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# Appeal Decision

Site visit made on 19 December 2016

**by George Arrowsmith BA, MCD, MRTPI**

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

**Decision date: 11<sup>th</sup> January 2017**

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## **Appeal Ref: APP/Q5300/D/16/3163197 473 Cockfosters Road, Barnet, EN4 0HJ**

- 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 Govender against the decision of the Council of the London Borough of Enfield.
  - The application Ref 16/02633/HOU, dated 11 June 2016, was refused by notice dated 23 August 2016.
  - The development proposed is a single storey ground floor side infill extension.
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### **Decision**

1. The appeal is allowed and planning permission is granted for a single storey ground floor side infill extension at 473 Cockfosters Road, Barnet, EN4 0HJ in accordance with the terms of the application Ref 16/02633/HOU, dated 11 June 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings Nos: D01, D02, D03, D04, D05, D06, D07 & D08.
  - 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.

### **Main Issues**

2. The main issues are whether the proposed development would, i) harm the residential amenities of the neighbouring residential property at No 471 Cockfosters Road through loss of light and outlook and a heightened sense of enclosure and/or, ii) be detrimental to the character and appearance of the host dwelling and the surrounding area.

### **Reasons**

3. The proposal is to erect a 2.8m high flat-roofed extension on the boundary between the appeal property and the garden of its neighbour at No 471. The extension would fill a 3.6m wide gap between an existing flat-roofed single storey extension and a similar outbuilding, both of which have the same height as the proposed extension. At present these existing buildings are linked by a 2m high brick boundary wall.

4. The officer's report on the application says that the proposed extension would result in a cumulative 15.7m depth of extensions on the shared boundary. Whilst acknowledging that there are already an existing extension, wall and outbuilding on the boundary, the report argues that the unbroken built form that would result from the proposal would not be read in the same way as the existing brick wall. I have reservations about this argument. In the first place the structures on the boundary already consist mainly of buildings. Furthermore, I consider that the replacement of the wall by a building would have little bearing on the degree to which the structures would create a sense of enclosure.
5. The officer's report notes that that the 3.6 depth of the proposed extension would exceed the 3m criterion set out in policy DMD11 in the Council's Development Management Document. It points out that the 3.6m depth would be in addition to the 3.65m depth of the existing single storey extension. The report adds that the proposal would also intercept a 45 degree line taken from the closest original rear window (presumably at No 471). Whilst these observations are valid it is necessary to consider them in context.
6. The considerations determining standards for the depth of rear extensions normally include the effect on neighbouring properties. In this location the main body of the parent house (i.e. excluding the existing 3.65m extension) already extends beyond the rear of No 471 with the result that the depth of the existing extension in relation to No 471 is already more than 3.65m. Similarly the existing single storey extension at the appeal property already intercepts a 45 degree line taken from No 471's rear windows. As a consequence of these relationships the part of the boundary structure where the increase in height would occur would be a significant distance from both No 471's main rear elevation and the conservatory which infills its side return. The effect would be that the approximately 0.8m increase in the height of a 3.6m length of boundary wall would have a negligible additional effect on the view from those windows or the light they receive. The effect on No 471's garden would be greater but, taking into account the existing extent of boundary structures, I do not consider that there would be a significant loss of light or outlook or any seriously oppressive effect.
7. Given the limited scale of the proposed extension in relation to the existing boundary structures I am satisfied that it would not be detrimental to the character or appearance of the host dwelling or that of the surrounding area.
8. I conclude that the proposal would not conflict with the objectives of policy CP30 in the Council's Core Strategy or those of policies DMD11 and DMD37 in the Development Management Document.

#### *Conditions*

9. I have imposed standard conditions governing the timing of development, specifying the approved plans and requiring matching materials. These are necessary in the interests of visual amenity and for the avoidance of doubt.

*George Arrowsmith*

INSPECTOR