

Appeal Decision

Site visit made on 13 August 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2024

Appeal Ref: APP/Y5420/W/24/3342601

Ground Floor Flat, 236 Victoria Road, Wood Green, Haringey, London, N22 7XQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mike Kennedy against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/2061.
 - The development proposed is ground floor rear extension and internal alterations to existing ground floor flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host property and surrounding area; and
 - The living conditions of the occupiers of 234 and 238 Victoria Road, with particular reference to outlook and daylight.

Reasons

Character and Appearance

3. The appeal site is a ground floor flat which is located within a row of similarly designed terrace properties, with front bay windows, located in a suburban residential area. The rear of the terrace comprises a number of two storey, flat-roof outriggers and dormer extensions. The host property has a long, two storey outrigger which aligns with the boundary with No 238. The outrigger runs across approximately three quarters of the rear elevation and has a two-storey rear outrigger with chamfered corner facing towards No 236, which is a key characteristic of the property. The adjoining property No 234 also has a two-storey outrigger of similar design, alignment and scale. The other adjoining property, No 238 has a much shorter two-storey outrigger, which lies partway between the two faces of the rear elevation of the host property.

4. The ground floor flat has sole access to the modest, irregular shaped rear garden which slopes downwards away from the property and across the site. The garden appears to have been recently levelled, so lies below the ground levels of both Nos 234 and 238. The garden is bounded on both sides by close boarded fencing and landscaping and currently contains an outbuilding used as a home office.
5. The proposed extension would run across the entire width of the plot and in front of the gap which currently exists between the rear elevation of the dwelling and the outrigger. Although a small gap would be retained in order to provide an outdoor courtyard area, the chamfered, subservient appearance of the outrigger would be removed at the ground floor level. Whilst the ground has been levelled, this would accentuate the height of the extension which compared with the original form would appear overly dominant. The width and height of the proposal would disrupt the rhythmic appearance of the rear outriggers which run along the rear terrace, whilst the side return and external courtyard area would create an awkward visual relationship between the ground floor and first floor elements of the property. Accordingly, the width and height of the proposal would unbalance the simple appearance of the rear outrigger and harm the character and appearance of the host property.
6. Due to the changing ground levels and landscaping between the appeal site and Albert Road, only glimpses of the proposed extension would be visible from wider views. Nevertheless, the proposal would extend the property beyond the building line of the rear run of outriggers along the terrace, which would harm the character and appearance of the surrounding area.
7. The proposed development would harm the character and appearance of the host property and surrounding area and thereby conflicts with Policy SP11 of the Haringey Local Plan (2017) and Policies DM1 and DM12 of the Haringey Development Management Development Plan Document (2017) (DMPD), which seek amongst other things to ensure new development achieves a high standard of design and relates positively to their locality, and respects the form, setting and architectural detailing of the original buildings.

Living Conditions

8. I note that no daylight/sunlight report has been submitted. The habitable rooms on the side of the outrigger of No 234 are in close proximity to and look onto the boundary of the appeal site. Given the orientation of the site, daylight to rear habitable rooms is restricted, however the proximity of these ground floor windows and the height of the proposed extension running along the boundary would further reduce outlook and daylight to those rooms particularly those which look onto the existing rear outrigger of the host property.
9. No 238 has a smaller garden to that of the host property and has a very short rear outrigger. At present the outrigger of the appeal site extends along a significant length of the rear garden of No 238. The proposed extension would further increase the built form along this boundary, creating a permanent feature which would rise above the level of the fence line. As the rear garden of No 238 is smaller than the appeal site it would increase the sense of enclosure within the garden space.

10. The boundary treatments to either side are tall and mature, which would largely screen the proposal. I noted on my site visit that although there is some landscaping along the boundary with both Nos 234 and 238, much of the visible growth was along or over the boundary fence and could be removed at any time, I therefore do not consider that this would provide appropriate mitigation to the impact of the proposal on the outlook of the occupiers of No 238.
11. For the reasons outlined above, I conclude that the proposal would cause harm to the living conditions of the occupiers of Nos 234 and 238 with particular reference to outlook and daylight. The proposal thereby conflicts with Policies DM1 and DM12 of the DMPD, which seek amongst other things to ensure that development is of a high standard of amenity of the development's users and neighbours.

Conclusion

12. The proposed extension would provide additional living accommodation for the appellant and his family and give better access to the garden. However, it would harm the character and appearance of the host property and surrounding area and the living conditions of the occupiers of Nos 234 and 238 with particular reference to outlook and daylight. These harms are not outweighed by the benefits which I have identified and are sufficient to justify dismissing the appeal.
13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
14. Accordingly, for the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR