

Appeal Decision

Site visit made on 27 January 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref. APP/Q5300/D/21/3283136
8 Avenue Close, London N14 4BJ

- 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 Okkes Toprak against the decision of the Council of the London Borough of Enfield.
 - The application ref. 21/02523/HOU, dated 28 June 2021, was refused by notice dated 27 August 2021.
 - The development proposed is "Part single, part 2-storey side extension and single storey rear extension."
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Decision

1. The appeal is allowed and planning permission is granted for part single, part 2-storey side extension and single-storey rear extension at 8 Avenue Close, London N14 4BJ in accordance with the terms of the application ref. 21/02523/HOU, dated 28 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered: A100; A101; A102; A103; A104; A105; and A106
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no balustrades or other means of enclosure shall be erected on the roof of the extensions hereby permitted. No roof of any part of the extensions hereby permitted shall be used for any recreational purpose and access to any such roof shall only be for the purposes of maintaining the property or securing a means of emergency escape.
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Procedural matter

2. The description of the proposal set out on the application form has been updated by the description used on the Council's decision notice and the appeal form. I have adopted that updated description in the heading above.

Main issue

3. The Council did not find that the proposed extensions would cause an excessive loss of amenity for neighbouring properties for any reason. I see no reason to disagree. The main issue is therefore the effect of the proposed development upon the character and appearance of the dwelling and its surroundings.

Reasons

4. The appeal property is a 2-storey house situated at the end of a short terrace (nos 2-8) which fronts onto Avenue Close. The rear garden leads up to another public road known as The Vineries. Avenue Close is a short cul-de-sac. It is entirely residential in character with another short terraced block of 2-storey houses and various semi-detached 2-storey houses, like no. 10 situated to the north-east of the appeal property.
5. The properties at each end of the host terrace (nos 2 and 8) have been built with more complicated roof forms given their hip-ended roofs, including double height hipped projections to the front and rear of different scale. No. 8 also has a full-width, ground floor rear extension with a sloping roof. The principal elevation of the appeal property faces Avenue Close and the key public views of the property are from within Avenue Close.
6. Viewing from the front, the side extension would be seen to be narrow, be appropriately set back at each level in relation to the front of the property, be set in 1 m from the boundary with the adjacent property at no. 10 and be set below the main roof ridge. I consider that the resulting building would sit well in the Avenue Close street scene as the side extension would appear sufficiently subordinate to the host property, respect its design and avoid the creation of any terracing effect in relation to the position of no. 10. This is important as judgements about the outward visual qualities of a development should start from an assessment from the key areas of the public realm. The Council seems to concede that the proposed front elevation would be designed to be sympathetic to the character of the building and the street scene.
7. The side elevation of no. 8 is seen from the turning circle at the end of Avenue Close. It has a visually awkward array of windows and doors. The additional 2.6 m of depth proposed to the rear at the 2-storey level would not appear to me to be excessive. Whilst the proposed side elevation would, as a result, have a longer and continuous eaves line, the 2-storey hipped roof across this north-eastern flank would not appear unduly bulky or dominant for any reason. To all intents and purposes, it would present itself as a conventional side elevation for this type of property as extended and contain a far simpler pattern of fenestration with a small window on each floor in line with one another.
8. Whilst the first floor and roof at the rear of the appeal property and host terrace can be seen in views from The Vineries, they do not exhibit any notable

degree of prominence on account of the separation distance and the variety of intervening boundary fences, vegetation and outbuildings.

9. The existing full height hipped projection at the rear would be lowered, so even if its resulting ridge line would be as wide as or slightly wider than the main ridge, this would be of little consequence in the available views from the rear. The new, well-designed, 2-storey, half-width hipped projection to the rear would tend to draw the eye of any observers on The Vineries. It would be well set back from the ground floor rear wing below and be of limited depth. The inclusion of a full hipped end to this projection would minimize its visual impact. The upper level changes would not have the overall height, scale, bulk or depth to dominate the host property in views from the rear. The roof design might well be somewhat more convoluted than the existing arrangement but not to the extent that it would materially detract from the property or host terrace. It would be a stretch of the imagination to suggest, as the Council does, that when viewing from the rear, the proposed extensions would create a sense of massing akin to a separate dwelling.
10. Policy DMD 11 (part 2) of Enfield's Development Management Document November 2014 (DMD) says single-storey extensions must not exceed 3 m in depth beyond the original rear wall of a terraced property. The replacement one proposed would reach a depth of about 4 m beyond the original rear wall. That the scheme would conflict with this policy is not specifically acknowledged by the parties. In its defence, the Council says it previously accepted a ground floor addition of a similar scale but is concerned about the overall width and the inclusion of the first floor addition on top, as now proposed.
11. However, the overall width of the extended dwelling would be seen to be similar to the existing width of the 2 central properties in the host terrace (nos 4 and 6) and I have already noted that the first floor addition would be of limited depth and bulk. Of equal importance in my view is that, when compared to the lean-to style of the existing ground floor rear roof, the flat roof of the replacement single-storey rear extension would be more in keeping with the ground floor extensions at the neighbouring properties at nos 4 and 6 in terms of height and design. These are sufficient reasons to outweigh the specific and technical breach of that part of DMD Policy DMD 11, when also considering that the breach can be fairly described as marginal and that the key instruction of the policy to ensure that "*There is no adverse visual impact*" would be satisfied.
12. Viewing the proposals as a whole or, in other words, cumulatively, I consider that the proposed extensions would be visually acceptable and sufficiently respectful of the original building's proportions, scale, character and appearance, the local character more generally and the setting of the site.
13. I find on the main issue that the proposed development would not harm the character and appearance of the dwelling and its surroundings. As the scheme would avoid any adverse visual impacts and deliver high quality design, have appropriate regard to its surroundings and the character of the local area and maintain and improve the quality of the built environment, there would be respect for the important overall aims of the most relevant development plan policies - Policy D4 of the London Plan 2021, Core Policy 30 of Enfield's Core Strategy November 2010 (CS) and Policies DMD 11, DMD 14 and DMD 37 of

the DMD. There would also be sufficient regard paid to the National Planning Policy Framework insofar as it seeks to achieve well-designed places.

14. The Council's decision notice makes reference to Core Policy 4 of the CS and Policies DMD 6 and DMD 8 of the DMD all of which, to my mind, are mainly concerned with new housing proposals rather than extensions to existing dwellings. It also mentions DMD Policy 13 of the DMD. As this policy is directed at roof extensions, it has limited relevance to the development proposed.
15. The Council, in its questionnaire, has put forward a total of 4 planning conditions to be imposed in the event of the appeal being allowed. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have imposed a condition requiring matching materials to ensure that the development preserves the character and appearance of the area. In the interests of privacy, it is also necessary to impose the Council's fourth suggested condition so as to prevent any potential future use of the roof areas of the extensions as a balcony or similar amenity area.
16. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR