

## Appeal Decision

Site visit made on 1 February 2022

**by N McGurk BSc (Hons) MCD MBA MRTPI**

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

**Decision date: 9<sup>TH</sup> February 2022**

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**Appeal Ref: APP/Q5300/D/21/3283436**  
**22 Evesham Road, Southgate, N11 2RN**

- 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 Chris McNamara against the decision of the Council of the London Borough of Enfield.
  - The application Ref 21/02106/HOU, dated 27 May 2021, was refused by notice dated 23 July 2021.
  - The development proposed is a single storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of No 20 Evesham Road, with regards to daylight and outlook.

### Reasons

#### *Character and appearance*

3. The appeal property is two storey mid-terrace dwelling with a ground floor bay window to the front. It is located in residential area. The property has been extended to the rear at roof level.
  4. The area is characterised by the presence of similar brick-built two storey terraced dwellings with ground floor bays, set back from the road behind short front garden areas. Dwellings have longer gardens to the rear.
  5. During my site visit, I observed that many dwellings have been extended or altered in some way, but that generally, such changes appear in keeping with their surroundings.
  6. The proposed development would extend the dwelling to the rear at ground floor level. Whilst the extension would only project a relatively short way beyond the existing rear outrigger, the L-shaped form of the dwelling to the rear would mean that the proposal would, by extending across the width of the property, comprise a substantial addition, filling the whole of and extending beyond, the recessed area to the rear of the property.
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7. Whilst single storey, the proposal would have a pitched roof that would reach a height considerably greater than that of shared rear garden boundaries and would thus appear prominently in its surroundings.
8. However, whilst the proposal would be large scale and would, to some extent, appear awkward when seen against the adjoining recess of No 20 Evesham Road, I find that it would appear generally in keeping with an area where rear extensions are commonplace; and that it would not appear so disproportionate to the host property as to result in significant harm.
9. Taking the above into account, I find that the proposed development would not harm the character and appearance of the area and would not be contrary to the National Planning Policy Framework; to London Plan (2021) Policy D4; to Core Strategy<sup>1</sup> Policy CP30; or to DMD<sup>2</sup> Policies DMD8, DMD11 and DMD37, which together amongst other things, seek to protect local character.

*Living conditions*

10. As noted above, the proposed development would extend across the width of the rear of the property. This would result in the proposal rising and extending in extremely close proximity to the rear of No 20 Evesham Road. Like the appeal property, No 20 also projects to the rear. The location of this projection is such that No 20 has a rear recessed area that is situated immediately adjacent to the shared rear boundary with No 22.
11. During my site visit I observed that a ground floor window from No 20 looked out along this recess towards that property's rear garden and that a further ground floor window faced directly across the recess towards the shared boundary with the appeal property and the appeal property's recess.
12. In filling the recessed area and by projecting beyond the appeal property's rear overhang, the proposed development would result in a substantial development that would run alongside and beyond No 20's rear recess at a height notably greater than that of the shared boundary.
13. The height, length and immediate proximity of the proposal would result in it looming above and unduly dominating the outlook from No 20's ground floor windows referred to above, as well as that from the recessed area itself. Consequently, the proposal would have an overbearing impact on the outlook from No 20.
14. Taking the above into account, I find that the proposed development would harm the living conditions of the occupiers of No 20 Evesham Road, with regards to outlook and daylight, contrary to the National Planning Policy Framework; to London Plan (2021) Policy D4; to Core Strategy Policy CP30; and to DMD Policies DMD8, DMD11 and DMD37, which together amongst other things, seek to protect residential amenity.
15. Whilst I note that it appears likely to me that the proposed development would, due to its height, length and immediate proximity, inevitably reduce the amount of daylight reaching the rear of No 20, I find that the pitch of the proposed roof would mean that the harm arising from this would not, on its own, warrant

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<sup>1</sup> The Enfield Plan Core Strategy (2010-2025).

<sup>2</sup> Enfield Development Management Document (DMD) (2014).

dismissal of the appeal. However, it is a factor that adds some weight to the decision below.

**Other Matters**

16. In support of the appellant's case, evidence of other decisions elsewhere has been presented. Whilst these show similar developments to that the subject of this appeal, none appear so similar as to provide for a direct comparison. In any case, notwithstanding this, the proposed development would result in significant harm, leading to the decision below.

**Conclusion**

17. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR