



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: 05 August 2021

Appeal Ref: APP/Q5300/D/20/3266050

19 Denny Road, LONDON, N9 7QR

- 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 S Sivasothy against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/03418/HOU, dated 21 October 2020, was refused by notice dated 16 December 2020.
 - The development proposed is single storey rear extension and rear / side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 neighbouring properties with particular regard to outlook and light.

Reasons

3. The appeal property, 19 Denny Road, is a two-storey, mid-terraced dwelling situated on a tightly knit residential street. The properties within the terrace of which No 19 is part, including No 19 itself, are modest dwellings with two-storey rear outrigger projections and are situated within fairly long but narrow plots.
4. The proposal is for a single storey rear extension which would infill the gap between the rear projection and the side boundary of the plot (the infill extension) and a further single storey extension which would project into the garden area from the rear wall of the existing projection (the rear extension).

Character and appearance

5. 19 Denny Road, like the other properties within the terrace of which it is part, has a reasonably long, narrow rear garden area. Though some changes to other properties are evident, the terrace, particularly with respect to those properties closest to No 19, is characterised by its undulating rear building line and the rhythm created by the outrigger projections and gaps across the terrace as a whole.
6. The proposed rear extension would project approximately 3.8 metres from the rear of the existing projection into the rear garden area of No 19 and would extend the full width of the existing outrigger. The proposed pitched roof would

contain a rooflight. A single window would be situated roughly in the centre of the proposed rear elevation. Similarly, the proposed infill extension would contain three rooflights within the roof slope.

7. Whilst the proposed extensions would reflect the existing building line to some degree, they would, nevertheless, interrupt the regular pattern of development and would not respect the scale, proportions or overall alignment of the established building line.
8. Furthermore, the host building, and the wider terrace, is of a simple design with clean lines. The proposed extensions would intersect the existing gable projection and, together with the proposed roof forms, would add visual clutter which would fail to reflect the simpler design of the host dwelling and terrace. Furthermore, the proposed rear window and rooflight of the proposed rear extension would fail to line up with the upper floor window which would remain in situ and would consequently exacerbate the visually jarring impact of the development. The amended position of the rear door on the side elevation of the proposed rear extension and the resultant expanse of blank brickwork to the rear elevation of the proposed infill extension would further unbalance the appearance of the rear fenestration.
9. For the reasons set out above, the proposed extensions would represent unsympathetic additions which would fail to respect the design and proportions of the host building and would cause harm to the character and appearance of the area. Consequently, the proposal would conflict 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 Management Document, November 2014 (DMD). These policies, amongst other things, state that single storey extensions must not exceed 3 metres beyond the original rear wall and seek high quality and design-led developments.

Living conditions

10. The proposed infill extension would remove the gap between the rear projection and the neighbouring boundary. This would have the effect of creating a tunnel between the new side wall at No 19 and the rear projection at the neighbouring dwelling. The infill extension would present an expanse of blank, featureless brickwork to the neighbouring dwelling at No 17 in close proximity to a ground floor window and directly opposite the rear garden door serving the property. As such, the proposal would result in a harmful sense of enclosure for neighbouring residents. This increased sense of enclosure would have a detrimental impact on the outlook from the neighbouring dwelling and would cause harm to the living conditions of the occupiers of that property in this regard.
11. The proposed rear extension would project approximately 3.8m from the rear of the existing outrigger and would be extremely close to ground floor windows in the neighbouring property at No 21. As with the infill extension, the side elevation of the proposed rear extension facing the neighbouring dwelling would be a significant expanse of blank brickwork and would appear as a large, stark and oppressive feature in the outlook from the neighbouring dwelling. The effects of the proposed rear extension would be exacerbated by the narrow gardens and would enclose the neighbouring garden space between the proposed extension and an existing conservatory on the other side of No 21. For these reasons the proposed rear extension would unduly harm the outlook, and create an unacceptable sense of enclosure, for the occupants of the neighbouring dwelling.

12. Additionally, the proposed rear extension would be likely to cause a reduction in levels of light reaching the rear habitable rooms at ground floor level and the rear garden areas of both neighbouring properties. At the time of my site visit I observed that the rear garden areas of both neighbouring properties which would be affected appeared to be well used. Though I note that the effects on light would be somewhat limited by the single storey nature of the proposed extensions, in my view, due to the nature of the gardens and the level of use, the harm would, nevertheless, be considerable.
13. Due to the size of the proposed extensions, their proximity to the boundaries with neighbouring properties 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 Nos 17 and 21 and would have a detrimental effect on the levels of light reaching these properties.
14. For these reasons, I consider that the proposal would cause unacceptable harm to the living conditions of the occupiers of neighbouring properties with particular regard to outlook and light. The proposal would, therefore, fail to accord 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.

Other Matters

15. I acknowledge that the current scheme has been decreased in size and altered from previous proposals with the aim of overcoming the concerns which were raised. However, as set out above, in my view the alterations are not sufficient to mitigate the identified harm.
16. Whilst the appellant makes reference to the existence of a number of other examples of extensions which have been permitted which could be considered similar, each case must be determined on its individual merits and the circumstances in each case are likely to be different. Though I do not have the specific details surrounding the examples, in one example it would appear that there are different layouts and circumstances on site as the plans appear to indicate that the adjoining dwelling has an existing rear extension. In any event, the existence of other examples is not in itself a sufficient justification to warrant the grant of planning permission.
17. The Council also make reference to Policy DMD 8 of the DMD. 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

18. 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