
Appeal Decision

Site visit made on 30 May 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 8th June 2017

Appeal Ref: APP/Q5300/D/17/3171005

49 Amberley Road, Enfield EN1 2QY

- 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 Giovanni Rubini against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/01649/HOU, was received on 13 October 2016 and was refused by notice dated 7 December 2016.
 - The development proposed was originally described as 'full width rear extension with pitched roof'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. It is clear from the plans and accompanying details that the proposal comprises a single storey side and rear extension. The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of No. 47 Amberley Road, with particular regard to outlook and light.

Reasons

4. The appeal property is a two storey semi-detached property at the end of a row of similar properties. It lies on the corner of Amberley Road and Edenbridge Road and therefore its rear and side elevations are conspicuous within the streetscene. On the evidence before me the Council do not object to the design of the extension and having visited the site similar extensions existed on neighbouring properties. Consequently, I have no reason to disagree with the Council's assessment that the proposal would not cause harm to the character and appearance of the area.
 5. However, the attached property of No. 47 had a window in the ground floor rear elevation sited very close to the boundary with the appeal site. This appeared to serve a dining/living area and the adjoining kitchen had an external door and small window to the side.
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6. The proposal has been designed with a hipped roof that would slope away from the boundary and I am mindful that the dining/living area would still have views of the rear garden. However, the combination of the height, depth and siting of the proposal on the boundary would result in the eye being unacceptably drawn to it. In my view, it would be visually intrusive and overbearing to the outlook from No. 47 and this would be somewhat exacerbated by the existing 2 storey, shallow rear projection on the opposite side of the window. The proposal would also result in some loss of daylight to this room and the immediate rear garden area of No. 47 given the orientation of the properties. Overall, the proposal would make these spaces evidently less attractive areas to spend time in and the proposal would not therefore be a high quality of design.
7. For these reasons, the proposal would cause significant harm to the living conditions of the occupiers of No. 47, in terms of outlook and light. It would therefore conflict with Policy CP30 of the Enfield Plan Core Strategy 2010 and Policy DMD11 of the Enfield Council Development Management Document 2014. Amongst other things, these require a high quality and design led approach and that residential extensions will only be permitted where there is no impact on the amenities of neighbouring properties.

Other Matters

8. I note the appellant's apparent frustration at the Council's handling and determination of applications at the property, however the Council's administration of the application and previous applications are not matters for me to address as part of this appeal.
9. On the evidence before me permission appears to have been previously granted by the Council for extensions to the property¹. However, that proposal appears to have been smaller in depth along the boundary and therefore would have had a lesser effect than the proposal before me. My attention has also been drawn to 2 extensions in Turkey Street, Enfield but as I have not been provided with the details I cannot therefore be certain that the circumstances are comparable. In any event each case must be determined on its own merits.

Conclusion

10. For the reasons set out above the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that the proposal should be determined other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

¹ Appellant's email dated 13 March 2017, timed at 01:37.