



Appeal Decision

Site visit made on 4 September 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/Q5300/W/19/3230573

40 Bourne Avenue, Southgate N14 6PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Noel Hearn against the Council of the London Borough of Enfield.
 - The application Ref 18/04372/HOU, is dated 11 November 2018.
 - The development proposed is removal of conservatory and construction of single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development proposed is a single-storey rear extension across the full rear width of the house. The submitted drawing 1118/2 appears to show the proposed development built up to an extension of the same depth at the attached neighbour at 42 Bourne Avenue. However, during my site visit no such extension was present on site. I have no evidence before me to suggest that such an extension will be built, and no drawing has been provided to show the side elevation of the proposed development as it would face this neighbouring site. I have determined this appeal on the basis of what I have read and seen.

Main Issues

3. The main issues in determining this appeal are:
 - The impact on the living conditions of neighbouring occupiers; and,
 - The effect on the character and appearance of the dwelling and wider area.

Reasons

Living conditions

4. The proposed extension would sit on the boundary line between the appeal property and the attached neighbour, 42 Bourne Avenue. It would replace an existing conservatory that is shown to be of comparable depth on the submitted drawings. However, that conservatory is set away from the boundary. Alongside the location of the proposed extension there is a decking area to the rear of 42 which at the time of my site visit had a table and chairs arranged on it.

5. Due to its proximity to the side boundary shared with 42, the proposal has the potential to have a significant adverse effect on the living conditions of the residents of that property, with particular reference to outlook and loss of light. However, in the absence of complete and accurate plans, it is not possible to make a full assessment of that impact. Under these circumstances there is a considerable risk that the proposal would harm the living conditions of residents of 42. In my judgment this would amount to an unacceptable impact on amenity.
6. The proposed extension would be as deep as the extension to the rear of the linked detached neighbour, 38 Bourne Avenue. It would not cause any harm to the living conditions of the occupiers of that property.
7. Nonetheless I conclude overall that a precautionary approach is justified. The uncertainty with respect to the overall detrimental effect of the scheme in the living conditions of neighbouring residents weighs heavily against approval of the scheme.

Character and appearance

8. The proposed extension would be finished in brick to match the exposed brickwork of the existing house, with a red clay tile roof to match the existing roof. The roof to the extension would be part pitched and part-flat.
9. Based on the information before me, the appearance of the proposed development would not be harmful to the character and appearance of the property. It would be a subordinate feature, not overly prominent, and would not be harmful to the character and appearance of the wider area.

Other matters

10. I have had regard to the appellant's view that the proposal would improve his accommodation and that the scheme would remove the existing gap between the conservatory and the side boundary shared with 42 which is difficult to maintain. Nonetheless, in my judgment these matters would be outweighed by my finding in relation to the first main issue.

Conclusion

11. Notwithstanding my conclusion that the effect on character and appearance would be acceptable, this is outweighed by my finding concerning the impact on the living conditions of neighbouring residents. I conclude on balance, for the reasons given above, that the appeal should be dismissed.

M Chalk

INSPECTOR