

Appeal Decision

Site visit made on 20 September 2016

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 September 2016

Appeal Ref: APP/Q5300/D/16/3154757
767 Hertford Road, Enfield EN3 6SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Lee against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/01327/HOU, dated 29 March 2016, was refused by notice dated 24 May 2016.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are firstly, the effects of the proposed development on the living conditions of the occupiers of 765 Hertford Road in terms of availability of daylight and outlook; and secondly its effects on the character and appearance of the host dwelling and its surroundings.

Reasons

Living Conditions

3. The appeal property is part of a row of dwellings laid out in an intimate linear arrangement facing Hertford Road. Of a different character to the semi-detached and terraced dwellings to its sides, the appeal property is detached and its roof ridge is perpendicular to the ridges of its neighbours, meaning that its principal and rear elevations are the gable ends of the property. To the rear, the appeal property has a two storey outrigger, though this does not extend to the depth of those of its immediate neighbours. A single storey, flat-roofed extension is also present, which appears to be of recent construction.
 4. The appeal proposal is for an extension to the rear at first floor. This would sit on top of a portion of the existing single-storey flat-roofed element of the appeal dwelling, to a depth of around 3m from the back wall of the outrigger. It would have a greater width than the existing outrigger similar to that of the flat roofed extension, and would have a hipped roof, the ridge of which would be perpendicular to that of the existing outrigger.
 5. I am aware that the property's existing outrigger already breaches a conjectural 30° line drawn from the plane of No 765's first floor rear window.
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However, the appeal proposal would extend flank walling beyond the extent of the existing outrigger by around 3m. This would constitute a significant breach of the conjectural 30° line and mean that the proposal would conflict with Policy DMD 11 of *Enfield's Development Management Document* (adopted November 2014) ('the DMD').

6. Moreover, the proposed flank wall, due to its scale, depth and proximity to the adjacent first floor windows would loom large in the outlook available for No 765's occupants from those windows. Consequently, the proposal would be overbearing and enclosing and would thus constitute a material harm to the living conditions of the occupiers of No 765 in this regard.
7. Due to the orientation of the properties I concur with the appellant that effects on the availability of sunlight would not be material, and would not lead to significant additional overshadowing. However, in terms of daylight, the amount of sky visible can affect the quality and amount of daylight available. In these regards, the proposed development's depth, height and proximity to the neighbouring first floor windows would restrict the amount of sky visible to the occupiers of No 765 from these windows to a substantial degree. This would have the effect of limiting the availability and quality of daylight received in these windows, creating a gloomy environment which would be of harm to the living conditions of the occupants of No 765.
8. Accordingly, due to the considerable harm that the proposed development would cause to the living conditions of the occupants of No 765, the proposal would conflict with Policy DMD11 of the DMD. Amongst other matters, this policy seeks to ensure that new residential extensions avoid harm to the living conditions of the occupiers of adjacent properties.

Character and Appearance

9. Whilst I saw at my site visit that alterations and extensions to the rears of properties are not uncommon in the appeal dwelling's surroundings, the proposed hipped-roof form for the extension is one that is alien to the prevailing gable-roofed character of the host property and the wider area. Moreover, the excessive width of the proposal, wider than that of the outrigger to which it is attached, would exacerbate the proposed development's uncomfortable relationship with the appeal property, and would result in a development neither sensitive nor subservient to its host dwelling. The proposed development would also add a complexity to this appeal property's rear and flank elevations which would read as a discordant addition in the context of the appeal dwelling itself and those of its immediate surroundings. Whilst I concur that the appeal property already has a different character to those of its surroundings, the effect of the proposed development would be to exacerbate this difference to a materially harmful degree.
10. I note that the appeal proposal would be within the existing footprint of the appeal building, and its ridge line would be around one metre below the main ridge height of the main part of the roof. I am also aware that matching materials could be employed that with weathering would blend with those of the proposed development's host dwelling. The proposal would also reduce the extent of flat roof at the back of the property. However, none of these matters, taken together, or individually outweighs the appeal scheme's demonstrably harmful effects to the character and appearance of the host dwelling and its immediate surroundings. The proposed development would

not be prominent or widely visible in the streetscene, but where views could be glimpsed it would read as a discordant addition.

11. Consequently, for the reasons given above the appeal scheme would cause considerable harm to the character and appearance of the host dwelling and its surroundings. The proposed development would thus conflict with Policy CP30 of the Core Strategy; and DMD6 and DMD11 of the Development Management Document. Taken together, and amongst other things, these policies seek to ensure that new developments respect the character and appearance of their host buildings and surroundings. Conversely, as Policy CP4 of the Core Strategy is directed to new housing and housing renewal I consider that the appeal scheme would not conflict with this. This would not outweigh, however, the proposed development's conflicts with other relevant aspects of the development plan.

Other Matters

12. I note that the proposal would cause no significant harms in terms of overlooking, requirement for car-parking, or provision of amenity space. However, in the overall planning balance these matters would not outweigh the harmful effects that I have described.

Conclusion

13. The proposed development would conflict with the development plan insofar as the policies that have been brought to my attention are concerned. No material considerations have been demonstrated that outweigh this conflict. Accordingly I conclude, for the reasons given above, and having regard to all other matters raised that the appeal should be dismissed.

G J Fort

INSPECTOR