
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: 1st August 2017

Appeal Ref: APP/Q5300/D/17/3175686

82 Palmerston Crescent, Enfield, Southgate, London N13 4NH

- 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 Tim Banham against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/00355/HOU, dated 27 January 2017, was refused by notice dated 29 March 2017.
 - The development proposed is described as 'single storey rear and two storey side extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Planning permission was previously granted for the proposed single storey side and rear extension element. At the time of the site visit this had been completed. The appeal proposal is therefore a first floor side extension.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of No 84 Palmerston Crescent with particular regard to daylight and visual impact.

Reasons

4. The appeal property is a two storey semi-detached house with a fairly deep two storey rear projection. The ground floor of the projection is positioned a short distance back from the boundary with the neighbouring property, No 84 Palmerston Crescent. It then steps back a further degree at the first floor.
5. No 84 also has a two storey rear projection with similar set backs at the ground and first floor. However, the ground floor has retained its original form with a single storey lean-to element. This appears to be used for storage purposes and commences part way along the projection so as to leave a small gap between its flank and the main rear wall of the house. At the ground floor there are two windows and a glazed door that face into this gap, with two first floor windows positioned above.
6. The space between the two projections is therefore narrow and already restricts the outlook and the amount of daylight received by those windows within the recessed area that serve habitable rooms at No 84. That is

particularly the case at the ground floor given the position of the lean-to element.

7. The extension would bring the first floor of the appeal property closer to the boundary. Whilst it would not encompass the full depth of the projection, retaining a gap at each end, the encroachment of the narrow space and the additional high level bulk would nonetheless have a significant adverse impact in relation to the outlook and daylighting of the relevant habitable rooms at No 84. Although there would be no overshadowing, it would result in an unacceptable sense of enclosure within the area between the two properties.
8. Policy DMD 11 of the Enfield Development Management Document 2014 (DMD) specifies that first floor extensions must not exceed a line taken 30 degrees from the mid-point of the nearest original first floor window to any adjacent property. The projection at the appeal property has always exceeded such a line. Nevertheless, the fact the majority of the proposal would do likewise, at a closer point to the nearest window, confirms it would exacerbate an already substandard situation having regard to the expectations of current planning policy.
9. It is therefore concluded that the proposal would have an unacceptably harmful effect on the living conditions of the occupiers of No 84 Palmerston Crescent with particular regard to daylight and 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 the host building and neighbouring properties.

Other matters

10. It is understood the proposed first floor extension has been reduced in depth from a scheme previously refused by the Council and dismissed on appeal. However, the modification is insufficient to make the revised scheme acceptable. Similarly, the fact the proposal would respect the character and appearance of the area to a greater degree than many other extensions and alterations in the nearby area does not mitigate the identified harm.
11. The benefit of the proposal is acknowledged, namely the provision of an en-suite shower room and additional storage. Nevertheless, this consideration does not outweigh the identified harm.
12. Whilst it has not been raised by the Council, it is evident that a flank of the extension would be positioned directly in front of and a short distance from the only window which serves a first floor bedroom to the appeal property. The development would result in a poor and oppressive outlook to the room that would be harmful to the living conditions of future occupiers of the property. This adds to the harm already identified in relation to the main issue.

Conclusion

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

C J Ford

APPOINTED PERSON