
Appeal Decision

Site visit made on 18 July 2017

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 1 August 2017

Appeal Ref: APP/Q5300/D/17/3174209

34 Stone Hall Road, Southgate, London N21 1LP

- 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 Michael Kyriacou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/00842/HOU, dated 24 February 2017, was refused by notice dated 21 April 2017.
 - The development proposed is described as 'rear single extension and propose a straight wall on the side, two flat lantern roof, convert part of the garage to laundry (demolishing the remaining) and extension to the existing dropped kerb/crossover'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development in the header above is taken from the original application form. The Council more accurately describe the proposal as 'single storey side and rear extension, with extension to existing vehicular crossover'. The Council's officer report has confirmed that the proposed works to the vehicular access do not require planning permission and the appellant has been advised to contact the Highway Authority.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of No 32 Stone Hall Road with particular regard to light and visual impact.

Reasons

4. The appeal property is a two storey semi-detached house which has accommodation in the roof space derived from a hip to gable extension and associated large rear dormer. It has an existing 3.8m deep single storey rear extension.
5. The neighbouring attached dwelling, No 32 Stone Hall Road, has an adjoining single storey rear extension which is approximately 2.7m deep. The extension increases in depth to around 6.9m on the opposite side of the property, alongside the boundary with No 30 Stone Hall Road.

6. The proposal involves increasing the depth of the single storey rear extension at the appeal site to 6.9m, running directly alongside the boundary with No 32. Although it would correspond with the deepest part of the extension at the attached property, it would project beyond the nearest part by around 4.2m.
7. Notwithstanding its flat roof form, owing to a combination of its excessive depth and the close proximity of its additional bulk projecting above the boundary treatment, the development would have an overbearing effect in relation to the remaining recessed area at No 32. Whilst the light reduction would be limited, the resulting oppressive sense of enclosure would have a significant adverse impact in relation to the outlook from the ground floor rear windows and the enjoyment of the neighbouring garden patio area.
8. Policy DMD 11 of the Enfield Development Management Document 2014 (DMD) contains criteria which specify that single storey extensions must: a. not exceed 3m in depth beyond the original rear wall in the case of semi-detached properties, b. not exceed a line taken 45 degrees from the mid-point of the nearest original ground floor window to any adjacent property or c. secure a common alignment of rear extensions.
9. Although the existing rear extension already exceeds 3m in depth, the proposal would massively exceed the policy requirement. The supporting text to the policy clarifies that where there are existing extensions on adjacent properties, the criteria will apply as from the original dwelling regardless of the depth of the adjoining extensions. Consequently, the entirety of the proposed extension's flank would project beyond the applicable 45 degree line. Even if the line were related to No 32's existing 2.7m extension, the far end of the extension's flank would still project beyond such a line. This reinforces the conclusion reached above in relation to the harm derived, in part, from the excessive depth of the proposal.
10. The first two criteria may be set aside if, in accordance with criterion c, the development secures a common alignment of extensions. In this particular case, the deeper 6.9m element at No 32 does not run alongside the boundary with the appeal property. It would therefore not result in a common alignment of extensions and the proposal would conflict with the criteria in the policy.
11. Whilst it is understood the occupiers of No 32 have expressed an intention to further extend their property in a similar manner to the proposal, the appeal must be determined on the basis of the current circumstances. Furthermore, whilst it is appreciated there was no objection to the development from the present occupiers of No 32, a core planning principle set out in the National Planning Policy Framework is that planning should seek to secure a good standard of amenity for all existing and future occupants of buildings. Resisting the harmful development would secure a good standard of amenity for future occupiers of No 32.
12. The benefit of the proposal is acknowledged, namely the provision of additional living accommodation at a family home. Nevertheless, this consideration does not outweigh the identified harm.
13. It is therefore concluded that the proposal would have an unacceptably harmful effect on the living conditions of the occupiers of No 32 Stone Hall Road with particular regard to its visual impact. It would conflict with Core Policy 30 of The Enfield Plan Core Strategy 2010 and Policies DMD 11 and DMD 37 of the

DMD. Amongst other things, these policies seek to protect the residential amenity of neighbouring properties.

Conclusion

14. For the reasons given above and having regard to all other matters raised, the appeal is dismissed.

C J Ford

APPOINTED PERSON