



Appeal Decision

Site visit made on 14 February 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2023

Appeal Ref: APP/Y5420/D/22/3310714

28 Hornsey Lane Gardens, Hornsey, Haringey, London N6 5PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Rabbanian against the decision of London Borough of Haringey.
 - The application Ref HGY/2022/2136, dated 15 July 2022, was refused by notice dated 23 September 2022.
 - The development proposed is Two storey extension to rear of house.
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Decision

1. The appeal is allowed and planning permission is granted for Two storey extension to rear of house at 28 Hornsey Lane Gardens, Hornsey, Haringey, London N6 5PB in accordance with the terms of the application, Ref HGY/2022/2136, dated 15 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan; Block Plan; 28HLG-2; 28HLG-4; 28HLG-7; 28HLG-9.

Main Issues

2. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Highgate Conservation Area (CA); and
 - The effect of the proposed development on the living conditions of occupiers of 26 Hornsey Lane Gardens in relation to outlook.

Reasons

Character and appearance

3. The appeal property is a two-storey detached dwelling located within a residential setting along a row of other detached and semi-detached properties. The host property benefits from a two-storey flat roofed addition to the rear which extends over half the width of the property. Many nearby properties including neighbouring properties No. 26 and 30 Hornsey Lane Gardens benefit

from extensions/alterations to the rear and there are variations in the height, depths and roof form of these elements. A number of trees/hedging surround the site which form the boundary treatment along with a mix of fencing and brick walling.

4. The site lies in the CA and as such, special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA. I have had regard to paragraph 199 of the National Planning Policy Framework (the Framework) in terms of giving great weight to the CA's conservation.
5. The properties along Hornsey Lane Gardens exhibit a strong aspect of their original character which is that of a traditional appearance with well landscaped gardens which make a positive contribution to the CA. The site's significance is derived from its role and collective contribution to the street scene along with other similar properties.
6. The host property is smaller than its neighbours in terms of height and depth and as a result, the rear elevation does not align with neighbouring properties at No. 26 and 30 particularly when taking into account their respective extensions/alterations which project further out to the rear.
7. The proposed rear extension would span across the width of the rear elevation and whilst it would project 5.7 metres at its deepest point, it would not extend significantly further than the previously extended portion and thus, when view in context would not form a significant addition. It would also not extend further than the neighbouring rear extension/alterations and would merely reflect the size and massing of its neighbours. Additionally, the height would sit at a lower level in relation to the host property with an overall design similar and complimentary to that of the main property.
8. The features proposed would enable the main dwelling and extension to read as a cohesive whole and would not be harmful to the overall proportions and appearance of the property. I acknowledge concerns regarding the flat roof form. However, there is already a flat roofed addition to the rear and this feature, together with the diverse appearance of roof forms nearby, means that the proposed extension would not look out of place within its context.
9. Moreover, the extension would be well shielded from views given the location to the rear of the property and vast amount of trees/hedging which surround the site and any visual impact arising from the proposed development would be limited.
10. Due to the overall design and position on the rear elevation, the proposed extension would not appear as a dominant addition nor be highly visible in the locality. Accordingly, I find the proposal would preserve the character and appearance of the CA. As such, it would not be in conflict with Policies SP11 and SP12 of the Haringey Local Plan (HLP), Policies DM1, DM9 & DM12 of the Development Management Development Plan Document (DPD) and Policy HC1 of the London Plan (LP) which together, amongst other matters, requires all new development and changes of use to achieve a high standard of design and contribute to the distinctive character and amenity of the local area whilst ensuring the conservation of the historic significance of Haringey's heritage assets, their setting and the wider historic environment. The proposed development would also accord with paragraphs 197 and 199 of the Framework which relates to conserving and enhancing the historic environment.

Living conditions

11. The neighbouring property at No. 26 sits at an angle to the appeal site and the side elevation which runs along the boundary with the appeal property comprises a tall brick wall of a substantial height and depth which restricts views of the appeal site. There are no windows located within the side elevation that would have direct and open views of the proposed extension and any views from the windows located within the rear elevation would be at an angle given the positioning of the property where most of the views are away from the appeal site. I am therefore content that the proposed development would not represent a visually overbearing feature for the occupiers of No.26.
12. I accept that the proposed development would be close to the shared boundary with No. 26. However, this would not be largely different from the relationship of other properties nearby.
13. I conclude that the proposed development would not have an unacceptable impact on the living conditions of the occupiers of No. 26 in relation to outlook. The proposed development would therefore accord with Policies DM1 and DM12 of the DPD, Policy SP11 of the HLP and Policy D6 of the LP which together, amongst other matters, requires development proposals to ensure a high standard of amenity for the development's users and neighbours.

Conditions

14. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary to ensure that the approved development is carried out in complete accordance with the approved plans. A condition relating to materials would also be required in the interests of the satisfactory appearance of the development.

Conclusion

15. For the above reasons, the appeal should be allowed.

N Teasdale

INSPECTOR