
Appeal Decision

Site visit made on 6 September 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 11th October 2016

Appeal Ref: APP/Q5300/D/16/3153578
13 Gordon Hill, Enfield, Middlesex EN2 0QP

- 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 & Mrs P Birchall against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/00667/HOU, dated 9 February 2016, was refused by notice dated 4 May 2016.
 - The development proposed is single storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear extension at 13 Gordon Hill, Enfield, Middlesex EN2 0QP in accordance with the terms of the application, Ref 16/00667/HOU, dated 9 February 2016, 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: 1504-02A, 1504-05A, 1504-06B, 1504-07B, 1504-08A, 1504-09, 1504-10.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or doors other than those expressly authorised by this permission shall be constructed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of residents of the neighbouring property of 11 Gordon Hill in respect of outlook and light.

Reasons

3. At my site visit, it was apparent that there is an existing single storey flat-roofed detached garage located to the side of the appeal property which directly abuts the boundary with 11 Gordon Hill. It is proposed to demolish this garage and erect a single storey extension to the side and rear of the host
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dwelling. The extension would project further to the rear than the existing garage and would be higher, including a hipped roof. However, the extension would be set back from the boundary with No 11 to provide an access path.

4. Policy DMD 11 of the Enfield Development Management Document 2014 (DMD) includes criteria for single storey rear extensions, including that those with a pitched roof should not exceed 4m in height or 3m to the eaves. The proposed extension would project to the rear and would marginally exceed the height limits specified in DMD 11. It would also project approximately 2.5m beyond an existing extension to the rear of No 11. However, it was apparent at my site visit that there is an existing high garden wall to the rear of the property which would shield views of the extension from the rear of No 11. The extension would therefore not be unduly prominent or have an overbearing impact on the outlook from No 11. Furthermore, due to the arrangement of the properties as well as the height and hipped roof design of the extension, any overshadowing or loss of light would be very limited.
5. The proposal would also be set back from the boundary with No 11, which would further reduce any impact on outlook or loss of light to the adjacent property - particularly in comparison to the existing garage. I note that the residents of No 11 have written in support of the appeal and that they state that they are likely to gain light to a kitchen window to the side of their property due to the set back of the proposed building from the boundary.
6. Accordingly, I conclude that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 11 Gordon Hill. Despite the technical breach of Policy DMD 11, I conclude that the proposal will comply with the overall aim of Policies DMD 11 and DMD 37 of the DMD in relation to the amenity of adjacent properties and the design of extensions. The proposal would also comply with Core Policy 30 of the Enfield Core Strategy 2010 which states that development should have special regard to its context. These policies are broadly consistent with the provisions of the National Planning Policy Framework in seeking to ensure a good standard of amenity for residents.

Conditions

7. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is also necessary to ensure that the appearance of the extension would be satisfactory. Exceptionally, to avoid unacceptable overlooking and loss of privacy, a condition precluding the installation of windows and doors in the extension other than those approved by this permission is necessary.

Conclusion

8. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cross

INSPECTOR