
Appeal Decision

Site visit made on 21 February 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 1 March 2017

Appeal Ref: APP/Q5300/D/17/3166942

Land adjacent to 2 The Mall, Southgate, Enfield, London, N14 6LN

- 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 Justin Damaso against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/02879/HOU, dated 25 June 2016, was refused by notice dated 21 October 2016.
 - The development proposed is single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side extension at Land adjacent to 2 The Mall, Southgate, Enfield, London, N14 6LN in accordance with the terms of application Ref 16/02879/HOU, dated 25 June, and the plans submitted with it, subject to the following conditions:
 - 1) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: *Site Plan* at scale 1:1250, dated 20-08-2014; *Block Plan* at scale 1:500, dated 20-09-2013; *Ground Floor Plan – Current* at scale 1:50, undated; *Ground Floor Plan – Proposed* at scale 1:50, undated; *Existing and Proposed Front Elevations* at scale 1:100, undated; *RHS Elevation* at scale 1:100, undated; *LHS Elevation – Current* at scale 1:100, undated; *LHS Elevation – Proposed* at scale 1:100, undated; *Rear Elevation – Current* at scale 1:100; and *Rear Elevation – Proposed* at scale 1:100, undated.

Main Issues

2. The main issues are the effect of the extension, which has been largely completed, on the character and appearance of the host dwelling, and the surrounding area; and on the living conditions of future occupiers with particular regard to amenity open space.

Reasons

3. The residential area in the vicinity of the appeal site is a mixture of mainly two storey, substantial semi-detached dwellings with the occasional detached property. The houses are situated within ample, well landscaped plots and there are mature trees in the street.

Character and appearance

4. The Appellant secured planning permission for a new detached two storey house in the former back garden of 149 Fox Lane¹, and the house is now nearing completion. The single storey side extension, which is the subject of the appeal and which is now also largely complete, is to accommodate an enlarged kitchen. It comprises an additional 18 sqm of floorspace, and forms an integral part of the overall development, albeit it is single storey. Concurrent with submitting a retrospective planning application, the Appellant moved the site ownership boundary about 1.5m to the east to compensate for the loss of amenity space arising from the side extension (in the direction of no. 149, which he also owns).
5. The Council expresses concern that the appeal extension results in overdevelopment of the plot, resulting in an incongruous, overly dominant form of development.
6. The appeal extension is a single storey, modestly proportioned structure, which has been designed to resemble a domestic garage. It has not resulted in a continuous façade with adjacent properties; in fact the gap separating it from the house at no. 149 is extensive in terms of the character of the streetscene. Its height and bulk are clearly subservient to the host building and its design and use of external materials are complementary to the main dwelling.
7. I therefore consider that the extension is not unduly prominent and does not appear out of place either in relation to the new house or in the streetscene. As such it generally accords with the design principles in section 7 of *the Framework*². It also is in line with the aims of policy CP4 of the Enfield Plan Core Strategy (dealing with design quality) and policy DMD14 of the Council's Development Management Document, which sets out design requirements for residential extensions.

Living conditions

8. The Council expresses concern that the appeal extension has resulted in the loss of usable amenity space, giving rise to poor living conditions for the occupiers of the appeal property.
9. I note that the change in the boundary between the appeal property and the curtilage of no.149 increases the amount of functional private amenity space to around 100 sqm. There is a small garden area at the back of the house, laid out as a lawn, which has not been reduced in size as a result of the appeal extension. It is self-contained with a high degree of privacy. It has a landscaped boundary including three mature trees along the edge, whilst it has a spacious, south facing aspect across the long back gardens of properties facing Fox Lane. It also exceeds the minimum amenity space standards set out in policy DMD9.
10. In my view, this pleasant back garden area is adequate to meet family needs, whilst I am informed that public open space for more active recreation exists at Grovelends Park, about 330m from the appeal property, which I consider to be within reasonable walking distance.

¹ Planning permission Ref 14/03614/FUL; dated 12 February 2015.

² DCLG: National Planning Policy Framework (*the Framework*); March 2012.

11. In view of the above considerations, I conclude that the appeal extension is not contrary to core principle 17 [4] of *the Framework*, which requires that planning should always seek to secure a good standard of amenity (living conditions) for all existing and future occupants of land or buildings. Neither is it contrary to Core Strategy policy CP30 (maintaining and improving the quality of the built and open environment) or policy DMD9, which sets out a detailed framework for the provision of amenity space.

Conditions

12. The Council has not suggested any conditions other than a condition referring to the approved plans, and a condition (1) to safeguard the character and appearance of the area. I do not see the need for any additional conditions.

Conclusion

13. I have found that the proposed development does not harm the character and appearance of the existing house or the streetscene. Neither would it harm the living conditions of future occupiers of the appeal property. It therefore accords with national policy and the development plan. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR