



Appeal Decision

Site visit made on 31 May 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2019

Appeal Ref: APP/Q5300/D/19/3226005

6 Tudor Crescent, Enfield, EN2 0TU

- 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 Bogdan Hij against the decision of Enfield Council.
 - The application Ref 18/04767/HOU, dated 12 December 2018, was refused by notice dated 6 February 2019.
 - The development proposed was a single storey rear extension to form kitchen/dining room with basement. First floor rear extension to form bedroom.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the banner heading above has been taken from the Council's decision notice. During the course of the application the description as per the application form was altered to be more concise. The revised description was the 'creation of a basement, single storey rear/side extension with a pitched roof and Juliette balcony'. The Council made its decision on this basis and I have therefore determined the appeal in the same way.
3. It was apparent from my site visit that works have already been undertaken, although these have not been carried out in accordance with the submitted plans. The submitted plans indicate that there will be a Juliette balcony at first floor level and bi-fold doors at ground floor level. However, a balcony with a small external terrace has been built at first floor level and French doors at ground floor level. In these circumstances, I am required to determine the appeal based on the submitted plans.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the building and the area, and on the living conditions of the occupiers of 4 and 8 Tudor Crescent (Nos 4 and 8) by way of outlook and visual impact.

Reasons

Character and Appearance

5. The appeal property is a two storey mid terrace dwelling with a further level of accommodation formed by its rear box style roof extension at second floor. It is sited within a predominantly residential area. The street comprises principally of brick built two storey terraced dwellings with tile roofs. A number of

neighbouring properties also have roof extensions, which is evident from the sky lights and rear dormers.

6. The proposal seeks planning permission for the excavation of a basement, the erection of single storey rear/side extension and the erection of first floor extension with a pitched roof (extended from existing rear roof dormer with gable end) and a Juliette balcony.
7. First floor rear extensions, as proposed, are not typical in the vicinity of the site with the exception of No 2 Tudor Crescent. The first floor hipped roof extension would therefore result in an incongruous and visually intrusive form of development. As the proposed first floor extension is also integral to the proposed development and that is where much of the harm arises, the fall-back position of a prior approval¹ for a single storey rear extension that the appellant has drawn my attention to does not justify the development.
8. The lack of cohesive design in the proposals would give the rear elevation a disjointed appearance. Its bulk and massing would result in an overly dominant form of development that would be harmful to the host property and the character and appearance of the area. The siting of the ground floor extension would protrude further than the existing rear building line of the neighbouring properties also contributing to the overly dominant nature of the proposal. That the basement excavation would have limited impact in this regard would not address this harm.
9. I accept that there are other ground floor rear extensions and large roof extensions to a number of other properties in the terrace, including No 2 Tudor Crescent. The extension at No 2 however is significantly smaller than what is before me and I also understand that this extension was implemented prior to the adoption of the latest Enfield Development Management Document (2014) (EDMD). The circumstances are sufficiently different so as not to alter my conclusion. Furthermore, I do not find that the extension at No 2 changes the prevailing character of the area to such an extent as to justify the proposed development.
10. Whilst the views of the proposed development would be mostly from the rear, there are a large number of properties backing on to and neighbouring the site that would see the property from their windows and gardens. Accordingly, I do not accept that it would be out of public view.
11. I therefore conclude that the proposed development would have an unacceptable effect on the character and appearance of the building and the surrounding area. It would not comply with Policies DMD 8, DMD 11, DMD 13, DMD 14 and DMD37 of the EDMD; Core Policy 30 of the Core Strategy and Development Control Policies Development Plan Document (2008) (CS); and, with Policies 7.4 and 7.6 of the London Plan (2016) (LP). Amongst other considerations, these policies seek to resist development that is inappropriate to its context or which fails to have appropriate regard to its surroundings.

Living Conditions

12. The first floor element of the proposed development would be highly visible from the gardens and windows of surrounding properties and from certain

¹ Ref: 18/04778/PRH

angles along Tudor Crescent, in particular from the neighbouring properties at Nos 4 and 8. The bulk, scale and massing of the proposed development would be as such that it would result in an unneighbourly sense of dominance. It would be overbearing and oppressive as regards the visual impact and outlook from these properties. This would be to a greater degree than any other extension that is in view. There is also no dispute that the proposals would breach the 30 degree rule as set out in Policy DMD11 of the EDMD.

13. The ground floor extension, whilst larger than those of adjoining properties will not be highly visible from neighbouring properties as it is of flat roof design. Nonetheless, this would not address the harm that would arise from the upper storey of the proposed development on the living conditions.
14. I conclude that the proposed development would result in an unacceptable effect on the living conditions of the occupiers of Nos 4 and 8 by way of outlook and visual impact. It would therefore be in conflict with Policies DMD8, DMD 11 and DMD37 of the EDMD, Policies 4 and 30 of the CS and Policy 7.4 of the LP, which amongst other things seek to ensure that development will not cause unacceptable harm to its surroundings.

Conclusion

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

Gemma Jenkinson

INSPECTOR