



Appeal Decision

Site visit made on 17 October 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/Y5420/D/24/3350300

38 Lordsmead Road, Tottenham, Haringey, London N17 6EY

- 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 Asif Hussain against the decision of The London Borough of Haringey Council.
 - The application Ref is HGY/2024/0924.
 - The development proposed is the erection of a single storey rear infill extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of neighbouring residential occupiers.

Reasons

3. The appeal dwelling is a two storey mid-terraced house with an original two storey rear outrigger that has previously been extended with a single storey flat roofed wraparound extension. This existing extension is the full width of the appeal plot, leaving only a part of the original side passage to the rear garden. This remaining part is accessed via a door in the flank of the outrigger and there is an existing bay window that projects into the remaining area of the original passageway.
4. The proposal is for a flat roofed single storey extension that would infill the remaining part of the original side passage and require the removal of the existing bay window. The adjacent property at 36 Lordsmead Road (No.36) retains its original side passage and has a matching bay window to the appeal dwelling. There is also a ground window in the rear of No.36 that faces onto the passageway of this neighbouring property.
5. The height of the proposed extension would match that of the existing wraparound extension to the appeal dwelling, at approximately 3 Metres, and would run along the boundary of No.38 that it shares with the side passage to No.36. This would result in a single wall to both the existing and proposed extension that would extend to a combined length of approximately 10.15 Metres.

6. At its widest point the side passageway to No.36 is approximately 1.8 Metres wide. Given this limited width, the proposed extension would sit in close proximity to the rear facing ground floor window and bow window of No.36. With this proximity and height of the proposal, this would result in a tunnelling effect and an increased sense of enclosure for the occupiers of this neighbouring dwelling.
7. This increase in enclosure would be to the extent that it would result in the proposal appearing as overbearing and lead to a significant loss of outlook, which would be experienced as oppressive by the occupiers of this neighbouring dwelling. This overbearing and oppressive effect would be further added to by the significant loss of light that would result from the bulk and height of the proposal being in such close proximity to the windows and passageway of No.36. This loss of light would particularly affect the bay window to this neighbouring dwelling, which projects towards the boundary between the two houses.
8. The appellant has drawn my attention to existing extensions in the local area that they believe to be exemplars for the proposal. However, apart from the addresses of these, the appellant has provided me with no further information. I can, therefore, only afford these very limited weight in my considerations and have considered the appeal proposal on its own merits, which is a key tenet of the planning system.
9. For these reasons, I find that the proposal would result in substantial harm to the living conditions of the occupiers of No.36. This would conflict with Policy SP11 of Haringey's Local Plan Strategic Policies Document 2013 – 2026 (2017), Policies DM1 and DM12 of the Haringey Development Management DPD (2017), Policies D3 and D6 of the London Plan (2021) and Paragraph 135 of the National Planning Policy Framework (2023). Collectively these seek development, including extensions, which maintains a high standard of amenity for neighbouring occupiers.

Planning Balance and Conclusion

10. Whilst the proposed extension would provide additional living space for occupiers of the appeal dwelling, this is not a substantial public benefit. In general, planning decisions should be made in the wider public interest. In this context, the harm I have identified outweighs these benefits.
11. Accordingly, the appeal is dismissed.

Victor Callister

INSPECTOR