



Appeal Decision

Site visit made on 25 July 2022

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2022

Appeal Ref: APP/Y5420/W/22/3292670

47 Tottenham Lane, London N8 9BD

- 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 K Kraus against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3524, dated 23 November 2021, was refused by notice dated 19 January 2022.
 - The development proposed is erection of first floor rear extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect on the character and appearance of the area; and
 - the effect on the living conditions of the future occupiers, with regard to private outdoor space.

Reasons

Character and Appearance

3. The appeal site is a mid terrace property with commercial space on the ground floor to the front and residential flats on the ground and first floor to the rear. There are a number of extensions to the rear of the rows of terraces of varying design and storeys. This creates an unbalanced and irregular appearance.
4. The proposal would be an infill development between two existing first floor extensions. It would result in a bulkier addition to the rear of the property than that which currently exists. Nevertheless, the council acknowledges that this would not be dissimilar to other extensions. While other examples in the area may not create a precedent for new bulky extensions, from my site visit I saw that these features are part of the existing character and appearance of the area. There is no particular evidence before me that this prevailing character and appearance would be particularly harmed by a further bulky addition.
5. Consequently, the proposal would not cause harm to the character and appearance of the area and accords with Policy D3 of the London Plan (2021), Policy SP1 of the Haringey Local Plan Strategic Policies (2017) (Local Plan) and Policies DM1 and DM12 of the Haringey Development Management Development Plan Document (DPD) (2017). These policies include a

requirement for development that responds to a site's context and capacity for growth and makes a positive contribution to a place, improving the character and quality of an area.

Living Conditions

6. From my site visit I saw that the only private outdoor space at the site is a narrow side access passage. It does not appear to provide any meaningful opportunity for casual sitting out and the like. While it may be that flats within a commercial setting seldom include outdoor amenity and recreational space, there is no clear evidence before me that flatted development should be exempt from the requirement to provide private outdoor space in Policy D6 of the London Plan (2021).
7. I note the proposal is a short distance from a local park, however, it has not been shown how this would be a suitable substitute for the external space required by policy or provide the same function. Accordingly, the proposal would be detrimental to the living conditions of the future occupiers, in conflict with Policy D6 of the London Plan (2021), Policy SP2 of the Local Plan (2017) and Policies DM1 and DM12 of the Development Management DPD (2017). These policies, amongst other things, require housing to be of a high quality design that includes the provision of usable private outdoor space, and development to have a high standard of amenity for its users.

Conclusion

8. While there would be no harm to the character and appearance of the area, my above findings in respect of living conditions bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

F Harrison

INSPECTOR