The Planning Inspectorate

Appeal Decision

Site visit made on 16 June 2021

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2021

Appeal Ref: APP/Q5300/D/19/3241311
14 Brick Lane, Enfield EN3 5BA

- 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 I Islam against the decision of the Council of the London Borough of Enfield.
- The application Ref 19/02945/HOU, dated 21 August 2019, was refused by notice dated 31 October 2019.
- The development proposed is a rear conservatory.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the proposed development had been constructed. Whilst the development generally appeared to have been constructed in accordance with the plans before me, for the avoidance of doubt, I have determined this appeal on the basis of the submitted plans.

Main Issues

3. The main issues are:

   - The effect of the proposal on the character and appearance of the area; and
   - the effect of the proposal on the living conditions of the occupiers of 16 Brick Lane with particular regard to outlook.

Reasons

4. The appeal property, 14 Brick Lane, is a two-storey end of terrace dwelling located on a corner plot at the junction of Brick Lane and Cuba Drive. The property has an existing single storey rear extension. The proposal is retrospective and is for the construction of a single storey conservatory to the rear of the existing extension.

Character and appearance

5. 14 Brick Lane has a long but fairly narrow rear garden with the side boundary running along Cuba Drive. Due to its location, the side elevation of No 14 is prominent in views from Brick Lane for quite some distance. The dwelling is also clearly discernible in closer views from both Brick lane and Cuba Drive. The existing extension is, and the proposed conservatory would be, highly

visible above the boundary wall which runs along Cuba Drive. No intervening structures or planting is proposed or currently present to soften or screen the development from view.

6. The conservatory would project approximately 2.5 metres from the rear of the existing extension into the rear garden area of No 14 and would extend the full width of the property. The conservatory, in combination with the extension, would result in an approximately 8 metre projection from the original rear building line of the property. The combined rear projection would have the effect of approximately doubling the original depth of the property and would project significantly from the rear of the original dwelling, thus appearing disproportionately large. As such, the proposal would represent an unsympathetic addition which would fail to respect the scale and proportions of the host building. The proposal would dominate the rear elevation of the dwelling and fail to appear subordinate.

7. Furthermore, the visual prominence of the proposed conservatory would be exacerbated by the contrast in the building materials; the original dwelling is rendered, the extension constructed of brick and the conservatory largely of white UPVC.

8. I acknowledge the appellant's intentions to design a proposal which would uphold the high quality of design and character of the area and also note that the rear garden of the appeal property is large. However, these considerations are not sufficient to mitigate the harm I have set out above.

9. For the reasons set out above, the conservatory would appear as a visually jarring form of development which would have an unacceptably detrimental visual impact and cause harm to the character and appearance of the host dwelling and the wider area. As such, the proposal would fail to conform with Core Policy 30 of The Enfield Plan Core Strategy, 2010 – 2025, November 2010 (CS) and Policies DMD 11 and DMD 37 of Enfield's Development Managements Document, November 2014 (DMD). These policies, amongst other things, seek high quality and design-led developments and state that single storey extensions must not exceed 3 metres beyond the original rear wall.

Living conditions

10. The proposed conservatory, in combination with the existing extension, would run along the boundary with No 16 Brick Lane for a considerable distance and would project a significant distance beyond the rear elevation at No 16. Consequently, the proposal would have the effect of enclosing the rear garden area and ground floor rear windows at No 16

11. Due to the size of the proposed extension, its proximity to the boundary with No 16 and the fairly narrow nature of the rear gardens, the proposal would appear as a dominant feature in the outlook from the rear garden and habitable rooms of No 16.

12. For these reasons, the proposal would lead to an excessive sense of enclosure at No 16 and would appear as an oppressive feature and cause unacceptable harm to the living conditions of the occupiers of 16 Brick Lane with particular regard to outlook. As such, the proposal would conflict with Policy DMD 11 of the DMD which, amongst other things, states that extensions will only be

permitted if there is no impact on the amenities of the original building and its neighbouring properties.

13. The Council also make reference to Core Policy 4 of the CS. However, in my reading, this policy is mainly concerned with new housing rather than alterations and extensions to existing buildings. It therefore carries limited weight in my assessment of the scheme before me.

Conclusion

14. The proposal would not accord with the development plan when it is considered as a whole and I have not identified any material considerations which indicate that the appeal should be allowed. For the reasons given above I conclude that the appeal should be dismissed.

L J O'Brien

INSPECTOR