
Appeal Decision

Site visit made on 15 December 2020

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/Q5300/D/20/3259796
19 South Lodge Drive, Southgate N14 4XD

- 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 Stefanos Spyros against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/02364/HOU, dated 28 July 2020, was refused by notice dated 21 September 2020.
 - The development proposed is demolition of existing garage and erection of a single storey front, side and back extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect on the character and appearance of the host property and area, and the effect on the living conditions of neighbouring occupiers, with particular regard to outlook.

Reasons

Character and appearance

3. The street and locality are predominantly residential in character formed by linear streets of 2 storey, semi-detached dwellings of a similar appearance. It was evident that a significant number of properties had benefitted from extensions and alterations. These included flat roof single storey side and rear extensions along with first floor extensions and roof alterations. I observed that rear gardens of neighbouring properties contained single storey outbuildings, garaging and other garden structures and there was a broadly common alignment of single storey rear extensions.
4. Despite the demolition of an existing extension, use of matching materials and a flat roof form, the depth of the extension would be approximately double the 3-metre deep restriction within Policy DMD 11 of the Improving Enfield Development Management Document 2014 ('the DMD'). It would be nearly as wide as it would be deep, and although I share the Council's view as to the principle of such an extension this particular proposal would substantially change the character and appearance of the host property. The overall scale and size would fail to be subordinate to the host property and it would be out of keeping with the prevailing size, depth and pattern of such development in

the area. In this regard and context, it would not represent a high quality of design.

5. For these reasons, the proposal would cause harm to the character and appearance of the host property and area. Accordingly, it would conflict with Policy CP30 of the Enfield Core Strategy 2010 and Policies DMD 8, DMD 11, DMD 14 and DMD 37 of the DMD. When taken as a whole and amongst other things, these policies require development to be a high-quality design, subordinate, of an appropriate scale, mass and bulk and that rear extensions should not extend beyond the original rear wall by 3 metres for a semi-detached dwelling. Further, that such development secures a common alignment of rear extensions.

Living conditions

6. To the side of the host property is a paved access area which is bordered by a low close boarded timber fence that forms the side boundary with No. 21. The ground floor side elevation of that property has a large clearly glazed window alongside a smaller window facing directly onto the appeal site. These windows appeared to me to serve living accommodation. I also observed a smaller fanlight window and external door in the rear elevation of that property facing the rear garden and that the appeal site sat at a slightly higher level than No. 21.
7. I acknowledge there is already a degree of mutual impact on outlook given the siting, design and layout of the properties and the location of fenestration, including from No. 17, the attached property. Further, that the appellant has sought to mitigate the effects on No. 21 by setting the side extension in from the boundary by approximately 700 millimetres. The appellant does not dispute however that this would be below the 1 metre minimum distance required by Policy DMD 14 of the DMD.
8. Whilst I observed a number of extensions to the side of properties in the locality, I do not have the particular circumstances or details of those proposals before me so cannot be certain they are directly comparable. Moreover, each case must be determined on its own merits subject to site specific and bespoke considerations.
9. Having done so, the proposal would extend significantly above the height of the existing boundary fence and be of a considerable depth. Filling the space between the covered garage area and outbuilding to the rear of No. 21, the eye would be unacceptably drawn to an overly deep expanse of brickwork from that property. In such proximity to those windows this would create a much greater sense of enclosure which would be visually intrusive and overbearing to the outlook from No. 21, including its side access area.
10. Although the rear facing ground floor accommodation of No. 17 would still have outlook onto the rear garden, the combination of the height, depth and proximity of the extension would also be visually intrusive and overbearing to the outlook from that dwelling and its private amenity space. In this regard it would also fail to represent a high quality of design.
11. For these reasons, the proposal would cause harm to the living conditions of neighbouring occupiers, in terms of outlook. It would therefore conflict with Policies DMD 8, DMD 11 and DMD 14 of the DMD insofar as it requires there to

be no impact on the amenities of neighbouring properties and that amenity is preserved in terms of outlook, amongst other things.

Other Matters

12. In reaching this view and noting the planning history of the appeal site, I have also considered the fallback position but there is nothing before me to substantiate what any permitted development rights would allow or what such a scheme would provide. It does not therefore alter my view to dismiss the appeal.

Conclusion

13. For the reasons given above, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the National Planning Policy Framework do not indicate that a decision should be made other than in accordance with the development plan.
14. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR