



Appeal Decision

Site visit made on 18 August 2026 by E Street BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2026

Appeal Ref: APP/Y5420/C/25/3374769

15 Walpole Road, London N17 6BE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (the Act).
 - The appeal is made by Mr Muzaffer Gulkaya against an enforcement notice issued by the Council of the London Borough of Haringey.
 - The notice was issued on 2 October 2025.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of an additional plastic and wooden single storey rear extension on top of a raised platform, which incorporates wooden balustrading and a staircase, at the rear of the property.
 - The requirements of the notice are to:
 1. Remove the additional plastic and wooden single storey rear extension in its entirety
 2. Remove the raised platform, including the wooden balustrading and staircase that have been installed at the rear of the property in their entirety
 3. Remove all resultant debris.
 - The period for compliance with the requirements is within 4 months of the notice taking effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Appeal Procedure and Preliminary Matter

1. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
2. A revised National Planning Policy Framework (Framework) has been published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal or the outcome thereof and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issues

3. The main issues are effects of the development on a) the character and appearance of the area and b) the living conditions of the occupiers of Number 13 and 17 Walpole Road (Nos 13 and 17) with particular regard to privacy.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is an end of terraced dwelling which has been previously extended in the past at single storey to the rear. Surrounding dwellings are consistent in their form in terms of modest rear extensions and material choices including brick and tiles. There is a slight land level change from the front to the rear sloping

downwards. These features in combination contribute to a pleasant consistency to the character and appearance of the area.

5. The fixed plastic roof and timber frame of the extension detracts from the existing single storey extension given the incongruous materials used. Additionally, they are of a low quality, and their use is obvious and conspicuous which exacerbates its disproportionality and temporary appearance. Additionally, it detracts from the modest and consistent rear elevations experienced along the row of dwellings. The raised terrace lends to the appellants intention as a permanent feature. However, its excessive height notwithstanding the change in land levels and increased depth is a discordant feature which dominates the rear elevation of the property. It is an obtrusive addition shielding the originality of the dwelling.
6. As such, the development harms the character and appearance of the area, conflicting with Policy D3 of the London Plan (LP) 2021, Policy SP11 of the Haringey Local Plan (HLP) 2017 and Policy DM1 of the Haringey Development Management Development Plan Document (DPD) 2017 which amongst other things, these seek to ensure high-quality design.

Living Conditions

7. The extension spans the whole width of the dwelling, abuts the boundary of No 13 and is adjacent No 17. The steps leading down to the garden lend to open aspect views of No 13's rear garden. Therefore, when stood upon the raised platform, even with the 1.8m boundary fence with trellis, views into their garden are unincumbered. The users of the space would feel that almost all of their privacy is lost in this part of the garden. It would restrict their use of their private external amenity space and truncates their garden to a much smaller usable area in that respect. Resultantly, it would lead to an unacceptable amount of overlooking and loss of privacy to the occupiers of No 13.
8. In terms of No 17, together with the land level changes, their existing boundary treatments along with the small separation gap, visibility into the garden is reduced. In conjunction with the sheeting on the side elevation, the levels of overlooking into external garden space are no more different from an existing single storey extension. Notwithstanding the lack of harm in terms of No 17, the lack of an acceptable level of privacy experienced by occupiers of No 13 leads to conflict with Policy D3 of the LP, Policy SP11 of the HLP and Policy DM1 of the DPD which, amongst other things, seek to ensure that living conditions of neighbouring occupiers are protected.

Other Matters

9. The appellant claims that they were advised by the Council that the development would not require planning permission before works commenced. This does not justify the harm caused by the development. In any case, I can see from the submissions that the Council did not provide such advice. Instead, it provided informal and general advice, on a without prejudice basis. Recommending that formal guidance was sought.
10. The extension was perceived by the appellant to be a pergola to allow the use of external amenity space for an individual with additional medical needs. In this respect, I have had due regard to the Public Sector Equality Duty set out by Section

149 of the Equality Act 2010. I am aware that disability is a protected characteristic thereunder.

11. The space is needed as the appellant is severely impaired in daily activities and has the use of crutches. The access to the outside space helps with their mental health and panic attacks. Whilst I appreciate the requirement in bettering their mental health, it is not sufficiently clear why the external access is required in the form of an extension on an elevated platform and not somewhere else in the garden. Moreover, even with their physical ailments I am not convinced that there is a requirement of the terrace roof for them to access the outside space and resultantly giving it appearance of a substantial extension.
12. Therefore, I am not sufficiently convinced that there is not an alternative way to achieve the aims of ensuring that the appellant has a way of accessing their external amenity space in a way which does not result in harm to the matters discussed above. Dismissal of the appeal on the above grounds in the public interest would therefore be fair and proportionate having regard to the aforementioned duties.

Conclusion and Recommendation

13. There would be some benefits to the proposal for the current occupier in terms of their needs. There would have also been some economic benefit during the construction phase although time limited and already passed. The harm I have found, and the subsequent development plan conflict, relates to a poor standard of living conditions for neighbouring occupiers and the impact on the character and appearance of the area. These would be significant and enduring in their effects and are therefore worthy of substantial weight.
14. The Framework also reinforces, in regard to section 12, the need to ensure safe and healthy living conditions and section 14, to encourage high quality, healthy and inclusive places. With this and the above in mind, the benefits of granting planning permission for the proposals would be substantially outweighed by the adverse effects, when assessed against the national decision-making policies in the Framework. The development conflicts with the development plan. I have been given no other compelling reason, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal on ground (a) should fail and the deemed application for planning permission should be refused.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed. The enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the Town and Country Planning Act 1990 (as amended).

John Morrison

INSPECTOR