



Appeal Decision

Site visit made on 9 December 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2025

Appeal Ref: APP/Y5420/W/24/3348442

441 West Green Road, Tottenham, London, Haringey N15 3PL

- 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 FA WGR Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/1195.
 - The development proposed is described as rear dormer extension and the use of the property as a 5-bedroom HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form, but I have removed wording which is not an act of development.
3. The Council has granted planning permission for the loft extension to existing 1st floor self-contained flat, incorporating a dormer onto rear main roof slope and outrigger dormer to provide a larger family size flat¹. It is common ground between the main parties that what has been built does not sufficiently reflect the approved scheme and therefore this appeal relates solely to aspects which have not previously been granted planning permission, which comprises the dormer window on the roof of the rear outrigger and the use of the property as a House in Multiple Occupation (HMO). I have therefore dealt with the appeal on this basis.
4. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024, which I have had regard to as a material consideration in my decision making. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by this.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host building and of the area.

¹ LPA Ref HGY/2021/0656

Reasons

6. The appeal site is a mid-terrace property near the junction between West Green Road and Stanley Road. The terrace comprises commercial units at ground floor with residential accommodation above. To the rear the terrace has two-storey outriggers and single storey extensions which back into a small yard. The properties facing Haringey Road also have their rear elevations facing towards the yard and a row of terraces more modest in size fronts this yard. The roof forms within the yard are varied and include dormer windows, flat roofs and the sloped roofscape of the original properties.
7. While the dormer does not exceed the ridge height of the host building, it extends across nearly the full depth of the roof of the rear outrigger, with minimal gaps to the eaves and side of the roof. As a result of its size and scale, it represents a visually large and bulky addition to the roof of the outrigger that fails to be subservient. In addition, taken together with the dormer window on the main roof slope, it creates a top-heavy development that is not sympathetic to the character of the host building.
8. The development has limited visual impact on the street scene of West Green Road, but it is visible from Stanley Road and is prominent within the yard to the rear. While there is a variety of roof forms within the yard, the dormer is a substantial addition to the roof of the host property. Consequently, it fails to relate well with the surrounding roofscape which display proportionate roof forms. The development is therefore harmful to the character of the area.
9. The dormer has an appropriate material finish and its fenestration coordinates with the wider property, but this does not successfully mitigate the harm identified above.
10. My attention is drawn to a three-storey development that is being constructed within the vicinity of the appeal site. However, this is a large-scale development other than a residential extension and I do not have the full details of the circumstances that led to this scheme being accepted. For these reasons, I cannot conclude that this example represents a direct parallel to the appeal scheme. As such, I have determined the appeal in its own merits.
11. In view of all the above, the dormer window on the roof of the rear outrigger has a harmful effect on the character and appearance of the host building and of the area. The appeal scheme is therefore contrary to the objectives of Policies DM1 and DM12 of the Development Management DPD 2017 (DPD), Policy SP11 of the Haringey Local Plan Strategic Policies 2017 and Policy D6 of the London Plan 2021, where they support residential extensions of a high quality that contributes to the distinctive character and amenity of the local area and enhances the built environment.

Other Matters

12. The appellant argues that dormer windows can be constructed under permitted development rights. However, there is no substantive evidence that such rights are applicable here as the property is not a dwellinghouse. As such, there is no realistic fallback for me to take into account.
13. The Council considers that the use of the property as a 5-bedroom HMO meets the specific criteria set out in DPD Policy DM17. Based on the information before me, I see no reason to disagree with the Council's view on this matter.

However, this does not override the visual harm I have found the development has upon the character and appearance of the host property and surrounding area.

14. Reducing the size of the existing dormer would lead to the loss of a bedroom, and should the property be used as an HMO, there would be a loss of lower cost accommodation in an area covered by an Article 4 direction precluding HMO conversions under permitted development rights. However, there is limited evidence before me that an alternative scheme could not achieve additional internal space without having a harmful impact upon the character and appearance of the host property and of the area.
15. There is reference within the officer report to a Supplementary Planning Document (SPD). However, I have not been provided with such SPD nor have I been directed to any particular section of it. As such, I have afforded very limited weight to this SPD in my consideration of this appeal.

Conclusion

16. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR