



Appeal Decision

Site Visit made on 6 July 2021

by Mr James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 6th August 2021

Appeal Ref: APP/Q5300/W/20/3264530

55 Uckfield Road, Enfield EN3 6AS

- 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 Rashid Dilloo against the decision of London Borough of Enfield.
 - The application Ref 20/02167/FUL, dated 6 October 2020, was refused by notice dated 1 December 2020.
 - The development proposed is a side and rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a side and rear extension at 55 Uckfield Road, Enfield EN3 6AS in accordance with the terms of the application, Ref 20/02167/FUL, dated 6 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: NOV55_UCK_01 Rev A; and plan entitled "Title number AGL453123".
 - 3) No above ground works shall commence until the building labelled "outbuilding to be demolished" on drawing NOV55_UCK_01 Rev A has been permanently demolished.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no buildings incidental to the enjoyment to the enjoyment of a dwelling house shall be erected at 55 Uckfield Road

Preliminary Matters

2. The Council has highlighted in its evidence that the appellant's drawing UR – 001/2013 (Existing Plans & Elevations) does not show the existing porch. Whilst I note the inaccuracy of this plan, the drawing which shows the proposed development (NOV55_UCK_01 Rev A) does show the porch, and therefore appears accurate in terms of building footprint and dimensions. I am therefore satisfied that the appeal can be determined against the submitted plans without prejudice to any party.

3. Since the determination of the planning application, the 2016 iteration of the London Plan has been superseded. Policies 7.1 and 7.4 of the 2016 Plan¹ were cited in the Council's reason for refusal. Whilst both main parties have been given the opportunity to comment, I have received no further representations from the parties on the implications of the 2021 Plan² with regard to the proposed development. Nonetheless, in this case I am satisfied that I can rely on the policies of the Council's adopted Core Strategy³ (Core Strategy) and the Council's Development Management Document (2014) (DMD), as the content of these policies in relation to the main issue of this case is consistent with the broad strategic policies of the London Plans and the overarching design objectives of the National Planning Policy Framework (July 2021) (the Framework).

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of No 55 and the surrounding area.

Reasons

5. The appeal site includes two separate flats in an end of terrace property located at the junction of Uckfield Road and Beaconsfield Road. The surrounding area is residential, mostly characterised by terraced dwellings. The design and style of properties in the area are mixed, which means there is no strong uniformity between neighbouring properties.
6. There is a small entrance porch on the side elevation of the property, which fronts on to Uckfield Road. There is a gate to the side of the porch which leads to an area of private amenity space to the rear. This area is enclosed by a brick wall which runs along the boundary of property, largely obscuring the garden from view. At the back of this amenity space, there is an outbuilding and a separate garage which front on to the road, both of which contribute to a sense of crowding at the rear of the property. Together with the boundary wall, these outbuildings also mean that the boundary of the appeal property along Uckfield Road is already dominated by built form. There is no indication that any existing development is anything other than authorised.
7. The proposed development would include the demolition of the existing outbuilding at the rear of the appeal property to help accommodate the proposed extension at No 55. The extension would be single storey. At the side of the appeal property, the extension would extend out to the boundary wall which runs along Uckfield Road, and would occupy mostly constrained space which offers little functional value to the amenity space currently enjoyed at the property.
8. Given the height of this existing wall, the development would have little visual impact on the street scene, as the new side elevation would essentially occupy the same space as the wall. Its visual impact would not be materially different to the current position. The side of the extension would also be consistent with the front building line of the existing garage at the rear, which would help it integrate seamlessly with the street scene. On my site visit, I also noted several examples of extensions on corner plots which ran along or very close to

¹ The London Plan, The Spatial Development Strategy for London, Consolidated with Alterations Since 2011 (2016)

² The London Plan, The Spatial Development Strategy for Greater London (2021)

³ The Enfield Plan, Core Strategy 2010 – 2025 (2010) (Core Strategy)

their boundaries with the pavement, not dissimilar to the development proposed in this instance. Notwithstanding the mixed design and style of nearby properties, the development would therefore be in-keeping with the general pattern of development in the wider area, particularly in relation to corner plots.

9. The extension would wrap around the back of the property, extending out from its rear by approximately 2.5m. Whilst this would impinge upon the pre-existing garden at the back of the appeal property, the removal of the existing outbuilding adjacent to the garage would help compensate for this loss of space, particularly in a visual sense, ensuring that the level of garden would not be substantively different to the existing position.
10. I consider that the development would actually improve the sense of crowding currently experienced at the rear of the property, as the built form would be focused around the footprint of the terrace itself, rather than scattered across its curtilage. To ensure this improved sense of crowding is retained going forward, a condition can legitimately be imposed to restrict permitted development rights which would allow further outbuildings to be constructed.
11. In terms of size, the extension would be a modest addition to the appeal property at both the side and rear and would appear subordinate to the host property. The adjoining properties in the terrace extend out at the rear much further than the appeal property, and even with the extension, this would still be the case. This ensures that the extension would not appear excessive or dominant in the context of the wider terrace. The proposed materials would match the appeal property which ensures the extension would integrate with the existing terrace. The roof pitch of the extension would also match the lean-to at the rear, which would again help it assimilate with the appeal property without appearing discordant or contrived.
12. For these reasons, I am satisfied that the proposed development would not harm the character and appearance of the appeal property nor the surrounding area. The development would therefore be consistent with Policy CP30 of the Core Strategy (2010), which seeks to ensure that development achieves high-quality design which responds to well to local distinctiveness. The development would also be consistent with the objectives of policies DMD11 and DMD14 of the Council's DMD (2014), which set out certain guidelines and parameters to ensure that side and rear extensions are appropriate in size and scale, respect existing building lines, and respect the character of the area.

Conditions

13. I have included a plans condition for clarity. I have also included a condition which requires the outbuilding to be demolished before any above ground works, to ensure the development does not lead to any sense of crowding at the rear of the property.
14. To avoid any future risk of crowding which could result from further built form in the garden, a condition restricting permitted development rights for incidental outbuildings is also justified in this instance in line with paragraph 54 of the Framework. That condition is, in my view, essential also to ensure that the proposal is implemented as the appellant has set out and as I have assessed the scheme above.

Conclusion

1. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is allowed.

James Blackwell

INSPECTOR