



Appeal Decision

Site visit made on 23 January 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2023

Appeal Ref: APP/Y5420/W/22/3306428

12-16 Clifton Gardens, London N15 6AP

- 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 Elozor Hirschler against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/1683, dated 10 June 2022, was refused by notice dated 4 August 2022.
 - The development proposed is extension to existing ground floor extension at No.12; first-floor rear extensions at No's 12-16; and Type 3 roof extension at No.12.
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Decision

1. The appeal is allowed and planning permission is granted for extension to existing ground floor extension at No.12; first-floor rear extensions at No's 12-16; and Type 3 roof extension at No.12, at 12-16 Clifton Gardens, London N15 6AP, in accordance with the terms of the application, Ref HGY/2022/1683, dated 10 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. CG.12-16 LP, CG.12-16. EX.PR.SP, CG.12-16. PR.01, CG.12-16. PR.02, CG.12-16. PR.03, CG.12-16. PR.04, CG.12-16. PR.05, CG.12-16. PR.06, CG.12-16. PR.07 and CG.12-16. EX.PR.A-A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing buildings.

Application for costs

2. An application for costs was made on behalf of Mr Elozor Hirschler against the Council of the London Borough of Haringey. This application is the subject of a separate decision.

Preliminary Matters

3. Both parties refer to a "Type 3" roof extension. This is defined in the Council's House Extensions in South Tottenham Supplementary Planning Document (October 2013) (SPD) as a full second floor extension with loft accommodation at third floor level possible within pitched roof.

4. No objections have been raised by any party to the proposed ground floor extension and Type 3 roof extension to No.12. I have no reason to reach a different view on these matters.

Main Issue

5. The main issue is the effect of the proposed first-floor rear extension on the character and appearance of the terrace.

Reasons

6. The appeal site comprises three adjoining terraced houses, set within the South Tottenham area. The streets within this area are laid out in a traditional grid pattern and the terraced houses are similar in terms of age, materials and detailing. The original appearance of the terraces has changed significantly over time. The changes made, particularly the roof alterations, upward extensions and rear extensions, lack uniformity, but nevertheless form part of the existing character and appearance of the area. They are also recognised within and supported by the Council's SPD.
7. The terraced houses on Clifton Gardens do not have pairs of adjoining pitched roof rear outriggers, like for example those on the houses behind the site, on Craven Park Road. There is also nothing in the SPD to advise that this is a design requirement that should be imposed and replicated on every two-storey or first-floor rear extension in the area.
8. It is proposed to construct a first-floor rear extension across the full width of No.14, and across approximately half the width of adjoining Nos. 12 and 16. It would be of simple design that reflects the style of the existing rear elevation of the properties. The extension would have a hipped crown roof and would be finished in bricks and tiles to match the existing dwellings. The windows and fenestration detail would also match those of the existing properties.
9. I noted on my visit that there is a similar first floor extension across the rear of Nos. 6 and 8, which has a flat roof and is finished in render. The Council state that the extensions to the rear of Nos. 4, 6 and 8 do not have planning permission. However, I have not been advised that any action has been taken, or is proposed to be taken, against these, which appear to have been present for some time. I have also been provided with full details of two other very similar extensions that have recently been granted planning permission on the opposite side of Clifton Gardens and in the next street. Although every site is determined on its own merits, the Council has not explained what was different about these sites or why a different decision was reached.
10. Due to the modest scale of the extension, its limited projection from the rear wall and the matching design, materials and fenestration detail, it would not appear over dominant, incongruous or detract from the pattern of development in the area.
11. The Council's reason for refusal also refers to overdevelopment and a poor standard of accommodation for occupiers. Except for the small ground floor extension to No.12, which the Council does not object to, there would be no increase in footprint. All three dwellings have long rear gardens providing adequate separation between the first-floor extension and the dwellings to the rear. The first-floor extension would also be set in from the boundaries of the

adjacent properties, avoiding any potential for loss of light to neighbouring windows.

12. I therefore conclude that the proposal would not adversely affect the character and appearance of the terrace. Nor would it result in overdevelopment or a poor standard of accommodation. Consequently, the proposal would comply with Policy SP11 of Haringey's Local Plan Strategic Policies (as amended 2017) and Policies DM1 and DM12 of the Haringey Development Management DPD (2017), which seek amongst other things to ensure new development is of high-quality design that respects local context and character.
13. I find no conflict with the design guidance contained within the Council's SPD, which only discourages two-storey rear extensions on the grounds of loss of light or privacy. Policies D3 and D6 of The London Plan (2021) relate to site capacity and new housing quality standards and are not relevant to this proposal.

Conditions

14. In addition to the standard time limit, I have imposed a condition listing the approved drawing numbers in the interests of certainty as to what has been approved. A condition to ensure that matching external materials are used, is necessary to ensure a satisfactory end appearance that is in keeping with the area. Having regard to the tests for conditions set out in the National Planning Policy Framework and Planning Practice Guidance, the removal of permitted development rights has not been clearly justified. The structural stability of the buildings and their foundations is covered by other legislation. A condition is not necessary to ensure the first-floor extension is constructed across the rear of all 3 houses at the same time, as such a variation from the conditioned approved drawings would require subsequent approval.

Conclusion

15. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be allowed.

R. Bartlett

INSPECTOR