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# Appeal Decision

Site Visit made on 20 October 2020 by S Witherley CIHCM MRTPI

**Decision by Chris Preston BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9 November 2020**

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**Appeal Ref: APP/Q5300/D/20/3252853**

**18 Berkshire Gardens, LONDON, N13 6AB**

- 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 & Mrs Cakir against the decision of the Council of the London Borough of Enfield.
  - The application Ref 20/00749/HOU, dated 29 February 2020, was refused by notice dated 1 May 2020.
  - The development proposed is single storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for the single storey rear extension at 18 Berkshire Gardens, LONDON, N13 6AB, in accordance with the terms of the application, Ref 20/00749/HOU, dated 29 February 2020, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule: Proposed plans and elevations Rev: C
  - 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.

## Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

## Main Issue

3. The effect of the proposal on the character and appearance of the area.

## Reasons

4. No.18 is a two-storey terraced property. At the rear is a projecting floor to ceiling bay window which covers part of the rear elevation. The adjacent neighbours at No. 16 and No. 20 have full width rear extensions which vary in design, scale and form. I saw other ground floor rear extensions in the terrace which also varied in design, scale and form.

5. Whilst the proposal would project beyond the neighbouring extension at No. 16 and the shallowest part of the L shaped extension at No. 20, it would not be substantially larger than the established surrounding rear extensions and its overall projection would not exceed the deepest part of the neighbouring extension at No. 20. This would ensure that the proposal would respect the existing proportions and characteristics of No. 18 and the neighbouring development. Its flat roof and low eaves height would help to ensure that the scale was subservient to the existing dwelling. In addition, its design, incorporating the floor to ceiling projecting bay window, would help to assimilate with the existing rear bay window and reflect the outward appearance of the original property.
6. Moreover, because there is no established pattern of development or common alignment of ground floor rear extensions throughout this part of the terrace, the proposal in its context, would not appear as an overly dominant and juxtaposed addition when viewed from the rear of other neighbouring properties.
7. Whilst the proposal would exceed the depth limits for rear extensions as set out in Policy DMD 11 of Development Management Document (2014) (DMD), the Council was satisfied that the proposal would not harm the living conditions of neighbouring occupiers, a concern which Policy DMD 11 seeks to address. Having viewed the relationship on site I see no reason to take a different view and agree with the Council's conclusion in that respect.
8. Overall, the above factors lead me to conclude the proposed development would not harm the character and appearance of the area. The proposal would therefore comply with Policy CP 30 of the Core Strategy 2010 – 2025 (2010), Policies DMD 11 and DMD 37 of the DMD, which together seek new development to be of a high quality design which is characteristics of the existing pattern of development and Policies 7.4 and 7.6 of the London Plan which seek in various ways, to ensure new development respects the character of an area.

### **Conditions**

9. In addition to the standard time limit condition, I recommend the imposition of a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty. To ensure the satisfactory appearance of the finished building, a condition is recommended to require that the external materials match those of the existing dwelling.
10. The appellant requested a number of conditions to be attached to the proposal including those noted above. In addition, they requested a condition to secure no openings in the side elevation of the two-storey rear extension. Given that the proposal is only for a single storey rear extension it would appear that suggestion may well have been made in error. The proposal would primarily sit between two existing rear extensions and there is no suggestion that side windows are proposed. Consequently, I do not consider this relevant or necessary to the development before me.

### **Conclusion**

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Witherley*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, agree that the appeal should be allowed.

*Chris Preston*

INSPECTOR