
Appeal Decision

Site visit made on 13 September 2022

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022

Appeal Ref: APP/Y5420/W/21/3286376

86 Arnold Road, Tottenham, London N15 4JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Nicholas Stephenson against the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3013, is dated 29 May 2021.
 - The development proposed is ground and first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for ground and first floor rear extension at 86 Arnold Road, Tottenham, London N15 4JH in accordance with the terms of the application, Ref HGY/2021/3013, dated 29 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this permission, failing which the permission shall be of no effect.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan NAS01; Drawing Nos. 001, 002, 003, 004, 005, 006, 007, 008, 009 and 010.
 - 3) The external materials to be used for the development hereby permitted shall match in colour, size, shape and texture to those of the existing building.

Preliminary Matters

2. The application reference in the banner heading is taken from the Council's Statement of Case. It appears the appeal was submitted before the appellant was aware that the application had been validated.

Background and Main Issues

3. Following the submission of the appeal against non-determination, the Council has confirmed that it would have recommended approval if it had had the opportunity to make a decision. From the evidence I have before me, together with observations from my site visit I consider the main issues to be:
 - the effect on the character and appearance of the area; and
 - the effect on the living conditions of the occupiers of 88 Arnold Road, with regard to outlook, privacy and daylight/sunlight.

Reasons

Character and Appearance

4. Arnold Road is a residential street, comprising two storey terraces. The appeal property is end of terrace, adjacent to an area of grass and tree planting. From my site visit I saw that the rear of the terraced properties in the area immediate to the appeal site are generally uniform in appearance, with original two storey projections. There is also an established tree planting boundary treatment which screens the properties to the rear from the railway line and residential properties beyond.
5. The proposal would extend the existing two storey projection across the full width of the property. The ground floor extension would not be full width, being set in from the shared boundary with 88 Arnold Road. The proposal would result in a bulkier addition to the rear of the property than currently exists. Nevertheless, in this end of terrace location, it would not dominate the existing property, and would not appear cramped, given the more spacious character at the end of the street.
6. As such, the proposal would not harm the character and appearance of the area and accords with Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and policies DM1 and DM12 of the Development Management DPD (2017). These policies seek, amongst other things, high quality development that responds positively to local context, creates a positive contribution to place, and improves the character and quality of an area.

Living Conditions

7. The nearest windows at the adjacent property at 88 Arnold Road face towards their rear garden and not directly towards the appeal scheme and are set in from the boundary with a fence between them and the site. Therefore, while the extension would be visible from the adjacent property, a wide outlook away from it would be retained and its garden. Consequently, the proposal would not have an unacceptable effect on the outlook of the occupiers of No. 88.
8. There are no side elevation windows proposed and the existing boundary treatment would largely screen views from the proposed ground floor windows. The proposed first floor windows are in a similar position to existing ones and typical of arrangement in the street. Therefore, the proposal would not have unacceptable effects on the privacy of the occupiers of No. 88.
9. At No.88, the nearest windows to the extension are large and set in from the boundary, as the extension would also be. Furthermore, the extension would not be significantly taller than the existing boundary fence. As such, appropriate levels of daylight would still be able to enter the rooms of the adjacent property. Given the orientation of the properties, direction of travel of the sun and the single storey nature of the extension closest to the neighbouring property, the proposal would not unduly effect sunlight reaching rooms at No. 88. As such, there would be no effect on sunlight levels for the neighbouring occupiers.
10. Consequently, the proposal would not harm the living conditions of the occupiers of 88 Arnold Road with regard to outlook, privacy and daylight/sunlight. The proposal accords with policies DM1 and DM12 of the

Development Management DPD (2017) which seek to ensure a high standard of privacy and amenity for the development's users and neighbours.

Conditions

11. The Council propose three conditions which have been amended as necessary to ensure consistency with the national Planning Practice Guidance, without modifying the intent of the condition. In addition to the standard condition that limits the lifespan of the planning permission, it is necessary to attach a condition identifying the approved plans for clarity. It is also necessary to impose a condition specifying materials to safeguard the character and appearance of the area.

Conclusion

12. For the reasons given above I conclude that the proposal accords with the development plan. Material considerations have not been shown to carry sufficient weight as to indicate a decision otherwise than in accordance with it. Therefore, the appeal is allowed.

F Harrison

INSPECTOR