



Appeal Decision

Site visit made on 21 November 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 24 November 2017

Appeal Ref: APP/Q5300/W/17/3180139

1a-1b Osborne Road, Enfield EN3 7RN

- 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 Daniel Page against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/00740/FUL, dated 18 February 2017, was refused by notice dated 13 April 2017.
 - The development proposed is to construct a 3m depth rear extension to flat 1a Osborne Rd & a loft conversion to 1b Osborne Rd.
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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 character and appearance of the surrounding area, with particular reference to the proposed extensions relating to the loft conversion element of the scheme.

Reasons

3. Nos 1a and 1b are flats forming one half of a semi-detached pair of properties with No 3. The design of that pair differs from other semi-detached dwellings in the street in terms of its front elevation fenestration and with only single storey front projections as opposed to more common two storey bays. There are also a variety of property designs in the vicinity, including some with large original gable ends located a short way along the street on the same side as the appeal site. Most in the street have hip ended roofs and there is a large degree of continuity in that respect amongst dwellings of similar design, particularly those on the opposite side of the road, albeit that a small number of those have had hip to gable roof extensions.
4. The proposed hip to gable roof extension in itself would off-balance the appearance of the semi-pair. However, in taking account of the Certificate of Lawful Development (CLD) for a similar extension to No 3, albeit not yet implemented, and that the semi-pair is of a different design to others in the street, that feature would be unlikely in itself to be a jarring feature.
5. However, in having regard to the proposed rear dormer, that aspect of the scheme would occupy the majority of the rear roof slope. Crucially, it would extend very close to the side elevation of the dwelling and only slightly above eaves level and down from the main ridgeline. Such a flat roofed feature, of

the size proposed would represent an uncharacteristically bulky and top heavy addition to the building in the context of other dwelling designs in the vicinity. Importantly, it would also be clearly seen from the street on the eastern approach to the site, due to the appeal site being the first property on that side and with a substantial gap to the dwellings fronting Brimsdown Avenue where there are only single storey outbuildings in between. As such, it would be a dominant, obtrusive and jarring feature of the streetscene.

6. I acknowledge that the CLD relating to No 3 also includes an identical rear dormer, again not yet implemented. However that other dormer would not be so clearly visible from the street as that proposed due to the intervening presence of No 1a/1b on the approach from the east and of the fairly close proximity of the next dwelling to the west on that approach. The circumstances are therefore materially different in this case. For the same reasons, that rear dormer of No 3 would also be unlikely to cause a material imbalance in the appearance of the semi-pair when seen from the street if built without that of No 1b. I have therefore afforded little weight to this factor.
7. The appellant highlights the differences between the criteria relating to rear dormers set down in the Government's Permitted Development rights for householders Technical Guidance (the Technical Guidance) and that contained in policy DMD 13 of the Enfield Council Development Management Document (the DMD). In particular he claims that the Council have adopted an inconsistent approach in respect of that permitted at No 3 and the identically designed appeal proposal. However, the Town and Country Planning (General Permitted Development) (England) Order 2015 criteria and the associated Technical Guidance is not required to be replicated in the DMD policy for determining development requiring planning permission.
8. In the appeal case, unlike that of No 3, planning permission is required by virtue of relating to a building containing two flats. As such I have considered the appeal proposal on its own merits based on the relevant development plan policies and all of the evidence submitted, together with my observations.
9. I have also taken account of the scenario whereby the hip to gable extension of No 3 could be built without that of No 1b in the event of my dismissing this appeal, in terms of upsetting the balanced appearance of the semi-pair. In this respect, I have had regard to the adjacent dwelling to the west of No 3 having a different design which would therefore draw some attention away from that imbalance. As such, and in light of my findings relating to the proposed dormer element of the appeal scheme, that dormer would be likely to detract significantly more from the streetscene than the above scenario.
10. For the above reasons, the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, with particular reference to the proposed rear dormer element. As such, it would be contrary to policies DMD 13 and DMD 37 of the DMD, policy CP30 of the Enfield Council Core Strategy, and policies 7.1, 7.4 and 7.6 of the London Plan which together, amongst other things, require development to be of high quality design, to be appropriate to its context and have appropriate regard to its surroundings; and for roof extensions to be of an appropriate size and location within the roof plane and be in keeping with the character of the property, and not dominant when viewed from the surrounding area. It would also be contrary to the National Planning Policy Framework which in paragraph 17 sets out that

planning should, amongst other things, always seek to secure high quality design and take account of the different character of different areas.

11. The Council, in its decision notice, also refers to policy DMD 14 of the DMD. However, that relates to extensions to the side of existing residential properties and so is not relevant to this proposal relating to roof extensions and a rear extension.

Conclusion

12. For the reasons given above, and having taken account of all other matters raised, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR