
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: 30 January 2020

Appeal Ref: APP/Q5300/D/19/3240543
931 Green Lanes, London N21 2PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Kastriot Dauti against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/03018/PRH, dated 28 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is described as a “rear ground floor extension with flat roof”.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 1, Class A, Part A.4(7) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made on the same basis.

Main Issue

3. The main issue is the effect of the proposed extension on the living conditions of the occupiers of 933 Green lanes with particular regards to outlook and day light and sunlight.

Reasons

4. The appeal property consists of a two-storey semi-detached residential property that is of a size and style that is typical of the area. The appeal development would result in the erection of a single storey extension shown on the submitted plans as being approximately 4.4m deep and the full width of the rear elevation of the property.
5. I note that the occupiers of neighbouring properties were consulted in respect of the proposed development and a single objection from the residents of 929 Green Lanes was received by the Council.

6. I note that the ground floor 933 Green Lanes is referred to by the Council as being an office and that it benefits from planning permission¹ to be converted to a residential flat. At the time of the site visit it was not apparent that the change of use had been carried out.
7. Except for a small flat roofed extension adjacent to the boundary with 935 Green Lanes, no.933 has not been extended to the rear. Consequently, the proposed extension would extend beyond the rear of this property by approximately 4.4m.
8. The Council state that "the proposed extension would also intercept a 45-degree line when taken from the mid-point of the original ground floor window closest to the common boundary in both plan and elevation". This is not disputed by the appellant, indeed it is acknowledged in the appellants statement of case that "there may be some effect on No.933."
9. The submitted plans show that the appeal property is situated to the south of the neighbouring property, no.933. Consequently, the proposed extension projecting a substantial distance from the rear elevation of the property would result in a loss of sun and daylight, harming the living conditions of occupiers of the premises.
10. While I note that there has been no objection from the owner/occupier of no.933 I nonetheless find that, for the reasons detailed above, the proposed extension would harm the living conditions of the occupiers of no.933. Thus, the proposal would have a harmful impact on the amenity of all adjoining premises and therefore approval should be withheld.

Conclusion

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

Mark Brooker

INSPECTOR

¹ 19/00865/FUL