



Appeal Decision

Site visit made on 9 November 2020

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 26 January 2021

Appeal Ref: APP/Q5300/D/20/3244504

25 Colvin Gardens, Enfield EN8 8QZ

- 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 H Tunc against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 19/03480/HOU, dated 9 October 2019, was refused by notice dated 31 December 2019.
 - The development proposed is described as 'single storey rear extension on ground floor and 1st floor, side extension on 1st floor and conversion of garage into habitable room including external alterations. Hip gable roof with rear dormer and roof windows'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:-
 - i) the character and appearance of the host dwelling and the streetscene; and
 - ii) the living conditions of neighbouring occupiers with particular regard to outlook and light.

Reasons

Character and appearance

3. Colvin Gardens is predominantly formed of pairs of two-storey semi-detached dwellings with modest sized front garden areas that are arranged to face the highway. Pairs of dwellings are mostly separated by gaps although some are occupied by a single storey garage. Gaps between dwellings provides relief in the built form and contributes a uniformity to the pattern of spacing and a relatively open character of the locality. There is some variety in the style and design of dwellings including their roofs along Colvin Gardens. However, as a pair of semi-detached houses, numbers 25 and 26 are largely unaltered and have retained the original hipped roof form and a clear sense of balance and symmetry. Overall, the host dwelling makes a positive contribution to the streetscene.
4. DMD Policy 13 requires roof extensions to be of an appropriate size and location within the roof plane. Moreover, it requires roof dormers to be inset from the eaves, ridge and edges of the roof. It states that these insets should normally be between 500-750mm. The proposed development would be set in

from the eaves by approximately 200mm. Therefore, there would be a technical conflict with the requirements of DMD Policy 13.

5. The proposed side and rear extension together with the roof dormer would unbalance the appearance of the pair of houses and remove the sense of symmetry. Moreover, the proposed side extension would be built up to the common boundary and take up the width of the plot, leaving a very limited gap between the host dwelling and No 24. It would significantly erode the spacing between the dwellings. The proposed pitched roof in such close proximity to No 24 would give a terracing effect and introduce an intensification of built form that is not generally reflected within the streetscene.
6. Whilst the proposed rear dormer would be set down slightly from the ridge line of the existing roof structure, it would sit flush with the main rear elevation at eaves level. Furthermore, it would extend fully across the width of the roof structure of the host dwelling and occupy almost all of the rear roof slope. As a result, the rear dormer would appear as a strident, bulky and discordant addition to the roof slope. The inclusion of patio doors with significant amounts of full height glazing and a balustrade would exaggerate its incongruous effect. Albeit positioned to the rear of the host dwelling, the proposed dormer would be readily visible from a number of neighbouring properties and their gardens.
7. By reason of the above, the proposed development would fail to complement the form and style of the host dwelling, it would have an unbalancing effect on the pair of semi-detached dwellings and have a harmful effect of the established character and appearance of the streetscene. Thus, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016)(LP), Policies CP30 of The Enfield Plan Core Strategy (2010)(CS) and Policies DMD8, DMD13, DMD14 and DMD 37 of the Enfield Development Management Document (2014)(DMD). Among other things, these policies seek high quality design that has regard to the pattern and grain of existing spaces, is in keeping with the character of the property and does not disrupt the character or balance of the pair or group of properties of which the dwelling forms a part.

Living conditions

8. The common boundary between Nos 25 and 26 Colvin Gardens is delineated by a substantial brick wall which for the most part would conceal the single storey rear extension in views from the neighbouring garden and windows within its rear elevation. Notwithstanding this, part of it would remain visible above the wall. Albeit the two-storey element of the proposal would be set away from the common boundary, it would nonetheless consist of a mass of brickwork and remain in close proximity and highly visible to the neighbouring dwelling, No 26, and its modest sized rear garden.
9. By reason of the unrelieved height, width and depth of the proposed roof dormer, it would in effect add a second storey to the rear elevation. In these circumstances, the significant additional bulk arising from the extra height would result in the enlarged dwelling appearing visually imposing and overbearing from the neighbouring garden of No 26. This would be unduly harmful and compromise the living conditions of the neighbouring occupants.
10. The Council's case also concerns the effect of overshadowing on No 26. There is no detailed evidence before me to demonstrate that the proposal would not cause any significant loss of daylight or overshadowing. Given that No 26 is

orientated in a north facing direction, areas closest to its rear elevation already experience a reduced amount of daylight. In the absence of any evidence and owing to the height of the proposal, I find that it has not been adequately demonstrated that the proposed scheme would not cause a harmful degree of overshadowing to neighbouring occupants.

11. For the above reasons, the proposed development would result in an unduly harmful loss of daylight and cause an overbearing outlook from the rear garden of No 26. This would cause significant and unacceptable harm to the living conditions of the occupants of that dwelling. The proposal would conflict with LP Policy 7.6, CS Policies CP4 and CP30 and DMD Policies DMD8, DMD10 and DMD11. Among other things, these policies seek to avoid poor quality environments and ensure new development does not cause unacceptable harm to the amenity of surrounding occupiers.

Other Matters

12. The appellant has drawn my attention to a similar development nearby. However, there are differences between that development and the appeal scheme. It is located next to a detached dwelling. A reasonable sized gap in-between the dwellings is retained and therefore it avoids a terracing effect. Consequently, the circumstances of that development are not comparable to the appeal proposal. A comparison is of limited relevance in this instance and I have considered the appeal before me on its individual planning merits.
13. The appellant argues that part of the proposal could be constructed as permitted development. However, I have seen nothing to suggest that they would genuinely pursue this option as a fall-back position if the appeal failed or that such a scheme would be similar to, or worse than, what is currently proposed. As such, it is a matter of negligible weight.
14. The proposal would provide improved accommodation for an expanding family. However, this is insufficient to overcome the harm I have described above.

Conclusion

15. For these reasons, the appeal is dismissed.

E Brownless

INSPECTOR