



Appeal Decision

Site visit made on 30 April 2025

by **A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th May 2025

Appeal Ref: APP/Y5420/W/25/3360180

Flat A, 55 Victoria Road, Hornsey, Haringey, London N4 3SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Ben Turner and Alexandra Behrouzi against the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/2034.
 - The development proposed is a full width rear wrap around extension to existing living room and kitchen, together with the creation of a small courtyard.
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Decision

1. The appeal is allowed and planning permission is granted for a full width rear wrap around extension to existing living room and kitchen, together with the creation of a small courtyard at Flat A, 55 Victoria Road, Hornsey, Haringey, London N4 3SN in accordance with the terms of the application, Ref HGY/2024/2034, 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 plans: site location plan; site plan; and drawing no. 05-24/02 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those specified on the application form.

Preliminary Matters

2. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council has provided a statement setting out that they would have refused planning permission for the proposal. This forms the basis of the main issue that I have identified.

Main Issue

3. Accordingly, the main issue is the effect of the proposals upon the character and appearance of the host property, the terrace of which it forms part, and the Stroud Green Conservation Area (the CA).

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires with respect to any buildings or other land in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the

character or appearance of that area. At paragraph 210, the National Planning Policy Framework (the Framework), sets out matters which should be considered, including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5. The CA comprises an extensive area, with a variety of different uses, including many roads containing terraced residential properties. The appeal property is part of a mid-terraced three storey property finished in brick. The terrace comprises 4 no. properties, they have grander front elevations than their rear sides. They each have a three-storey rear projecting outrigger in a gabled roof design and in a paired form; no.55's outrigger is shared with no.57 and its roof ridge straddles the boundary between the two properties.
6. It is said that originally the terrace would have had identical mono-pitch ground floor single storey rear projections beyond their three storey parts, be that as it may, I saw on my site inspection that there has been considerable alterations to those at no's 55 and 57. In the case of the appeal property, it has had its single storey part extended and its roof form has been changed to a flat roof. No. 57 has also had its rear single storey part extended beyond that at the appeal property, and it also has a flat roof construction. Due to the established planting, it was not possible to clearly see all of the rear sides of no. 51 and 53. However, due to this planting, I observed that the rear of the appeal property is well screened from nearby Lorne Road at the time of my inspection.
7. The supporting text to Policy DM12 of Haringey's Development Management DPD (DMDPD) adopted July 2017 says full width rear extensions are not normally considered acceptable, and they should be lower than the ridge height of the host building.
8. Part of the proposal would have a flat roof like the existing single storey part at the appeal property and that at no.57, which would satisfactorily harmonise with the appearance and design of these existing roofs. Notwithstanding that the proposal would extend further to the rear than already extended, it would project no further than no.57's existing extension, and whilst it would leave a small courtyard area which would be separate from the main rear garden, this would not be visible from public vantage points and would not be seen other than by the occupiers of the closest neighbouring properties. Similarly, the proposed lean-to roof to one side of the appeal property would not be conspicuous, it would mostly be lower than the flat roof part and given its low height and discrete location would relate satisfactorily to the host property, the terrace it is part of and the CA.
9. The proposed openings on the end elevation are larger than the windows at higher level, which is often the case, but they broadly correspond to the location of upper floor windows and their design, siting and scale would not be harmful to the appearance of the host property, the terrace and the CA.
10. It is acknowledged that the proposal would extend across the full width of the rear garden for most of its projection, which would make it different to other extensions in the terrace, and that the supporting text of DMDPD Policy DM12 as outlined

above says such proposals would not normally be acceptable. Nevertheless, its single storey scale and simple design would be subordinate to the appeal property and terrace and relate sympathetically to its current appearance, it would also not interfere with the more significant aspects of the terrace's three storey outrigger arrangement.

11. The proposal would not be readily seen from public vantage points, although it is accepted that its altered appearance, roof form and fenestration would be seen from neighbouring gardens. However, these would be seen against other ground floor alterations and would not be prominent or harmful to the CA.
12. It is noted that the Council say rear extensions are not normally larger than double the length of the principal property, when measured from front to back. However, it is unclear if the Council included the existing three storey outriggers into its depth measurements. Moreover, in the absence of any identified harm arising, it is difficult to justify why the proposal would be unacceptable on this basis alone. Furthermore, there would not be any views of the entirety of the front and rear sides of the appeal property together, from nearby gardens or roads.
13. The concerns about whether allowing the appeal would set a precedent are noted. However, each individual proposal must be considered on its individual merits and in this case, there has already been considerable changes at ground floor level to the appeal property and its adjoining neighbour and given its surrounding context there would be no harm arising from the proposal. I note the examples stated by the appellant of other extensions nearby that are said to be similar, but in view of my findings above it has not been necessary for me to consider these further. The Council have referred me to no. 36A Lorne Road, said to have a similar full width single storey extension as the appeal proposal, although 2 metres shorter in its length, which the Council have indicated would be more appropriate than the appeal proposal. The terrace of properties that no. 36A is part of, has a different appearance to that which the appeal property is part of, and it is unclear whether there have been other alterations at single storey level in that terrace, consequently its existence has not altered my findings regarding the appeal scheme.
14. In view of the above, I find the proposal would be in keeping with the character and appearance of the host property, the terrace, and would ensure the character and appearance of the CA is preserved. In doing so, the statutory test is complied with. The proposal also complies with the collective requirements of Policies SP11 and SP12 of Haringey's Local Plan Strategic Policies dated March 2013 (consolidated with alterations since 2017) and DMDPD Policies DM1, DM9, and DM12, that amongst other things, seek to ensure high quality development, including extensions to existing properties have the highest standard of design, respect the area's context, character, and the significance of heritage assets, through the scale, form, and massing of the proposal.

Other Matters

15. The Council's handling of the planning application along with the appellants frustration with the delays are understood. However, I have assessed the proposal based on its planning merits.

Conditions

16. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. A condition is also necessary, to control the external finishes to protect the character and appearance of the area.

Conclusion

17. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

A Hunter

INSPECTOR