
Appeal Decision

Site visit made on 14 November 2017

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 28th November 2017

Appeal Ref: APP/Q5300/D/17/3181592

15 Lakeside Road, Southgate N13 4PS

- 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 Jay Hathi against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/02629/HOU, dated 9 June 2016, was refused by notice dated 12 May 2017.
 - The development proposed is a single storey side extension on ground floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the living conditions of the occupants of No 13 Lakeside Road, in respect of outlook.

Reasons

3. No 15 is a semi-detached property with a two storey rear outrigger. No 13, the non-attached property to the south has an outrigger of similar dimensions. Both properties have a small flat roofed brick store at the side of the outrigger which extends just over half of its length. At ground floor level facing No 15 there is a door opening out onto a small yard, and two small windows, one of which is obscure glazed. There is also a ground floor window within the main rear elevation serving a habitable room.
4. Policy DMD11 of the Development Management Policies (DMD) (2014) states that flat roof rear extensions should not exceed a height of 3 metres from ground level with an allowance of 3.3 to 3.5 metres to the top of a parapet wall. The policy also requires that there be no impact on the amenities of the original building and its neighbouring properties. The application description is of a side extension, but both parties have since referred to the scheme as a side and rear extension and considered it in light of the above policy. I see no reason to disagree.
5. The brick store would be demolished and the proposed flat roof extension would extend the entire length of the rear outrigger. The appellant has stated that it would be 3.45 metres in height not including the roof lanterns, although

the Council has pointed out that this appears to be measured from the rear patio and there is a step down in level towards the side of the property of about 200mm. This would mean that the total height when viewed from the adjacent property is likely to be somewhat greater than 3.45 metres. Due to the 8 metre long expanse of unrelieved brick wall, taken together with the excessive height, the extension would appear as a stark and overbearing feature when viewed from the neighbouring property. The separation of about 0.8 metres between the extension and the common boundary would do little to alleviate this adverse visual impact.

6. The appellant has referred to alternative designs previously discussed with the Council, but I am only able to assess the appeal on the basis of the plans before me and any alternative scheme would need to be submitted to the local planning authority in the first instance.
7. I have also had regard to the extension permitted at 53 Derwent Road. Whilst this has a lower eaves height of 2.3 metres it is shown on the plans as to be built up to the common boundary with the adjacent property. In addition the pitched roof means that the tallest part of the extension is further away from the neighbouring property than in the current appeal. As such I have given this matter limited weight in my determination of the appeal.
8. The appellant considers that the extension is of a high quality design and would be used as a kitchen and dining room for growing family needs. I also note that it is to be constructed in materials to match the host dwelling. Nevertheless, these factors are not sufficient to overcome the harm that would be caused by the proposal.
9. I conclude that the development would cause material harm to the living conditions of the occupiers of No 13 Lakeside Road, in respect of outlook. It would conflict with DMD Policy DMD11, Policy CP30 of the Core Strategy (2010) and policies 7.4 and 7.6 of the London Plan (2016), which require developments to maintain and improve the quality of the built environment and not cause unacceptable harm to the amenity of surrounding land and buildings.

Conclusion

10. For the reasons set out above the appeal is dismissed.

Claire Victory

INSPECTOR