

Appeal Decision

Site visit made on 11 October 2016

by J Bell-Williamson MA MRTPI

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

Decision date: 19 October 2016

Appeal Ref: APP/Q5300/D/16/3158664

92 Lytton Avenue, Enfield EN3 6EN

- 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 Mel Woodbridge against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/00357/HOU, dated 26 January 2016, was refused by notice dated 11 August 2016.
 - The development proposed is described as minor amendment move side wall 1.5 metres.
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Preliminary Matters

1. Both parties refer to an approved application for a side extension (ref TP/04/0946), although they dispute whether this was started within the relevant time period and, therefore, whether it is extant or not. In the absence of a clear position on this matter and for the avoidance of doubt, I have considered the two storey extension and single storey element shown on the plans as a whole. Due to the fact that development has started I have also treated this appeal as involving an application for part retrospective permission.
2. In these circumstances and despite the description of development on the application form, a more accurate description of the proposal is erection of a two storey side extension and single storey rear extension. However, as the appellant has not indicated a change in the description on the appeal form I have used the original description in the decision below.
3. Several of the submitted plans are similar and it is not clear in some instances what the differences are (most notably in respect of PG/02). I have, therefore, followed the normal convention of relying on numbering to determine the most recent version. Any apparent discrepancies between the floor plans and elevations with regard to windows and doors can be resolved subsequent to this decision.

Decision

4. The appeal is allowed and planning permission is granted for minor amendment move side wall 1.5 metres (part retrospective) at 92 Lytton Avenue, Enfield EN3 6EN. The permission is granted in accordance with the terms of the
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application, Ref 16/00357/HOU, dated 26 January 2016, subject to the following conditions:

- 1) Development shall be carried out in accordance with the following approved plans: location plan, PG/01 A1 and PG/02 B2.
- 2) 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.

Main Issue

5. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling and surrounding area.

Reasons

6. The appeal property is a two-storey terraced dwelling in a predominantly residential area of similar property types. No 92 is located at the end of a short terrace next to the junction of Lytton Avenue with Bilton Way leading into Newbury Avenue.
7. As originally built, No 92 has a substantive gap between the side elevation and the boundary with the pavement along Bilton Way/Newbury Avenue. The proposal is for a two storey extension with a small single storey rear extension located on this area. A gap of around a metre would be retained between the full height of the extended side elevation and the boundary.
8. The area immediately surrounding the appeal property has a generally open aspect created by a number of wide road junctions. No 92 itself has an open frontage with no boundary treatment to enclose the front garden area. Properties nearby on the corner of Marrilyne Avenue with Bilton Way and Lytton Avenue with Bilton Way (opposite No 92) also have open aspects to the side but their orientation is different to the appeal property as they face onto the main road.
9. The strongest visual relationship is between the appeal property and No 2 Marrilyne Avenue, given its similar position and orientation. This property has a wraparound front and side extension and, despite the fact that the first floor is set back, the extension has substantially closed the gap to the boundary with the pavement. While the proposed extension in this case would bring the first floor closer to the boundary, the retained gap and otherwise open aspect of the setting would not result in a significantly different effect to that of the extended property opposite. The degree of uniformity between properties separated by the main road is not so strong that the reduced gap to the side of No 92 at first floor level compared to No 2 opposite, would unduly harm this visual relationship or would otherwise appear incongruous in the highly open aspect of the surrounding area.
10. The width of the extension would not be so great that it would undermine the proportions of the existing dwelling. Indeed, the fact that the extension would be at the same height as the existing dwelling would mean the proposal would be seen as a minimal extension of the terrace without upsetting its overall balance or appearance. The extension would bring the side of No 92 forward of the front building line of properties in front of it facing onto Bilton Way and

behind it facing onto Newbury Avenue. There is, however, a significant degree of separation between No 92 and these properties due to the road junction in front and gardens and stream behind it. As such, this aspect of the proposal would not lead to a harmful change in the visual relationship between properties. The single storey rear extension would be of limited depth and would not be of significant height above the side boundary wall.

11. Therefore, taking these findings as a whole, I conclude that the proposed extension would not have an unacceptably harmful effect on the character and appearance of the host dwelling and surrounding area. Consequently, it is not contrary to the following development plan policies: 7.4 and 7.6 of the London Plan, concerning design quality and local character, and CP30 of the Council's Core Strategy and DMD37 of the Development Management Document (DMD), concerning the same matters. It is also not contrary to the following policies from the DMD: DMD7 concerning development of garden land, DMD8, which includes standards for residential development, and DMD14 concerning side extensions. All these policies are broadly consistent with the National Planning Policy Framework, particularly with regard to its requirements for good design.

Conditions and overall conclusion

12. Of the Council's suggested conditions I have not imposed the standard time condition given that development has already started. I agree, however, that one requiring development to be carried out in accordance with the approved plans is necessary to ensure the proper implementation of development in accordance with the submitted details. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and surrounding area.
13. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed.

J Bell-Williamson

INSPECTOR