
Appeal Decision

Site visit made on 30 December 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 January 2021

Appeal Ref: APP/Q5300/D/20/3261536
72 Westminster Road, Edmonton N9 8RB

- 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 Mehmet Beyazit against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/02231/HOU, dated 15 July 2020, was refused by notice dated 10 September 2020.
 - The development proposed is the erection of a single storey rear side extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 74 Westminster Road with particular regard to visual impact and light.

Reasons

3. The proposal is to erect a single storey extension with a flat roof to the rear of the appeal property, which is a mid terrace dwelling in a mainly residential area. The new addition would be about 4.3-metres in length with a maximum height of about 3-metres up to the shared rear boundary with the neighbouring property, which is 74 Westminster Road. It would partially infill the recess at the rear of No 72 and includes materials to match those of the host building.
4. A kitchen window in the side elevation of No 74 faces the boundary with the site, from which views of the new flank wall projecting well above the timber fence would be direct and at close range. The upper part of the new extension would also be evident from the ground floor rear-facing window of No 74, which appears to serve a living room. When seen from this vantage point, the new flank wall would further enclose the space along the narrow corridor at the back of No 74.
5. Due to its height, rearward projection and close proximity to the boundary, the proposal would overbear when viewed from both the kitchen and living room windows of No 74. Its presence would be noticeably greater than that of the existing 2-storey outrigger of No 72, which is set back from the shared boundary with No 74. The new built form, located just to the south of No 74, would also result in the loss of some natural light to the living room and kitchen windows of this adjacent property that would accentuate its harmful

visual impact. I also agree with the Council that the proposal would have a tunneling effect when seen from the living room window of No 74, which would be unneighbourly.

6. On the main issue, I conclude that the proposed development would materially harm the living conditions of the occupiers of No 74. As such, it is contrary to Policies 7.1, 7.4 and 7.6 of the London Plan, Policies DMD 6, DMD 8, DMD 11 and DMD 14 of the Council's Development Management Document and Policies CP4 and CP30 of The Enfield Plan Core Strategy 2010–2025 insofar as they aim to safeguard residential amenity. It would also conflict with the National Planning Policy Framework, which notes that planning decisions should ensure that developments create places with a high standard of amenity.
7. I appreciate that some properties in the local area have been extended and externally altered in a similar way to that proposed. However, I am not aware of the background to these extensions and so I cannot be certain that their circumstances are the same or very similar to the appeal scheme. In any event, each proposal should be assessed on its own merits, which I have done. To reiterate, it is the specific relationship of the new addition to some of the ground floor windows of No 74 that is objectionable in this case. While the current residents of No 74 have not objected to the proposal, my assessment also takes into account future occupiers of this adjacent property.
8. Once complete, the proposed extension would provide valuable additional living space by integrating the dining and living room to form a new open plan area well served by natural light. This new layout would provide an opportunity for the family to be together and a place to entertain visitors, which is currently hampered because the kitchen is separate to both the living and dining rooms. I am sympathetic to this desire. However, these benefits do not outweigh the significant harm that I have identified in relation to the main issue.

Conclusion

9. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR