



Appeal Decision

Site visit made on 7 October 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2019

Appeal Ref: APP/Q5300/W/19/3233886

15 Avenue Road, Southgate N14 4DA

- 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 & Mrs M Shah (Astongrove Ltd) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01412/FUL, dated 14 April 2019, was refused by notice dated 25 June 2019.
 - The development proposed is conversion of existing house into 1 x 3 bedroom flat (ground floor) and 1 x 2 bedroom flat (first floor) with first floor side extension, bicycle store and refuse facility.
-

Decision

1. The appeal is allowed and planning permission is granted for conversion of existing house into 1 x 3 bedroom flat (ground floor) and 1 x 2 bedroom flat (first floor) with first floor side extension, bicycle store and refuse facility at 15 Avenue Road, Southgate N14 4DA in accordance with the terms of the application, Ref 19/01412/FUL, dated 14 April 2019, and the plans submitted with it, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 19566/01 A, 19566/03 B and 19566/04 B.
 - 3) The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.
 - 4) Prior to the first occupation of any flat, full details of cycle parking for that flat shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied and retained thereafter.
 - 5) Prior to the first occupation of any flat, details relating to the provision of refuse and recycling storage facilities for that flat, shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied and retained thereafter.

Main Issues

2. The only element of the proposal that features in the reasons for refusal is the first floor side extension.
3. Therefore, the main issues are the effect of the first floor side extension on:
 - the character and appearance of the host building and area; and
 - the living conditions of the occupiers of 17 Avenue Road, with particular regard to outlook.

Reasons

Character and appearance

4. Avenue Road is a wide tree-lined residential street characterised by two-storey semi-detached and terraced properties, set back from the road behind short front gardens. There is variety in the different housing types, age, appearance, materials and the gaps between properties.
5. The appeal property is one half of a two-storey semi-detached property located on the north west side of the road. It has a single storey flat roof extension which wraps around the front and side, and a large flat roof two-storey outrigger. The other half of this semi-detached pair comprises a shop at ground floor, which together with the existing extensions and the differences in the fenestration, does not possess a strong sense of symmetry with the appeal property.
6. Even though the upper proportions of the building would be altered by the extension, it would not be to a considerable extent given the narrow width of the extension. More importantly, the hipped roof form of the building would be retained. There would be an impression of a set back due to how the appeal property extends further forward at ground floor, and furthermore, the manner in which No 17 sits forward from the appeal property, would ensure the extension would not be visually prominent in the street scene. Moreover, there is a shared passageway to the side, which would prevent creation of a continuous façade or terracing with No 17.
7. Given all the above, the first floor side extension would not dominate or unbalance the host building to any harmful degree, and adequate visual separation would be retained to the neighbouring property.
8. I therefore conclude that the first floor side extension would not have an unacceptable effect on the character and appearance of the host building and surrounding area. In these regards, the proposal accords with Policies 7.4 and 7.6 of the London Plan 2016 (LP), Policy CP30 of the Enfield Core Strategy 2010 (CS) and Policies DMD8, DMD14 and DMD37 of the Enfield Development Management Document 2014 (DMD). Collectively, these policies seek design which is appropriate to its context and in keeping with local character. The proposal also accords with the design aims of the National Planning Policy Framework in this regard.

Living conditions of neighbours

9. From the information before me, it appears that the Council's concern in this regard is in relation to the outlook from the rear facing windows of No 17. The

delegated report states that the extension would breach a 30-degree line from the nearest habitable windows. The drawing submitted by the appellant indicates this would be only very marginal.

10. However, I can find no reference to this rule in any of the policies that are before me, and therefore I give it very limited weight. Of relevance though, is DMD Policy DMD8, which requires among other things, development to preserve amenity in terms of outlook. DMD Policy DMD14 also contains a general aim to preserve amenity.
11. The rear outlook of No 17 is onto a relatively long rear garden. Although the extension would be built along the boundary of the appeal property, the shared passageway provides separation to No 17 and as such, it would not directly impede the outlook of No 17. Furthermore, the projection beyond the rear of No 17 would be approximately 2.1m and seen in the context of an existing rear extension of much greater length, albeit further off the boundary. Even accounting for the difference in ground level, the proposed extension could not be considered overbearing on the rear outlook of No 17, or the use of its garden.
12. I therefore conclude that the first floor side extension would not have an unacceptable effect on the living conditions of the occupiers of No 17, with particular regard to outlook. The proposal accords with DMD Policies DMD8 and DMD14 in this regard.

Conditions

13. The Council has not provided a list of suggested conditions so I have only imposed conditions drawn from the evidence before me, as well as the standard conditions.
14. The standard time limit condition, as well as a condition that the development is carried out in accordance with the approved plans are necessary for the avoidance of doubt and in the interests of proper planning.
15. A condition requiring the external materials to match the existing building is necessary to secure an appropriate appearance of the development. I note some details of bicycle and waste storage are provided on the drawings, but those to the rear lack clarity and I noted that the existing shed was in poor condition, so further details are necessary in the interests of promoting sustainable forms of transport, appropriate waste management and visual appearance.

Conclusion

16. For all the reasons above, I conclude that the appeal should be allowed.

Adrian Caines

INSPECTOR