The Planning Inspectorate

Appeal Decision

Site visit made on 22 September 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2020

Appeal Ref: APP/Q5300/D/20/3255877
97 Woodberry Avenue, Southgate N21 3LG

- 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 Mrs Alexandra Louizou against the decision of the Council of the London Borough of Enfield.
- The application Ref 20/00718/HOU, dated 27 February 2020, was refused by notice dated 24 April 2020.
- The development proposed is single storey rear extension following demolition of existing kitchen.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 99 Woodberry Avenue with particular regard to light, outlook and whether or not it would be overbearing.

Reasons

3. The appeal property is a mid-terrace dwelling with an existing projection to part of the rear of the building that adjoins a similar feature to the neighbour at 95 Woodberry Avenue. The proposed extension would be of lesser depth than the existing projection at around 3.6m, but would extend across the width of the dwelling up to the boundary with 99 Woodberry Avenue.

4. Although No 99 has a rear projection of greater depth than the proposed extension, this is set away from the appeal site beyond an area of patio. Adjacent to the boundary with No 99, the development would include a parapet wall. This would be much higher than the existing fence that marks the boundary, and of comparable height to the top of the glazed bay to the nearest part of the neighbouring rear elevation.

5. I acknowledge that the appellant has made changes from an earlier proposal including a reduction in the depth of the extension. Nevertheless, I find that the depth of the development and height of the parapet in such close proximity to the boundary would combine to result in a dominant and overbearing feature when seen from the rear glazing and patio to No 99. In conjunction with the existing projection to the rear of this neighbour, the development would further create a tunnelling effect causing a harmful sense of enclosure, and loss of outlook which would be detract from the use and enjoyment of the patio area and the ground floor room to its rear.

6. Moreover, while there are trees on the appeal site and neighbouring garden, these are for the most part set away from the rear of buildings lessening their effect on light levels received. Notwithstanding the orientation of the buildings, the scale of the extension and its proximity to the boundary would be likely to result in overshadowing in the morning, and an overall reduction in the level of light received to the rear of No 99. This reduction would be detrimental to the attractiveness and use of the neighbouring patio and rear room.

7. For these reasons, I conclude that the proposal would result in unacceptable harm to the living conditions of the occupiers of 99 Woodberry Avenue. It would accordingly conflict with Policies DMD 11 and DMD 37 of Enfield's Development Management Document 2014 and Policy 7.6 of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (LP). Amongst other things, these policies require that development has appropriate regard to its surroundings and does not impact unacceptably on the amenities of neighbouring properties.

8. The Council's reason for refusal additionally cites policy 7.4 of the LP which relates to local character. However, single-storey rear extensions of varying designs are evident to the rear of other dwellings nearby. The extension would be of lesser depth than those to neighbouring buildings, and while the parapet would be fairly high, the roof would be set well below the first-floor windows of the host dwelling. Notwithstanding its effect on neighbouring living conditions, the height and depth of the extension would not be disproportionate or out of keeping against the appeal or neighbouring properties. The mid-terrace position of the dwelling would also limit public views of the development and it would not be readily visible from the street scene of Woodberry Avenue, further minimising impacts on the character and appearance of the surrounding area. In this regard, I find no conflict with LP Policy 7.4.

Other Matters

9. I acknowledge references by the appellant to approval given for similar extensions nearby. However, full details have not been provided and so I am unable to ascertain how their circumstances compare with those of the appeal proposal, including their relationships with neighbouring buildings which limits the weight that I can give to this matter. I have in any case determined the appeal before me on its own merits.

10. The proposal would offer increased living space which would benefit occupiers of the appeal site. However, the development would be likely to remain long after the personal circumstances of the appellant cease to be relevant. I do not therefore find that this factor would outweigh the harm that would be caused to the living conditions of neighbouring occupiers and the resulting conflict with the development plan.

Conclusion

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

J Bowyer

INSPECTOR