



Appeal Decision

Site visit made on 25 February 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 23rd April 2020

Appeal Ref: APP/Q5300/D/19/3241967 73 Linden Way, London, N14 4NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Kemal Bozkurt against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 19/02226/HOU, dated 10 May 2019 was refused by notice dated 31 October 2019.
 - The development proposed is part single, part 2-storey rear extension (part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for part single, part 2-storey rear extension (part retrospective). at 73 Linden Way, London, N14 4NG in accordance with the terms of the application, Ref: 19/02226/HOU, dated 10 May 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: Site Location Plan; 1387-100 Existing Pre Development Block Plan; 1387-200 Existing Pre Development Floor Plans; 1387-300 Existing Pre Development Elevations; 1387-400 Existing Built Block Plan; 1387-500 Existing Built Floor Plans; 1387-600 Existing Built Elevations; 1387-700 Proposed Block Plan; 1387-800 Proposed Floor Plans; 1387-900 Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The description of development in the heading above has been taken from the decision notice and appeal form as it better reflects the proposal than that on the planning application.

Background and Main Issues

3. From what I saw during my site visit, a substantial part of the extension has been constructed.

4. The main issues are the effect of the appeal scheme on:
- the character and appearance of the host property and area, and
 - the living conditions of neighbouring occupiers at No 75 Linden Way, with particular regard to light and outlook.

Reasons

Character and appearance

5. The site comprises a two-storey semi-detached house located within a residential area. It is set within a row of semi-detached houses on the north-eastern side of Linden Way. The row stretches approximately between Avenue Road and Charter Way.
6. The area is characterised by twentieth century pairs of semi-detached houses, typically with bay windows.
7. The topography of Linden Way noticeably slopes down in a southeasterly direction. Dwellings in the host row of properties typically have fairly spacious front gardens and side separation gaps, and reasonably lengthy rectangular rear gardens. Together, the above factors contribute spaciousness to the character of the host property and the area.
8. From what I saw during my site visit and the aerial view, a number of substantial extensions, of various shapes and sizes, are located at the rear of the host row of dwellings. A combination of outriggers and extensions results in a somewhat varied, indented rear building line in the vicinity of the appeal site.
9. The ground floor part of the extension is the full width of the host semi-detached building and extends the core part of the latter by around half. The Council is concerned that the appeal scheme would create a disproportionately large and sprawling ground floor addition, which would be overly dominant.
10. However, the following combination of factors would help the appeal scheme to assimilate into its setting. The host dwelling is somewhat anomalous in that its front elevation is located further forward than the prevailing front building line of the host row. Consequently, the appeal property is able to accommodate the deeper than normal rear ground-floor extension without significantly disrupting the flow of the host row's indented rear building line. Moreover, the appeal scheme would have limited prominence in the neighbourhood, due to the following factors which draw the eye elsewhere and limit the development's visibility: intervening garden vegetation, boundaries, structures and garden spaces; the area's sloping topography; the absence of residential buildings directly overlooking the end of the appeal site's garden; and the appeal scheme would not be readily visible from the street.
11. The current appearance of the bare grey brick of the ground-floor extension walls does not match the host row's prevailing palette of red brick and/or pebbledash render. However, the appellant's application¹ proposes an external render finish to walls, and suitably matching external materials will be secured through planning condition.

¹ Application Form Section 10.

12. To conclude, the proposal would not harm the character and appearance of the host property and area. As such, it would not conflict with Core Policy 30 of the Enfield Core Strategy (2010) (CS), Policies DMD8 and DMD37 of the Enfield Development Management Document (2014) (DMD) and Policy 7.4 of the London Plan². Together, the policies seek to ensure that, amongst other things, development is appropriately designed for its context, and complements local character.
13. The appeal scheme would exceed the normal depth limit for rear single storey extensions of 3m, set out in part 2a) of Policy DMD11 of the DMD. Nevertheless, part 1c) of the policy allows for the possibility of permitting an extension where there is no adverse visual impact. As I find that no significant adverse visual impact would arise from the appeal scheme, it would not conflict with the thrust of the policy articulated in part 1c) of DMD11.

Living conditions of neighbouring occupiers

14. The north-western ground-floor elevation of the extension would extend around 6m along the boundary with the adjoining dwelling at No 75, to a height of approximately 2.85m above the latter's garden ground level. This would add built bulk to the garden boundary. Nevertheless, given the long oblong shape of the gardens, the extension's side wall would contribute to the privacy of a modest proportion of the neighbouring garden area, while leaving the bulk of the boundary unchanged.
15. The appeal scheme would result in some reduction of late morning and early afternoon sunlight to the rear of No 75. However, a substantial part of No 75's broadly south-facing garden would not be shaded by the extension. Taking the above together, I find that, overall, the appeal scheme would not significantly impair outlook from or receivable light to No 75.
16. The appeal scheme would not meet the 45-degree test set out in part 2b) of Policy DMD11 of the DMD.
17. However, for the reasons described above, I conclude that the proposal would not harm the living conditions of neighbouring occupiers in respect of outlook and light. As such, it would not conflict with Core Policy 30 of the CS and Policy DMD81 of the DMD, which together seek to ensure that development is appropriately designed to safeguard living conditions of residents.
18. Policy DMD37 of the DMD does not specifically mention living conditions of neighbours and so is not engaged in respect of this matter.

Other Matters

19. If planning permission for a 3m extension at the rear of adjoining property No 75 were implemented, this would further moderate the effect of the proposal, to a modest degree. That said, this factor is not determinative in this case.
20. The appeal scheme would provide additional living accommodation in a location which is accessible to facilities including Southgate underground station. This benefit, of limited scale, weighs in favour of the scheme.

² The London Plan: The Spatial Development Strategy for London, Consolidated with Alterations since 2011, March 2016.

Conditions

21. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition covering materials is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion

22. For the reasons given above I conclude that the appeal should be allowed.

William Cooper

INSPECTOR