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## Appeal Decision

Site visit made on 21 November 2017

**by Andrew McGlone BSc MCD MRTPI**

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

**Decision date: 29 November 2017**

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**Appeal Ref: APP/Q5300/D/17/3181701**  
**7 Silverdale, Enfield, Middlesex EN2 7LA**

- 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 John Loizou against the decision of the Council of the London Borough of Enfield.
  - The application Ref 17/01453/HOU, dated 27 March 2017, was refused by notice dated 30 May 2017.
  - The development proposed is a part single/double storey rear extension. Part single/double storey side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a part single/double storey rear extension. Part single/double storey side extension at 7 Silverdale, Enfield, Middlesex EN2 7LA in accordance with the terms of the application, Ref 17/01453/HOU, dated 27 March 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

### Main Issues

2. The main issues are the effect of the proposed development on: (i) the character and appearance of the area; and (ii) the living conditions of 8 Silverdale, with regards to daylight, sunlight and outlook.

### Reasons

#### *Character and appearance*

3. Silverdale is a cul-de-sac containing detached bungalows and two storey semi-detached dwellings. The appeal property is a two storey semi-detached dwelling which has a two storey outrigger and a single storey garage to the side. The adjoining property, 6 Silverdale has been extended to the side and rear through a mixture of single and two storey extensions. A dormer window is in the rear roof plane of No 6. Two conservatory style extensions are to the

front and side of the detached bungalow of 8 Silverdale. The former is a porch, while the latter fills the space up to the common boundary fence.

4. Policy DMD 11 of the Development Management Document (DMD) explains that single storey rear extensions must: *not exceed 3 metres in depth beyond the original rear wall in the case of terraced and semi-detached properties*. The policy also seeks to *secure a common alignment of rear extensions*. The depth of the proposed single storey extension would be 3.5 metres. Hence, it would not accord with the rear alignment of the single storey extension at No 6<sup>1</sup> which includes a bay window. The harm is, however, modest due to the extension's relationship with the street scene and the bay window. Even so, the appeal scheme would not accord with Policy DMD 11.
5. The proposed first floor extension to the rear would form a common alignment with No 6 in terms of its depth. However, the extension would project to the side of the host dwelling. With regards to Policy DMD 14, a gap of roughly 0.7 metres would be formed between the proposed flank elevation and the common boundary. The extension would, however, roughly be the same distance away as the existing garage. I noted the single and two storey side extensions that have been added to 4, 5, 6 and 8 Silverdale. Individually and collectively these extensions do not adhere to a one metre gap to the boundary of the adjoining property. Notably, the eaves and ridge line of the two storey extensions to Nos 4 and 5 have followed those of the host dwelling. The single storey side extension to No 6 also emphasises the limited gap between Nos 5 and 6.
6. The appeal proposal would bring balance to the semi-detached pairing. The two storey side extension would not, given the site's context, lead to an adverse terracing effect. As such, despite its proximity to the boundary, the proposal would be a high quality development that would not be out of character with the locality and its context. Hence, I do not share the Council's view that it would be a dominant form of development. The Council did not raise any specific concerns in respect of the single storey extension to the front. I concur with this view.
7. I conclude, on this issue, that the proposed development would not accord with Policy DMD 11 of the DMD and that conflict would arise in terms of the minimum distance to the boundary of the adjoining property. However, given the site specific circumstances presented, I conclude that these conflicts are outweighed as the proposal would be a high quality development that would not be out of character with the locality and its context. Accordingly, I conclude that the appeal scheme would accord with Policy CP30 of The Enfield Plan Core Strategy (Core Strategy) and Policies DMD 8, 14 and 37 of the DMD; which collectively seek to achieve high quality design that has regard to the character and context of the locality, in terms of scale, bulk and massing.

### *Living conditions*

8. The depth of the proposed two storey extension would roughly accord with the depth of No 8. There is, next to the porch, a single pane window in the flank elevation. The proposed side extension would be near to the upper row of windows that populate the flank elevation of the conservatory. However, the main outlook from No 8 is to the front and rear of the property. Thus, the

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<sup>1</sup> Council Application Ref: TP/09/0770

appeal scheme would not, despite its scale, bulk and proximity to the boundary harm the outlook from No 8.

9. The rear elevation of No 8 faces south-east. The proposed side and rear extension would have a common alignment with the rear elevation of No 8. There would, however, be some reduction in sunlight and daylight entering the side conservatory through the top panel of windows and its roof due to the appeal scheme's scale and bulk. Even so, the proposal would not prevent sun and daylight from being received in No 8 throughout the day until roughly late afternoon. Thereafter, daylight would still be received. The proposal would not therefore result in an increased sense of enclosure. Nor would it be an obtrusive or overly dominant form of development. As such, the appeal scheme would not cause unacceptable harm to the living conditions of the occupiers in No 8, in terms of daylight and sunlight.
10. I conclude, on this issue, that the proposed development would accord with Core Strategy Policy CP30, Policies DMD 8, 11 and 37 of the DMD and Policy 7.6 of the London Plan as the appeal scheme would not cause unacceptable harm to the amenity and quality of life of surrounding residential buildings, in terms of daylight, sunlight and outlook.

### **Conclusion and Conditions**

11. I have had regard to the conditions that have been suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. A condition is necessary, to secure matching materials for the proposal in the interests of the character and appearance of the area. I have not imposed conditions relating to obscure glazing and external windows and doors as without them this development would not be unacceptable.
12. For the reasons set out above, I conclude that the appeal should be allowed.

*Andrew McGlone*

INSPECTOR