



Appeal Decision

Site visit made on 1 September 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 11 September 2017

Appeal Ref: APP/Q5300/D/17/3178327
88 South Lodge Drive, Southgate N14 4XR

- 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 Jai Tailor against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/00554/HOU was refused by notice dated 30 March 2017.
 - The development proposed is the erection of a single storey rear extension and first floor side extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 86a and 90 South Lodge Drive with particular regard to outlook, light and sense of enclosure.

Reasons

3. The proposal is to enlarge the appeal property, which is a mainly 2-storey semi-detached dwelling by erecting a single storey rear extension and a first floor side addition, with external materials to match those of the host building. The new rear addition would extend across the full width of the main house. It would be much larger than the existing conservatory that would be demolished and removed to make way for the new addition. The solid built form of the rear extension would also noticeably contrast with the more lightweight and partly glazed structure to be replaced.
4. The proposed rear extension would project outwards from the main rear wall by about 3.5-metres. It would, therefore, exceed the limit of 3-metres for extensions of this type that is identified in Policy DMD 11 of the Council's Development Management Document (DMD). According to the Council, this element of the appeal scheme would project beyond an imaginary line drawn at 45-degrees from the mid-point of the nearest original ground floor window of the neighbouring properties on each side of the site, which are 86a and 90 South Lodge Drive. Taken together, the proposal would therefore conflict with DMD Policy DMD 11 (parts 2 a and b).
5. With the new built form in place, there would be a blank wall close to and parallel with the rear boundary of the site that is shared with No 90. This attached property has ground floor windows in its rear elevation, the closest of

which appears to serve a habitable room. From this adjacent window, a considerable expanse of new brick wall would be evident projecting well above the boundary fence that separates Nos 88 and 90. Due to the height, rearward projection and proximity to the boundary of the new extension, I consider that there would be an intrusive and overbearing aspect for the occupiers of No 90 and an unacceptable sense of enclosure. As the new extension would be broadly to the northwest of this neighbouring property there would be no appreciable loss of natural light to the rear windows of No 90.

6. The upper part of the new rear addition would also be visible from the ground floor windows at the back of No 86a, which is a detached property on the opposite side of the site to No 90. From what I saw, No 86a is sited at a slight oblique angle to the appeal dwelling so that views from its ground floor windows would include part of the new flank wall with its rearmost corner closest to the common boundary. Nevertheless, the proposal would be noticeably set back from this boundary. Given this separation distance, the presence of the new built form would be less imposing on the occupiers of No 86a compared to those of No 90. This set back arrangement would also ensure that the main direction of outlook from the rear windows of No 86a across the rear garden and the source of natural lighting would not be so adversely affected by the proposal that permission should be withheld for these reasons. In those circumstances, there would be no undue sense of enclosure as a result of the appeal scheme. Taken together, I consider that the living conditions of the occupiers of No 86a would not be materially reduced.
7. In reaching these conclusions, I acknowledge that extensions of the type proposed are a familiar feature in residential areas and that flank walls of buildings are often evident in views between adjacent properties that stand next to each other. Even so, given the close relationship of the new rear addition and No 90, I find that the development proposed is objectionable for the reasons given.
8. The Council raises no objection to the proposed side extension, which I, too, find acceptable. However, from my inspection of the plans this part of the appeal scheme is not clearly severable from the proposed rear extension. Consequently, I am unable to issue a split decision that grants planning permission solely for it.
9. Overall, I conclude on the main issue that the proposed development would materially harm the living conditions of the occupiers of No 90. As such, it conflicts with Policy DMD 11 of the Council's Development Management Document, Core Policy 30 of the Enfield Core Strategy and Policies 7.4 and 7.6 of the London Plan insofar as they aim to safeguard residential amenity. It would also fail to adhere to a core principle of the Framework, which is to secure a good standard of amenity for all occupiers of land and buildings.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR