
Appeal Decision

Site visit made on 15 March 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 23rd March 2017

Appeal Ref: APP/Q5300/D/16/3167697

58 Holmwood Road, Enfield, Middlesex, EN3 6QH

- 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 Mrs Agnes Tekyi against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/04044/HOU was refused by notice dated 28 October 2016.
 - The development proposed is the erection of a double storey side extension.
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Decision

1. The appeal is allowed and planning permission granted for the erection of a double storey side extension at 58 Holmwood Road, Enfield, Middlesex, EN3 6QH, in accordance with the terms of the application, Ref 16/04044/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, and drawing nos. 16/68/1 and 16/68/2.
 - 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 shall be constructed on the flank elevation facing no. 54 Holmwood Road.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the residents of no. 54 Holmwood Road in respect of outlook.

Reasons

3. The adjacent detached house at no. 54 has been extended at the side with a 2-storey extension, maintaining a gap to the side boundary with no. 58's garage.
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The nearest front windows to the side boundary at no. 54 are 2 first floor windows in the extension with a garage beneath. The proposal would replace no. 58's garage with a 2-storey extension with a similar footprint at the front and side. The proposed first floor element would be set in about 1m from the side boundary.

4. The proposed extension would be sited on a building line forward of no. 54. The Council indicates that the proposed extension would intersect a 30 degree angle taken from the midpoint of the nearest first floor window.
5. Policy DMD 11 of the Development Management Document (DMD) indicates that first floor extensions must not exceed a line taken at 30-degrees from the midpoint of the nearest original first floor window to any of the adjacent properties. However, the 2 nearest front facing first floor windows are not original to the dwelling, forming part of the side extension. There is significant separation between the original dwelling at no. 54 and the side boundary with no. 58 as indicated on the site location plan.
6. The first floor element of the proposal would be visible at an angle from the extension windows, in particular the nearest of the 2 windows. However, given the setback of the gable wall from the boundary, the proposed extension would not appear excessively dominating or obtrusive. The proposed ground floor element would replace the garage and have limited additional effect, especially from first floor windows. There would not be any significant dominating or overbearing effect from no. 54's original or extended windows.
7. Taking all these matters into account, I find no material harm to the living conditions of the residents of no. 54 in respect of outlook. There is no conflict with Core Policy 30 of The Enfield Plan Core Strategy 2010 -2025, which seeks to ensure that development actively enhances the quality of life experience by both existing and future residents. I also find no conflict with the objectives of Policy DMD 8 that expects all development to preserve amenity including in respect of outlook, and with Policy DMD 37 that seeks to achieve high quality design.
8. The development plan policies are consistent with paragraph 17 of the National Planning Policy Framework, which indicates that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. There is no conflict with the Framework in this respect.
9. A condition is necessary in respect of external materials to ensure a satisfactory finished appearance. There are no proposed side windows facing no. 54 but I consider a condition is necessary to prevent the insertion of windows in the flank wall facing no. 54 to protect privacy. Standard conditions are also required to cover commencement and compliance with the approved plans.
10. I find no substantive evidence to indicate that the loss of the garage for parking of vehicles would create undue parking pressures in the street or result in significant additional risks to highway safety. I have taken into account all other matters, including all the policies in the Framework, and other national planning policy and guidance, but I find none that warrant dismissal of this appeal.

Sue Glover

INSPECTOR
