
Appeal Decision

Site visit made on 10 April 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 25 April 2017

Appeal Ref: APP/Q5300/D/17/3169712

21 Cheyne Walk, London, N21 1DB

- 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 Taylor against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05354/HOU, dated 17 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is described as a ground floor rear extension and internal alterations to form a disabled bedroom and bathroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effects of the proposal on the character of the area and on the living conditions of neighbours at No 23 Cheyne Walk.

Reasons

3. The appeal property is a 2 storey terraced house set within an area of similar houses. At the time of my site visit the property was the subject of building works to provide accommodation within the extended roof. I noted that the road contains houses on a consistent building line, both front and rear, although some rear extensions were visible.
4. Policy DMD 11 of '*Enfield's Development Management Document*', adopted November 2014, seeks to control rear extensions to houses so that there is no impact on neighbours' amenity and so that there is no disruption to the established pattern and form of development. The Policy states, amongst other things, that single storey rear extensions must not exceed 3m beyond the original rear wall in the case of terraced and semi-detached houses. In addition, it states that such extensions should not exceed a 45 degree line from the mid-point of the nearest original ground floor window of any adjacent property, or common alignment with other rear extensions should be secured.
5. The proposed extension would be 4m in depth and so is contrary to Policy DMD 11 2(a). In addition, the proposal would exceed a 45 degree line taken from neighbours original windows and it would not secure alignment with the neighbouring 3m deep rear extension at No 23 Cheyne Walk. The Council refer to the aim to ensure that residential extensions are subordinate to the original

dwelling. In my judgement, I consider that the proposal would appear unduly large when compared to the modest proportions of the original house and the fact that it is contrary to the maximum limit set in Policy DMD 11 carries significant weight.

6. I have also had regard to the other extensions drawn to my attention by the appellant and seen at my site visit from the elevated parts of No 21. I could see deeper extensions at No 17 and also at the rear of other houses within this row. What I could also see was a significant number of single storey rear extensions which are acknowledged as being 3m deep. On balance, it is these that represent the prevailing pattern of extensions, rather than the fewer number of deeper ones. Additionally, although no details have been given to me, it seems likely that some of the deeper extensions may have been built before the adoption of the Council's Policy DMD 11. Therefore, in relation to the character of the area, I conclude that the proposal would have a harmful effect, contrary to Policies DMD 11, DMD 37 and Core Strategy Policy CP 30.
7. The limit set in Policy DMD 11 is also intended to ensure that extensions have an acceptable effect on neighbours. The policy acknowledges that extensions of a maximum depth of 3m allow for reasonable extensions but that extensions in excess of this may be acceptable if a 45 degree line is not exceeded or where common alignment is achieved. The 3m deep extension at No 23 has windows across its rear elevation and its depth would be exceeded by 1m. I consider that this additional depth would be particularly noticeable from No 23 and it adds to my concerns in relation to the proposal.
8. I have taken into account that the extension is intended to provide accommodation for a disabled resident. However, in my judgement the permanent harm which would be inflicted by the proposal is not outweighed by the personal circumstances referred to by the appellants.

Conclusions

9. For the reasons set out above, I find that the proposal is contrary to the Council's policies which aim to protect the character of the area and the effects on neighbours. Whilst I have taken account of the personal circumstances of the appellant, these are insufficient to outweigh the harm. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR