and unobtrusive, particularly when viewed from both the internal and external areas of No. 9. The dominant feature from views from this neighbouring property would remain the long rear garden which has an open aspect, and this would not be changed by the proposed development. Accordingly, the proposed side extension would not result in undue harm to the living conditions of the occupiers of No. 9 as a consequence of an overbearing outlook.

19. On this main issue, the proposal would not adversely affect the living conditions of the occupiers of the proposal, in regard to privacy, light and living standards, nor would it adversely affect the living conditions of the neighbouring occupiers at No. 9 with respect to overbearing outlook. Accordingly, the proposal complies with Policy DM1 of the DMDPD which seeks proposals to be of a high standard and protects the amenity of the development's users and neighbours.

Conditions

20. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty. To ensure the satisfactory appearance of the development, a condition is attached to require that the external materials match those of the existing building.

Conclusion

21. For the reasons given above and having had regard to all other matters raised, I find that there are no material considerations that indicate the decision should be made other than in accordance with the development plan. I recommend that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

J Hunter

INSPECTOR