
Appeal Decision

Site visit made on 15 January 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2020

Appeal Ref: APP/Q5300/D/19/3239703

30 Hyde Way, Edmonton Green N9 9RT

- 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 Christopher Crownshaw against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01072/HOU, dated 20 March 2019, was refused by notice dated 5 August 2019.
 - The development proposed is a side extension above existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - a. the street scene of Hyde Way
 - b. the living conditions of the occupiers of 28 Hyde Way, with particular regard to outlook, sunlight and daylight.

Reasons

Street scene

3. The appeal site consists of an end of terraced residential dwelling, previously extended by way of an attached flat roofed double garage to the side and a rear extension, on a generous corner plot. The appeal proposal would result in an extension being developed above the full width of the garage.
4. The resulting first floor extension is shown on the submitted plans as being of a substantial scale and bulk in itself and in the context of the host dwelling. I note that the design of the proposed extension, in particular the eaves height, roof line and materials would match those of the existing property. The appellant suggests that this would result in the proposed extension appearing as an integral part of the existing property.
5. However, I find that the proposed extension would fail to appear as subordinate to the original dwelling and as a result of the substantial scale of the proposal it would therefore appear as an incongruous extension to the dwelling.

6. The appellant has submitted images illustrating the existing and proposed situation. These images confirm my understanding of the appeal plans and my observations made on site, and demonstrate that the proposed development would, in combination with the previous extensions, create a prominent and incongruous feature harming the street scene.
7. At the site visit I observed other examples of first floor extensions above garages in the local area. However, all those I saw related to substantially narrower single garages. As such, the scale and bulk of these extensions were substantially less than the proposed development here.
8. For the reasons detailed above I find that the proposed development would harm the street scene of Hyde Way contrary to policies DMD8, DMD14 and DMD37 of the Development Management Document (the DMD), Policy CP30 of the Enfield Plan Core Strategy (the CS) and Policies 7.4 and 7.5 of the London Plan that amongst other matters, seek to protect the character of the local area.

Living conditions

9. 28 Hyde Way is situated such that it looks onto the appeal property, albeit at an oblique angle. Consequently, the proposed first floor extension, which is of some considerable depth would project some distance towards the No.28 resulting in some loss of outlook and daylight and sunlight enjoyed by the occupiers of that property.
10. The appellant states that there would be a significant separation distance, though no figures are provided, between the appeal property and No.28 and furthermore that the front elevation of No.28 does not look directly onto the gable end of the proposed extension.
11. Nonetheless I saw at the site visit that the proposed extension, being the full width and depth of the existing garage, would result in some harm to the living conditions of the occupiers of the neighbouring property No.28 as a result of a loss of outlook and daylight and sunlight. This is contrary to Policies CP30 of the CS, Policies DMD8 and DMD14 of the DMD and Policy 7.4 of the London Plan that, amongst other matters, seek to ensure that new development does not harm the living conditions of the occupiers of neighbouring properties.

Other matters

12. The appellant has suggested that the proposed development would fill an alien gap and complete the street scene in this part of Hyde Way. I saw at the site visit that the street is made up of short terraces of properties with gaps, often facilitating access to rear service lanes. Therefore, the substantial closing of the gap between the appeal property and No.28 would remove one of these characteristic gaps to the detriment of the street scene. As such this is not a material consideration that would weigh in favour of the appeal proposal.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR