



Appeal Decision

Site visit made on 25 October 2022

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/Y5420/W/22/3300104

23B First Floor Flat, Cranbrook Park, Wood Green, London, N22 5NA

- 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 Joseph Hornsby against the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3322, is dated 19 October 2021.
 - The development proposed is the erection of a high-quality loft conversion with a roof extension and terrace at the rear of the property. The new roof and eaves will line up with the neighbouring property (21 Cranbrook Park). The extension at the rear is of 40 cubic metres. New skylights at front and rear of property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's failure to determine the planning application within the statutory timescale. As part of their evidence for the appeal, the Council submitted a putative officer report. I have had regard to this, in so far that it provides clarity on the reasons why planning permission would have been refused had the Council been able to issue a decision. The main issues below are therefore based on the Council's putative reasons for refusal.

Main Issues

3. The main issues are the effect of the proposed development on:
 - i) The character and appearance of the area; and
 - ii) The living conditions of neighbouring occupiers, by way of noise, disturbance and privacy.

Reasons

Character and Appearance

4. The appeal site is a mid-terrace upper floor converted flat in a residential terraced street. The property does not currently have a rear garden or private outdoor space. The ground floor flat, No 23a, has access to a rear garden. I was provided access to this area as part of my site visit to view the location of the proposed development.

5. The property includes a 2-storey rear outrigger that is shared with the ground floor flat. This covers approximately half the width of the property and mirrors an adjoining outrigger at the adjacent property. These largely symmetrical outriggers are a characteristic feature of the street.
6. The proposed development would extend above the main rear roof slope and that of the outrigger, vastly altering the appearance of the roofscape from the rear. With the exception of a limited number of roof extensions, including some that are visible from the rear garden of the ground floor flat, the roofscape of the street is characterised by uniform rear roof slopes and regularly spaced symmetrical outriggers. The development would effectively square off the main rear roof slope and envelope the eaves. Though there would be a change in material between the brick of the existing outer wall and the hanging tiles of the roof extension, the characteristic eaves that are a prominent feature of the wider streetscape would be largely lost.
7. Although there are some limited examples of roof extensions in the street, there are fewer examples of roof terraces and none in very close proximity to the appeal site. The introduction of a roof terrace of the scale proposed would, when combined with the scale, massing and design of the roof extensions as a whole, result in an uncharacteristic and disproportionate addition to the building.
8. When viewed from the street, the proposals would marginally increase the ridge height and include the provision of skylight windows to the front roof slope. Due to topography, there are minor variations in ridge height along the street. The changes proposed, alongside skylights to the front roof slope, would have a negligible effect on the appearance of the property from the front and would not have an adverse effect on the character of the area.
9. The green roof and solar PV panels would be located on the flat roof of the extension and largely hidden from view. As such, they would have a neutral effect on the character and appearance of the area. The rear of the properties along the street are formed of a variety of materials and there are some differing styles of fenestration. The proposed development would add to this variety, and whilst I find no specific harm relating to the choice of materials or fenestration, this would not outweigh the harm previously identified.
10. For the above reasons, the proposed development would result in material harm to the character and appearance of the area. Albeit I have indicated that there are elements of the proposal that do not cause harm, these are not indivisible from the scheme as a whole. The proposed development as a whole is therefore unacceptable. The harm that would be caused would result in conflict with the aims of Policy SP11 of Haringey's Local Plan Strategic Policies 2013-2026 (March 2013, consolidated with alterations since 2017) (the 'HLPSP'), Policies DM1 and DM12 of the Haringey Development Management DPD (July 2017) (the 'HMDMPD'), and Policy D4 of the London Plan (2021) (the 'LP2021'), which together seek to ensure developments have high standards of design that respect local character and context, and relate positively to and are sensitive to their locality.

Living Conditions

11. The proposed terrace would be positioned on the roof of the outrigger, elevated above the windows of the adjoining properties. The terrace would be screened

to the edges, but the submitted plans demonstrate this would not be to a height to prevent overlooking of nearby properties from it. On the basis of the position of the terrace in relation to the windows on the rear elevation of the adjoining property to the west, there would be significant potential for direct elevated views into the adjoining property. This would result in loss of privacy to occupiers, to the detriment of their living conditions.

12. Due to the size of the terrace, it would be likely to function in a similar manner to the private garden areas of dwellings along the street, for example as an outdoor sitting area or space for socialising in evenings. The distance between the terrace and neighbouring living areas would be comparable to that between existing private gardens and neighbouring living areas in the immediate area. As such, I do not find specific harm to the living conditions of neighbouring occupiers in terms of noise or disturbance.
13. I acknowledge the potential benefits the development could deliver to the living conditions of existing and prospective occupiers of the appeal property through the provision of private outdoor space. However, for the above reasons, I conclude that the proposed development taken as a whole would result in overall harm to the living conditions of neighbouring occupiers through loss of privacy, which would be in conflict with the aims of Policy DM1 of the HDMDPD, which seeks to ensure developments ensure a high standard of privacy and amenity for the development's users and neighbours.

Conclusion

14. The proposed development would fail to accord with the policies of the Development Plan as a whole and there are no other considerations that outweigh this conflict. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR