



## Appeal Decision

Site Visit made on 20 April 2021

**by Graham Wyatt BA(Hons) MRTPI**

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

**Decision date: 1<sup>st</sup> June 2021**

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**Appeal Ref: APP/Q5300/D/21/3268688**

**7 The Fairway, Southgate N14 4PA**

- 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 Ravi Chauhan against the decision of London Borough of Enfield.
  - The application Ref 20/03158/HOU, dated 29 September 2020, was refused by notice dated 2 December 2020.
  - The development proposed is described as a “first floor rear extension”.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. Since the Council made its decision, the London Plan 2021 has been published by the Mayor, which replaced all previous versions and, therefore, the London Plan 2016. Consequently, the policy that is referred to within the refusal reasons is no longer in force. Both parties have been given further opportunity to provide additional comments upon the impact, if any, of the publication of the London Plan 2021 on this appeal.

### Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

### Reasons

4. The appeal site forms an end of terrace dwelling that is located within a predominantly residential area, which contains a variety of style and size of property. The area has a pleasant suburban character with dwellings set back from the road with parking areas and gardens to the front. To the rear of properties are private gardens that contain domestic structures such as sheds and other outbuildings.
5. The proposal seeks to erect a first floor extension over an existing ground floor element. The proposal would have a flat roof and would be of a lesser depth and width than the ground floor extension. The vast majority of surrounding properties do not benefit from first floor extensions in the form that is proposed, although the neighbouring property at 9 The Fairway has a two storey rear extension which has a pitched roof.
6. Notwithstanding the use of materials to match the existing building, the scale and massing of the proposed extension, along with its flat roof design would result in an incongruous form of development when compared to the existing arrangement of properties in the vicinity. The proposal would be clearly visible from Green Road

and would be at odds with the prevailing form of development that is visible to the rear of properties along this side of The Fairway. Consequently, the development would be seen as a discordant addition to the dwelling, quite out of keeping, and thus harmful to, the character and appearance of the area.

7. Thus, the proposal would result in harm to the character and appearance of the area. It would be in conflict with Policies DMD6, DMD8, DMD11 and DMD37 of the London Borough of Enfield Development Management Document 2014 and Policy CP30 of the London Borough of Enfield Core Strategy 2010 which seek, amongst other things, to ensure that developments are appropriate to its context and has regard to its surroundings.

### **Other Matters**

8. The appellant refers to the principle of the development which should be taken into consideration and I acknowledge the government's position on such matters through the publication of the National Planning Policy Framework (the Framework). However, for the reasons given above, I am not persuaded that the development would add to the overall quality of the area or be sympathetic to local character as required by paragraph 127 of the Framework. I also acknowledge that the development would not result in harm to the living conditions of adjoining occupiers. However, neither this nor any other material consideration that has been advanced outweighs the harm that I have identified above.
9. I have been directed to other developments in the area which are considered similar to the proposal before me. One of the permissions at 67 The Fairway was granted in 2006<sup>1</sup> and the development at 55 The Fairway was approved in 2008<sup>2</sup>. Thus, each of these developments were not assessed against the current development plan and Framework.
10. Although an additional permission was granted at 67 The Fairway in 2020<sup>3</sup>, this appeal site is within the N13 postcode area and some distance from the appeal site. Moreover, the two storey extension at the neighbouring property to the appeal site, is very much in the minority and the existence of developments elsewhere does not represent an irresistible reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.
11. The scheme allowed at appeal<sup>4</sup> at 79 The Fairway is also markedly different to that which is the subject of this appeal in that it is a central two storey extension of a much reduced depth and with a pitched roof. Therefore, I do not find that this particular case is so similar to the proposal to find in favour of the development before me.

### **Conclusion**

12. Thus, for the reasons given above, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, as I have found the proposal would be in conflict with the development plan, the appeal is dismissed.

*Graham Wyatt*

### **INSPECTOR**

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<sup>1</sup> TP/06/1074 dated 26 July 2006

<sup>2</sup> TP/08/0713 dated 27 May 2008

<sup>3</sup> 20/02830/HOU dated 9 November 2020

<sup>4</sup> APP/Q5300/D/20/3250556 dated 29 October 2020