



Appeal Decision

Site visit made on 1 June 2020

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th June 2020

Appeal Ref: APP/Q5300/D/19/3237142

19a Madeira Road, London, N13 5SR

- 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 Ms Paula Jones against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 19/01931/FUL dated 23 May 2019, was refused by notice dated 15 August 2019.
 - The development proposed is described as erection of a rear roof dormer and the installation of two roof lights on front slope.
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Decision

1. The appeal is allowed, and planning permission is granted for the Extension to roof at side to form gable end with rear dormer and front rooflights at 19a Madeira Road, London, N13 5SR in accordance with the terms of application Ref: 19/01931/FUL dated 23 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans/drawings numbered: 10-101 P01, 10-102 P01, 10-103 P01, 10-104 P01, 20-105 P01, 20-106 P01, 20-107 P01, 20-108 P01, 20-109 P01.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those set out on plan/drawing Ref 20-107 P01.

Procedural Matters

2. The description of development set out in the banner heading above is taken from the original planning application form. The Council's decision notice and appellant's appeal form describes the development as 'Extension to roof at side to form gable end with rear dormer and front roof lights'. As this refers to the change from a hipped roof to a gable, it is a more accurate description. The parties have agreed to this description, which I have used in the decision paragraph. The Council has dealt with the proposal on this basis and so shall I.
3. I observed that the development had been partly carried out. At my visit the gable roof and rear dormer were built and tiled, and the first floor projection constructed. The design and configuration of the windows and door openings on the ground and first floor projections and the dormer appeared different to those set out on the plans before me. I have considered the development on the basis it is retrospective and based on the submitted plans only.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling and the wider area.

Reasons

5. The appeal property forms the end of a terrace of five dwellings. Whilst it successfully integrates similar bay and oriel windows, bonding and rendering to other properties, it is a recent addition that was approved in 2017. Madeira Road is characterised by two storey terraces with brick and render elevations, bay and oriel windows, with either hipped or gable roofs. The dwellings benefit from good-sized gardens sufficient to provide off-road parking, giving the street a feeling of a generous width.
6. The majority of the terraces are separated by narrow side returns. Although most have hipped roof ends, some have gables, side dormers, or a markedly steeper pitch. Therefore, there are a mix of forms and many terraces lack symmetry. The gap between the appeal site and No. 17, and the matching roof pitch and tiling, means the new gable does not appear obtrusive, dominant or out of keeping with the character and appearance of the area. The roofs at either end of this terrace are some distance apart, which very much limits them being viewed in the context of one and other, and any perceptibility of difference. Therefore, I do not find the hipped roof harmful to the character and appearance of the dwelling, terrace or surrounding area.
7. Many properties in Madeira Road and Wentworth Gardens benefit from similar rear dormers that are frequently visible, so it is not out of keeping with the area. The Council objects to this dormer as it would not be set in 0.5m from all roof edges. Its hipped roof edges are set just below the ridge, matching the neighbouring dormer in height and form. This matching arrangement is more attractive than providing a dormer with a different alignment. It is set away from the eaves, neighbouring dormer and side of the roof a sufficient distance, such that it is not dominant, and it is in keeping with the scale, design and proportions of the host and neighbouring dwelling.
8. These two dormers are the only two in this terrace resulting in some unbalancing. However, many other dwellings appear to have undergone extensions or alterations to the rear of Madeira Road and Wentworth Gardens. As a consequence, many dwellings lack symmetry. As a consequence, the development is not incongruous or harmful to the character and appearance of the host dwelling, terrace or wider area.
9. The approximately half width flat roof first floor projection projects a short distance from the rear wall of the dwelling. Its modest width, depth and eaves level roof height means it is subservient and relates well to the host dwelling. Its discernibility would be limited from many surrounding dwellings and it is not unduly discernible from Madeira Road. Flat roof forms are prevalent nearby on ground floor projections, rear first floor bay windows and dormer windows. Therefore, it does not appear incongruous or harmful to the character and appearance of the host dwelling or wider area.
10. Collectively the elements of the development would not be harmful to the character and appearance of the host dwelling, terrace or the area. In the context of the plot, it does not result in overdevelopment. It would result in

some differences to No. 17, which is part of a different terrace that does not have rear first floor bay windows. Additionally, No. 17 has a second larger front oriel window above a garage. This is different to most other dwellings nearby. Therefore, not matching No. 17 is not a reason to dismiss this appeal.

11. For the reasons set out above, the development is not harmful to the character and appearance of the host dwelling, its terrace or the area. It does not result in harm having regard to Policies 7.4 and 7.6 of the London Plan (2016), Policy CP30 of the Enfield Council Core Strategy (November 2010), Policies DMD8, DMD11, DMD13, DMD37 and DMD38 of Enfield's Development Management Document (November 2014) (the DMD) and the relevant design policies of the National Planning Policy Framework (2019). In combination and amongst other things, these policies require development provides high quality design of an appropriate scale, bulk and massing, in keeping with the character and appearance of the host property and surrounding area.
12. The development would not be compliant with all aspects of Policy DMD11 (as it does not secure a common alignment of first floor rear extensions) or Policy DMD13 (as it is not 0.5m from the roof ridge). However, for the reasons I have set out above, this conflict would not result in harm to the character and appearance of the host dwelling or the area. The Council's reason for refusal refers to Policy 7.8 of the London Plan, however, as this relates to heritage assets it is of less relevance.

Other Matters

13. An objection raises concerns about a loss of privacy. The development has visibility to neighbouring gardens at a similar proximity and angles as the previously approved dwelling and reflects the relationship between other properties nearby. Therefore, there would be no material harm to living conditions in this regard. The development does not increase the built footprint of the previously approved dwelling. The new roof forms may result in a very small reduction in sunlight to No. 17. However, increased overshadowing would be restricted to a small area of the garden at certain times of the day and year. The open outlook of No. 17 to the south west would remain. Therefore, the development would not result in harmful living conditions in this regard. Furthermore, there is no substantive evidence to suggest it would result in any material change to the dampness of the garden of No. 17.

Conditions

14. As the development has commenced, I have not specified the standard time limit condition. A condition to require compliance with the approved plans is necessary to provide certainty. The Council has suggested a condition that the materials match the existing dwelling. However, the dwelling appears under construction, and the materials set out in the plans before me are clearly indicated and are acceptable. A condition is therefore necessary to ensure the external materials used in construction match those on the approved plan, to avoid harm to the character and appearance of the host dwelling.

Conclusion

15. For the reasons set out above, and having regard to all the matters raised, I

conclude that the appeal should be allowed, and planning permission is granted.

Dan Szymanski

INSPECTOR