



Appeal Decision

Site visit made on 12 August 2019

by J Alderman BA(Hons) MA MRICS

an Inspector appointed by the Secretary of State

Decision date: 17 September 2019

Appeal Ref: APP/Q5300/D/19/3229933

25 Windsor Road, Palmers Green, London N13 5PP

- 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 Ertogan Tahir against the decision of the London Borough of Enfield.
 - The application Ref 19/00084/HOU, dated 2 January 2019, was refused by notice dated 4 March 2019.
 - The development proposed is single storey rear/side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - (1) The character and appearance of the area; and
 - (2) The living conditions of the occupiers of no.27 Windsor Road (no.27), with particular reference to loss of light and outlook.

Reasons

Character and appearance

3. Windsor Road is a straight road with period properties on each side, it runs at right angles to the main high street and is situated in a predominantly residential area. The properties are mainly semi-detached and fairly similar in style giving the street a uniform appearance.
4. The appeal property is one of a pair of semi-detached properties. The property is two storey and appears to have kept its existing layout at the rear, which includes a two storey element that extends into the garden. There is a recess set back at the side of the property between the boundary with number 23 Windsor Road (no.23) and the side elevation of the appeal property forming an access from what is currently the kitchen to the back garden.
5. The proposed development would run the full width of the property and would incorporate the entire recess, with the exception of a small courtyard area and would, at a depth of a proximately 5.4m, incorporate a considerable portion of the garden.

6. No.27 is the adjoining semi-detached property of the pair and this has not been extended. No.23 on the other side has been extended to the rear and this extension adjoins the side boundary with no.25, it does not extend into the rear garden as far as the extension proposed at the appeal property.
7. The Council are concerned regarding the degree of uniformity between extensions and seek to ensure that they are of similar depth and thus create an aligned appearance. The proposed development would extend considerably into the rear garden of the appeal property. It would have a greater depth than the extension at no.23 and as no.27 has not been extended would clearly be out of kilter with this property. Thus it would be detrimental to the character and appearance of the area and for this reason the development would be visually harmful.
8. It would therefore fail to comply with Policy CP30 of the Enfield Plan Core Strategy 2010-2025 (CS), which addresses the quality of the built environment. It would also fail to comply with the Enfield Development Management Document (2014) (DMD) Policy DMD11, which specifically deals with extensions and requires such extensions to have a common alignment.

Living Conditions No 27

9. The neighbouring property, no.27 has a downstairs window close to the boundary with the appeal site.
10. The impact of the additional bulk and massing of the proposed extension beyond the 3m policy limit would overshadow the rear of this property. At around 5.4m in depth and directly on the boundary it would create an enclosed feel and would be detrimental to the outlook of no.27 as well as having a potential impact on available light to this neighbouring property. Due to the depth of the proposed development it is likely that it would extend over the 45 degree line that would be taken from the ground floor window of no.27, causing further harm.
11. Currently along the boundary between the two properties there is a modest garden wall and a mixture of plants and bushes, the latter being fairly mature and extensive, which creates some screening. However, this would not have the same impact as a solidly constructed building.
12. The proposed development would have a harmful effect upon the occupants of no.27 through negatively impacting on their outlook and potentially effecting light to their property. It would be visible in their outlook and as a result this would cause additional harm.
13. For these reasons the proposed development would fail to comply with CS Policy CP30 and Policy DMD11 which only permits development where there is no impact on neighbouring properties.

Other Matters

14. The appellant has referenced a permitted development (ref:15/04281/PRH) at the appeal address, which according to the Council's report included a rear extension with a depth of 6m. It is acknowledged that the current proposed extension would be at a lesser depth, however, despite this, having considered the effect of the current proposal I have concluded that for the reasons above significant harm would be caused.

Conclusion

15. I therefore conclude that the proposal would conflict with the development plan as a whole, and so the appeal should be dismissed.

J Alderman

INSPECTOR