
Appeal Decision

Site visit made on 15 October 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/Q5300/D/19/3234086
40 Bush Hill Road, Southgate N21 2DT

- 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 Ozkan Irdem against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01720/HOU, dated 1 May 2019, was refused by notice dated 4 July 2019.
 - The development proposed was originally described as a "ground floor wrap extension 3m deep and single storey rear extension 3m deep. Two Storey rear extension 3m deep and two storey front extension".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In Part E of the appeal form it is stated that the description of the development has not changed. However, the wording from the Council's decision notice has been entered rather than that from the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The submitted plans, as well as showing the development proposed as set out in the fourth bullet point of the above header, also show a rear dormer extension to the roof replacing the existing dormer. The proposed plans state that this would be built as permitted development. The Council in its decision notice refers to planning history at the property (Ref: 19/01722/CEA and 19/00944/PRH) which says that an enlargement to the existing rear dormer as well as a 6m deep ground floor rear extension could be undertaken as permitted development. However, as they had not been completed an assessment was made based on the proposed plans submitted.
4. I have not been supplied with detailed evidence to demonstrate whether any part of the proposals before me would be permitted development. Nor is it for me, under a section 78 appeal, to determine whether any part of the proposals fall within permitted development rights. I have therefore determined the appeal proposals on the basis of the plans and evidence before me.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

6. The appeal building is a 2-storey end terrace property within a predominantly residential area. It is located on the corner of Cranwich Avenue and Bush Hill Road. Properties along the terrace have been altered and extended in a variety of ways with many, including the appeal site having large box style dormer windows. The appeal property is distinct from others in the terrace in having a 2-storey component to the side which contains a garage and bedroom. Nevertheless, the layout and style of the properties in the road provides a rhythm and harmony to the street scene.
7. The appellant's 3D images show that the proposals would be screened by existing trees from distance but clearly visible from close views along Cranwich Avenue. Here, the proposed 2-storey element would result in a dominant built form due to its width at the rear and the length of its side façade and roof slope. The single storey element with its unbroken façade along the side, forming the boundary to Cranwich Avenue, would further increase the dominance of the proposed development.
8. I recognise that the 2-storey element would be lower in height than the ridgeline of the main terrace and the appeal property is larger than others in the group. However, due to its scale and massing, when seen in combination with the replacement dormer and the single storey elements of the proposals it would considerably increase the size of the host property. Cumulatively, the substantial bulk of the proposed development would appear disproportionate to the host property appearing visually intrusive and overbearing when viewed from Cranwich Avenue.
9. The Council has also raised concerns regarding the roof form of the proposed 2-storey element cutting into the dormer window. I agree that this would create an awkward juxtaposition between the roof of the proposed 2-storey extension and dormer. Although I recognise that views of this feature would be restricted, this would neither complement the character of the property, nor represent a high-quality design.
10. The appellant points out that the property could be extended without the need for planning permission. Although I do not have the full details before me, I recognise that an enlargement to the existing rear dormer as well as a 6m deep ground floor rear extension could be undertaken under permitted development. I am satisfied that if the appeal proposal were not erected, there is every likelihood that such a fallback would be built. However, any such extensions would not be as substantial as the proposed development before me. Moreover, my concerns relate not to a replacement dormer or the single storey elements of the scheme in isolation but the cumulative effects of the proposed development on the character and appearance of the host property and surrounding area.
11. My attention has been drawn to existing extensions to nearby properties. I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the

appeal proposals. I recognise that these extensions appear to share some similar characteristics to the appeal proposals, such as, in some cases a 2-storey extension cutting into a dormer window. However, they do not appear directly comparable to the appeal scheme in terms of their location to the street, design or cumulative scale and massing. As such, they do not provide a justification for proposals that would result in a significantly large and incongruous form of development in a prominent location.

12. In conclusion the proposals would have a significant harmful effect on the character and appearance of the host property and surrounding area. The proposals would therefore conflict with Policies 7.4 and 7.6 of the London Plan (LP) adopted 2016, Core Policy 30 of the Enfield Plan Core Strategy 2010-2025 adopted 2010 and policies DMD11, DMD13 and DMD37 of the Enfield Development Management Document adopted 2014 which together, amongst other things, seek to protect local character. I consider that these policies are consistent with the provisions of the National Planning Policy Framework (the Framework) and can therefore be given substantial weight.
13. Whilst the Council has also referred to Policy 7.8 of the LP within the third reason for refusal, this policy appears to relate to heritage assets and archaeology. I therefore do not consider it to be relevant in this case.

Other Matters

14. Due to the scale of the single storey elements, the position of the proposed 2 storey element adjacent to Cranwich Avenue and as the proposed dormer replaces an existing dormer, the proposals would not result in any significant loss of privacy, light or impact on outlook for the occupants of neighbouring houses. As such, I am satisfied that there would be no harm to the living conditions of the occupants of neighbouring properties.
15. I do not have any firm evidence to suggest that the development would lead to significantly increased rates of burglary, anti-social behaviour or cause any additional drainage problems. However, the absence of harm in these respects is a neutral matter weighing neither for nor against the proposal.
16. Concerns regarding the processing of the application, are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposals before me.
17. I note that the appellant has made changes to their scheme following pre application advice with the Council with the view to finding a solution. However, this is not a matter for my consideration in this appeal and I am only able to make my decision taking into account the plans that were before the Council when they made their decision.
18. I recognise that extending the property might meet the appellant's need for increased accommodation, improving the living conditions within the property, would improve the thermal insulation of the property and reinstate some original design features. These aspects are supported by the Framework and do weigh in favour of the scheme.

Conclusion

19. Good design is a key aspect of sustainable development and the desirability of new development making a positive contribution to local character and

distinctiveness. In this case, the proposed development would provide additional accommodation for the appellant, improving the living conditions within the property, would improve the thermal insulation of the property and reinstate some original design features. There would also be no harm in respect of the living conditions of neighbouring properties, drainage or crime and anti-social issues. However, the proposed development would have a significant harmful effect on the character and appearance of the host property and surrounding area. Therefore, on balance and for the above reasons, I conclude that the proposed development would not represent sustainable development as sought by the Framework.

20. I therefore conclude that the appeal should be dismissed.

Robert Walker

INSPECTOR