



Appeal Decision

Site visit made on 28 February 2022

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24TH March 2022

Appeal Ref: APP/Q5300/D/22/3290020

10 Broomfield Avenue, Southgate N13 4JN

- 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 & Mrs Howard against the decision of the London Borough of Enfield Council.
 - The application Ref 21/02448/HOU, dated 22 June 2021, was refused by notice dated 4 November 2021.
 - The development proposed is rear dormer with patio doors and Juliette balcony. One conservation style roof light to the front roof slope.
-

Procedural Matter

1. The decision notice describes the proposed development as a rear dormer with doors and Juliet balcony. This differs from that on the application form, referred to above, in that apart from the different spelling (Juliette/Juliet), the decision notice description omits the front rooflight. The submitted plans do not include the rooflight and it would seem that this element was subject to an amendment before the Council made its decision. I have therefore based my decision on the amended description and have not included the front roof light in my assessment.

Decision

2. The appeal is allowed and planning permission is granted for a rear dormer with doors and Juliet balcony at 10 Broomfield Avenue, Southgate N13 4JN in accordance with the terms of the application, Ref 21/02448/HOU, dated 22 June 2021, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - *Location Plan; and*
 - *Drawing Nos: - 2021-05-5825/1; 2021-05-5825/2; 2021-05-5825/3 Rev 1; and 2021-05-5825/4 Rev 1.*

Main Issue

3. I consider that the main issue is whether the proposal preserves or enhances the character or appearance of The Lakes Estate Conservation Area.

Reasons

4. The appeal site is a semi-detached house within The Lakes Estate Conservation Area and therefore I have had regard to Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected in London Plan Policy¹ HC1, Core Strategy² Policy 31, Development Management Document³ Policy DMD 44, the Lakes Conservation Area Character Appraisal⁴ and Management Proposals⁵ and the National Planning Policy Framework⁶.
5. The dormer would not be visible from Broomfield Avenue but it could be seen from Broomfield Park to the rear. The accessibility of the park enabled me to view the row of houses in this section of Broomfield Avenue from close up at the rear of No 10 but also from further back in the park. I noticed a number of other dormers in the row and saw that construction work was underway at the adjacent property. However, I have limited information about the other dormers in terms of when they were constructed and whether or not they were subject to planning approvals.
6. The design of the roof is such that only part of the dormer would be visible from neighbouring properties or from the park and so whilst in its entirety it would be a fairly prominent addition to the roof, in effect the reduced views of it would significantly lessen its impact. I note that a previous application for a rear dormer was approved but the time period for commencement has elapsed⁷. The Council do not explain why it has changed its view of a rear dormer to this property other than point out that the Conservation Area Character Appraisal recognises that box dormers are an issue facing the area. It also draws attention to Policy HC1 of the London Plan regarding heritage assets. Neither of these present convincing arguments as to why this particular proposal was acceptable a few years ago but is not now.
7. I note that further advice about dormer extension is provided in development Management Document Policy DMD 13 and the proposal would not strictly comply with the dimensions suggested in this policy. Other policies are also referred to by the Council which I have considered in my assessment. I also appreciate that the appeal site makes a positive contribution to the Conservation Area. It is an attractive property with clear heritage credentials. However, the roof is also unusual in its design, and whilst the design of the proposed dormer may otherwise be unacceptable, the partially obscure view of it due to the design of the roof and the presence of a chimney would significantly reduce its impact. I can therefore find no sound justification that it would fail to preserve the character and appearance of the Conservation Area.

¹ Mayor of London – The London Plan The Spatial Development Strategy for Greater London March 2021.

² Enfield Council – The Enfield Plan Core Strategy 2010-2025, Adopted November 2010.

³ Enfield Council – Improving Enfield Development Plan Document (DMD), Adopted November 2014.

⁴ Enfield Council – The Lakes Estate Conservation Area Character Appraisal, Approved June 2015.

⁵ Enfield Council – The Lakes Estate Conservation Area Management Proposals, Approved June 2015.

⁶ Ministry of Housing, Communities & Local Government National Planning Policy Framework, 2021 (the Framework).

⁷ Planning Application Ref; 17/02020/HOU – Granted with Conditions on 11/07/2017.

8. The Council has not suggested any conditions but I have considered whether any should be imposed in the light of the Planning Practice Guidance⁸. In addition to the standard time limit condition, it is necessary to ensure that the materials match those of the existing house in order to ensure a satisfactory appearance especially given the Conservation Area status of the house. These are referred to on the application form. I also consider that it is necessary to carry out the works in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.
9. I have considered all matters raised but none alter my conclusion. I conclude that the proposal would preserve the character and appearance of The Lakes Estate Conservation Area. It would comply with London Plan Policy HC1, Core Strategy Policy 31, DMD 44 and the Framework. The appeal therefore succeeds.

J D Clark

INSPECTOR

⁸ Planning Practice Guidance, Published 6 March 2014, Updated 23 July 2019.