
Appeal Decision

Site visit made on 17 June 2025

by **N Unwin BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/Y5420/W/24/3357080

12 - 14 Clifton Gardens, London N15 6AP

- 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 Moshe Lorincz against the decision of the Council of the London Borough of Haringey.
 - The application ref is HGY/2024/2652.
 - The development proposed is described as: The erection of a basement extension with rear lightwells and a new staircase connecting the basement to the rear garden. Resubmission of the ground floor 6m rear extension to No. 12 following approval (Ref: HGY/2022/1138). Rear infill extension to the ground floor rear extension at No. 14.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Moshe Lorincz against the Council of the London Borough of Haringey. This application is the subject of a separate decision.

Main Issue

3. The main issue is whether the proposal would provide adequate living conditions for future occupiers with specific reference to outlook, and levels of natural light.

Reasons

4. The appeal site forms a pair of large, adjoining terraced dwellings. The proposal would involve a ground floor rear extension to both properties, to which the Council raises no objection. The proposed basement extensions would form single large rooms for each property. Modest sized south facing windows and a glazed door adjoin a narrow sunken lightwell to the rear.
5. The appellant indicates that the basement rooms would be used for, amongst other things, storage and as playrooms. There is little before me about how much and which parts of the basement rooms would be used for each of these purposes. Use as a playroom would involve occupiers spending time within the spaces recreationally requiring good levels of daylight and outlook for it to function as such. There is nothing to prevent the whole of each room being used for this purpose and/or for other habitable uses such as sleeping. Moreover, the rooms would be at least as large as other habitable rooms in the dwellings. I therefore find the basement rooms would be habitable spaces, even if they are sometimes or partly

used for storage. As such, the basement rooms would be integral to the primary use of the dwellings so would not be ancillary to it.

6. The basements would be single aspect with an expansive floor area occupying a large section of the footprint of the existing dwelling. Due to the shallow depth of the proposed lightwell, the windows and door within the rear elevation of the basements would be within close proximity of the rear wall of the lightwell. Therefore, the outlook for the occupiers utilising the rooms would be dominated by the rear wall of the lightwell and as such, severely restricted, which would create a gloomy and oppressive environment.
7. Given the large floor area and depth of the proposed rooms, it is likely natural light received from the lightwell would primarily benefit the section of the rooms closest to the lightwell with other areas potentially dependent on artificial light during daylight hours. There is no pertinent evidence to demonstrate otherwise or persuade me that levels of natural light in the basement rooms would be sufficient for habitable use.
8. For these reasons, the proposal would be harmful to the living conditions for future occupiers with specific regard to outlook and levels of natural light. Consequently, in this regard, it would conflict with the relevant provisions of Policy SP11 of Haringey's Local Plan Strategic Policies 2013-2026 (2017), and Policies DM1, DM12, and DM18 of the Development Management Development Plan Document (2017). When read together these policies require new development to provide a high standard of amenity for their users.

Other Matters

9. The appellant raises communication with the Council and procedural unfairness in their determination of the planning application. Nevertheless, these procedural matters are not something I can consider as part of this appeal.
10. My attention has been drawn to other basement extensions within the area, however I do not know the circumstances of these and whether the considerations were the same as the appeal before me. Further, their presence does not justify the above identified harm.
11. I recognise the appellant's aspiration to make efficient use of land, but this does not outweigh the harm I have found. I also acknowledge that the proposal would not adversely affect the character and appearance of the area nor the living conditions of neighbouring occupiers. Further, no objections have been raised with regard to the proposal's compliance with internal space standards or with flood risk. Nevertheless, an absence of harm in these regards is a neutral factor. Compliance with other regulatory regimes falls outside my remit in considering this appeal.
12. I have considered the fallback position of a ground floor rear extension. However, the sunken nature of the proposed basement and reliance on a lightwell means that it is fundamentally different to a ground floor rear extension with regard to levels of natural light and outlook. Consequently, I do not accept the fallback position would be similar to or worse than what is currently proposed and I give it negligible weight.

Conclusion

13. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework have been shown to

indicate that a decision should be taken otherwise than in accordance with it.
Therefore, the appeal should be dismissed.

N Unwin

INSPECTOR