
Appeal Decision

Site visit made on 24 July 2017

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

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

Decision date: 7 August 2017

Appeal Ref: APP/Q5300/D/17/3176085

67 Cavendish Road, Edmonton, London N18 2LT

- 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 Carol Ricketts against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/06004/HOU, dated 16 December 2016, was refused by notice dated 2 March 2017.
 - The development proposed is described as 'enlargement of existing single storey rear extension following granting of application 15/01726/CEA dated 22nd May 2016 pursuant to prior approval P14-00363PRH'.
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Decision

1. The appeal is allowed and planning permission is granted for enlargement of existing single storey extension at 67 Cavendish Road, Edmonton, London N18 2LT in accordance with the terms of the application, Ref 16/06004/HOU, dated 16 December 2016, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: FA/67CR/300, FA/67CR/301 and FA/67CR/302.

Procedural Matters

2. The description of the development as set out on the planning application form contains detail that is superfluous as it relates to previous applications and I have therefore not included this within my decision.
3. The development is in place. Following a prior approval application (Council Ref: P14-00363PRH) for a single storey rear extension to a depth of 6 metres at the property, no objections were received and prior approval was not required. A Lawful Development Certificate (Council Ref: 15/01726/CEA) for the 6 metre deep single storey extension has been issued by the Council.
4. The extension has been built 0.335 metres beyond this 6 metre depth. As the Council does not dispute that a single storey 6 metre deep extension has approval, my consideration of this appeal only relates to the additional projection of 0.335 metres.
5. The owner of No 69 Cavendish Road is dissatisfied with the Council's handling of the applications for the development of the overall extension, particularly as regards communication. However it is not within my remit to consider this

matter and I am determining the appeal solely on the planning merits of the case.

Main Issues

6. The main issues are:

- The effect of the development on the character and appearance of the property and the surrounding area; and
- The effect of the development on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

7. The appeal property is a two storey semi-detached dwelling located in a residential area. The development forms the last 0.335 metre projection of a single storey flat roofed rear extension which extends the width of the host dwelling and abuts the shared boundary fence with No 69.
8. Whilst the development projects beyond the approved extension depth of 6 metres, it is the same height and width as the main extension and uses matching materials. When viewed within this context the development and due to its very small depth I consider that it is not unduly prominent or visibly significant.
9. Consequently taking account of these factors, I conclude that the 0.335 metre extension does not cause unacceptable harm to the character and appearance of the host property or surrounding area. It therefore complies with the Council's Development Management Document (2014) (DMD) Policy DMD11 which includes seeking development that has no adverse visual impact and Policy DMD37 which seeks good design. It also accords with The Enfield Plan Core Strategy 2010-2025 (2010) (CS) Core Policy 30 which seeks to maintain and improve the quality of the built and open environment.

Living conditions

10. Whilst the development projects beyond the approved extension depth of 6 metres, the effect on outlook is limited to that visible above the boundary fence. Due to the small depth of the projection and the level of existing screening from the garden fence, I consider the development is not unduly overbearing. Furthermore when viewed within the context of the entire extension, in my view the additional 0.355 metres of development does not result in an unduly detrimental sense of enclosure or loss of outlook for the occupiers of No 69.
11. I recognise that the development extends beyond a 45 degree line taken from the nearest rear ground floor window of No 69. However this has already occurred as a result of the construction of the approved extension. The effect on light levels from the additional projection, when taking into account its small depth, does not result in material harm in this regard.
12. I acknowledge that the development would be larger than the maximum extension depth of 3 metres for semi-detached properties as set out in DMD Policy DMD11. This, amongst other things, seeks to minimise the impact of

rear extensions on light levels and outlook for neighbouring residents. However I note that this policy pre-dates the publication of relevant legislation¹ which permits larger extensions subject to a number of conditions, and as such is not entirely consistent with it.

13. With regards to concerns about noise and disturbance and loss of privacy, no evidence has been provided to demonstrate that the development is causing unacceptable harm in these regards. In addition I note that the Council does not object to the development on this basis. As such, I consider that it is not materially harmful in these regards.
14. Consequently, in this instance, taking account of the above factors and the evidence that is before me, I conclude that the 0.335 metre deep development does not result in material harm to the living conditions of the occupiers of No 69. As such the development complies with DMD Policy DMD11 which seeks, amongst other things, that residential extensions do not prejudice the amenities enjoyed by occupiers of adjoining residential properties.

Other matters

15. As regards concerns raised about drainage I have no substantive evidence to demonstrate that the development is causing an adverse impact in this regard. Furthermore I note that the Council does not object to the development on this basis. I have no reason to disagree with this view.

Conditions

16. As the development is already built no conditions are necessary except to set out the approved plans to ensure certainty.

Conclusion

17. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be allowed.

Y Wright

INSPECTOR

¹ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)