

Appeal Decision

Site visit made on 18 October 2016

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 27 October 2016

Appeal Ref: APP/Q5300/D/16/3156330

34 Hazelbury Green, Edmonton N9 9BH

- 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 Jarnail Singh against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/01323/HOU, dated 29 March 2016, was refused by notice dated 16 June 2016.
 - The development proposed is a proposed retrospective application for single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the appellant's name from the appeal form rather than that given on the planning application form as it is apparent that this changed during the course of the planning application and prior to the submission of the appeal.

Main Issues

3. The main issues in the consideration of this appeal are the effect of the proposed development on:
 - The living conditions of occupiers of 36 Hazelbury Green, with particular reference to outlook, daylight and sunlight; and
 - The character and appearance of the surrounding area.

Reasons

Living Conditions

4. Policy DMD11 of Enfield's Development Management Document (DMD) states, amongst other matters, that proposed rear extensions will only be permitted if there is no impact on the amenities of the original building, or neighbouring properties. It goes on to state, again amongst other matters, that single storey rear extensions must not exceed 3 metres in depth from the original rear wall of semi-detached properties, and must not exceed 3 metres in height (for flat roofs), with an allowance of 3.3 metres to 3.5 metres to the top of any parapet wall.
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5. In isolation, the extension in this instance is not unduly large. However, cumulatively, extensions project approximately 6.75 metres parallel to the common boundary between the two dwellings. Although the previous extension is likely to have the most direct impact upon daylight and sunlight being received by the ground floor windows at the rear of the neighbouring property, the addition of an extension measuring a further 3.85 metres in depth, would nonetheless compound these impacts. Furthermore, the considerable cumulative projection of the extensions along the common boundary would have an enclosing effect upon the rear of No 36, thereby also having a harmful impact upon the outlook from the rear of No 36.
6. I noted from my observations at my site visit that there is a vertically-boarded timber fence running along the common boundary between the properties. However, although the fence is relatively high, it was clear to see that the extension was of a substantially greater height to the top of its parapet wall. Whilst it has not been argued that it would exceed the figures set out in policy DMD11, I find that its overall height must nonetheless weigh against it, when considered together with the resulting cumulative projection from the rear elevation of the main house.
7. For these reasons, I conclude that the extension has a harmful impact upon the living conditions of occupiers of No 36, in terms of additional loss of daylight and sunlight, and has a harmful impact on the outlook from the rear of that property. As such, I find that the extension also fails to have appropriate regard to its surroundings, contrary to policy DMD37. Although the Council have also referred to London Plan Policies 7.1 and 7.4, Enfield Core Strategy (the CS) core policies 4 and 30 and policy DMD6, I do not find these to be directly relevant to the scheme before me, and they have not been determining factors in my consideration of this matter.

Character and Appearance

8. From my site visit I observed there to be a variety of rear extensions on a number of properties visible from the rear of No 34 but these appeared to be of a generally modest and relatively unobtrusive scale. No 34 has previously been extended at ground and first floor. However, those extensions, together with the flat roofed extension in this instance, create a disproportionately large and sprawling ground floor addition to the modest semi-detached dwelling.
9. This is most keenly felt in the juxtaposition with the other, un-extended, half of the semi-detached dwelling at No 36. Cumulatively, the extension would dominate the rear elevation of the host building, creating a jarring relationship with the modest, un-extended proportions of the adjoining half of the building. The differing materials used in the construction of the extension merely highlight and reinforce the scale of the extension and set it apart from the existing house and the adjoining property.
10. Although the extension is at the rear of the property, it would be widely visible from a number of surrounding dwellings, from where it would be viewed as an incongruously large addition to the rear of the host building in the context of the character and appearance of the surrounding area. This, I conclude would be harmful to the character and appearance of host building and of the adjoining dwelling.

11. Thus, the proposal would fail to have appropriate regard to its surroundings, contrary to policy DMD37. In failing to satisfy policy DMD11(2) in terms of its depth, relationship with the adjoining property and alignment of rear extensions, the extension also has an adverse visual impact on the character and appearance of the host building, and the adjoining dwelling at No 36, contrary to policy DMD11(1)(a) and (c) and London Plan Policies 7.4 and 7.6. Nor would the extension secure the high quality design sought by the National Planning Policy Framework as one of its core planning principles. CS Core Policies 4 and 30, and policy DMD6, are also quoted in the Council's refusal reason, but I do not find these to be directly relevant to the scheme before me, and I have thus accorded them limited weight in my consideration of this matter.

Other Matters

12. I understand the appellant's reason for extending the property, and have noted the inclusion of a downstairs bathroom within the envelope of the extension. However, this reason behind the application does not overcome the harm I have identified above, nor does it persuade me to find the scheme acceptable.
13. I have taken account of the absence of objections from the current occupiers of No 36. However, consideration needs to be given to the living conditions of future occupiers of these properties, and in any event this does not mean that the proposal would be acceptable, or that no harm would be caused. I have also noted reference to the neighbour consultation scheme in respect of larger residential extensions. However, I have to consider the scheme before me on its own merits, and I have therefore given these matters limited weight.

Conclusion

14. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR