
Appeal Decision

Site visit made on 19 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: 04 October 2016

Appeal Ref: APP/Q5300/W/16/3154456
39 Cecil Road, Enfield, London EN2 6TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jeremy Lindley against the Council of the London Borough of Enfield.
 - The application Ref 15/03753/HOU, is dated 10 August 2015.
 - The development proposed is an extension to the rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the rear dormer at 39 Cecil Road in accordance with the terms of the application, Ref 15/03753/HOU dated 10 August 2015 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 approved plans: Location Plan (scale 1:1250) and Block Plan (scale 1:500); Proposed Loft Floor; Proposed Roof Plan; Proposed Rear Elevation and Proposed Side Elevation; Proposed Isometric View and Proposed Perspective View.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Background and Main Issue

2. The appeal follows the failure of the Council to give notice of its decision on the application within an extended period of time agreed in writing with the appellant. The Council has supplied neither a draft decision notice nor a statement of case in respect of this appeal. However, I am conscious of the conservation objections in respect of the scheme and thus consider that the main issue in this appeal is the effect of the proposed development on the character and appearance of the Enfield Town Conservation Area.

Reasons

3. The appeal property is a semi-detached hipped-roof dwelling close to the Enfield's town centre. Located within the Enfield Town Conservation Area, the
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appeal property is one of a row of similar dwellings, with deep rear gardens that border Enfield Town Park. A dormer window already exists within the property's rear roof slope. A tall and prominent party wall running between the appeal property and its attached neighbour projects upwards from the roofplane by several courses of brick. The appeal proposal seeks to extend the existing dormer, and add another one of more or less the same overall dimensions at its side.

4. *The Enfield Town Conservation Area Character Appraisal* ("CAA") considers that the special character, and thus the significance, of the conservation area resides to some degree in the close relationship and dramatic contrasts between built and open spaces. It notes that the appeal property is a building that makes a positive contribution to the area. With other properties along Cecil Road, the appeal dwelling contributes to the strong garden boundary edges of Enfield Town Park, which provides an open setting for the conservation area's buildings.
5. Whilst not visible to any perceptible degree from Cecil Road itself, the appeal dwelling's rear roof slope can be seen from Enfield Town Park. However, due to mature trees both inside the park and within the boundaries of adjoining gardens it is not widely visible. I also noted that in views glimpsed from the park of adjacent buildings, that other modest dormer extensions are visible, including one of a similar design to the proposed development.
6. The proposed development would be of modest scale and proportions, inset from the roof ridge, the hip and the eaves. Thus it would read as a subservient addition to the building, the visual effect of which would be further minimized by the appeal dwelling's prominent party wall, which would mask the proposed development from several viewpoints. Whilst the appeal dwelling has a differently proportioned roof to No 35, the property with similar dormer extensions to the proposed development but a slightly longer roof ridge, this does not alter my conclusions with respect to the appeal scheme's subservience to its host property.
7. I am aware of the contribution of the Town Park to the setting and views of Cecil Road, and the character and significance of the conservation area more generally. However, the proposed development's modest scale and limited visibility mean that it would not read as an unsympathetic alteration within the park's setting. Moreover, the depth of separation between the appeal dwelling and the park would mean that the proposed development would not have a harmful effect on the strong garden boundary edges, which contribute to the park's character. I am conscious that cumulative unsympathetic change could erode the setting of Town Park. However, for the reasons given above, I do not consider the proposed development to be unsympathetic either to its host dwelling or the area more generally, and thus it does not create a precedent for future developments which could have more harmful effects.
8. The proposed development is sympathetic to its host dwelling and would cause no harm to its surroundings. It would thus cause no harm to the character, appearance or significance of the conservation area. Consequently, I detect no conflict with Policies CP30 or CP31 of the *Enfield Council Core Strategy* (adopted November 2010); Policies DMD11, DMD37 and DMD44 of *Enfield's Development Management Document* (Adopted November 2014); Policies 7.1, 7.6 and 7.8 of *The London Plan: The Spatial Development Strategy for London-*

Consolidated with alterations since 2011 (adopted March 2016); the National Planning Policy Framework; or the CAA. Taken together, and amongst other things, the policies and CAA seek to ensure that developments avoid harm to heritage assets, are sensitive to the character and appearance of the conservation area, and avoid adverse visual impacts.

9. Due to these reasons also, the proposed development would not fail to preserve the character or appearance of the conservation area. I thus detect no conflict with the statutory duty arising from section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conditions

10. I have been supplied with no list of suggested conditions by the Council. However, I have found it necessary to attach the standard implementation condition in order to comply with the provisions of the Town and Country Planning Act 1990 (as amended). Also, for the avoidance of doubt I have attached a condition specifying the approved plans. Finally, in order that the proposed development is sensitive to the character and appearance of its host dwelling and wider surroundings I have considered it necessary to attach a condition requiring the use of matching materials in its construction.

Conclusion

11. The proposed development would not conflict with the policies of the development plan insofar as they have been brought to my attention. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed.

G J Fort

INSPECTOR