
Appeal Decision

Site visit made on 27 July 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th August 2022

Appeal Ref: APP/Q5300/D/22/3299086
200 Winchmore Hill Road, Southgate, N21 1QR

- 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 Mrs Andrea Navarro against the decision of the Council of the London Borough of Enfield.
- The application Ref 21/01116/HOU, dated 1 November 2020, was refused by notice dated 24 February 2022.
- The development proposed was originally described as "*reduction in depth of the existing first floor rear extension to regularise the additional 60cm to the first floor rear extension*".

Decision

1. The appeal is allowed and planning permission is granted for the erection of a first-floor rear extension at 200 Winchmore Hill Road, Southgate, N21 1QR in accordance with the terms of the application, Ref 21/01116/HOU, dated 1 November 2020.

Procedural Matters

2. The application was made retrospectively. The appeal property was previously extended to the rear at first-floor level to a depth of 5m. A retrospective planning application (Ref 18/03691/HOU) was refused and a subsequent appeal (APP/Q5300/D/19/3223603) was dismissed in July 2019. Subsequent to that, planning permission was granted (Ref 20/00103/HOU) for a first-floor rear extension to a depth of 2.7m. These works would have involved modifications to the first-floor extension that had been built by reducing its depth. The works that were carried out resulted in a first-floor extension that is 3.3m deep. The current appeal relates to this extension.
3. The plans submitted with the planning application show the first-floor rear extension with a hipped roof. The extension as built has a gabled roof. I have considered the appeal based on the development that has taken place.
4. My description in the banner heading above is taken from the original planning application form. My formal decision simplifies the wording to reflect the development that has taken place and that for which planning permission was

sought.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, and upon the living conditions of neighbouring occupiers, with particular regard to visual impact, daylight, and sunlight.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling set within a residential area comprising broadly similar age and style of properties such that there is a degree of harmony and uniformity to the street scene along Winchmore Hill Road. To the rear, and in the limited views that can be had from the long gardens to these properties, it was clear that many have been altered in a variety of ways. Whilst most obvious extensions were seen to be sympathetic and in-keeping with their host properties, the original uniformity of the dwellings to the rear appeared considerably less obvious or significant in defining the established residential character of the area.
5. The appeal property has a 'box-like' dormer to the rear roof slope and a single-storey extension across its full width. The first-floor extension spans approximately half the width of the house and projects to a depth of 3.3m. It is finished with a gabled roof and materials that match the remainder of the property such that it appeared to me as a reasonably well-considered and complementary addition that did not look out of scale or place in its rear garden setting.
6. The appellant has submitted a Daylight and Sunlight Report dated May 2022 which considered the impact of the development upon the first-floor window to the attached property at No 202. It concluded that the retained light levels post development remain well in excess of the target criteria set by the Building Research Establishment Report 209, '*Site Layout Planning for Daylight and Sunlight: A guide to good practice*'. The findings of the report have not been disputed by the Council. Moreover, the Inspector for the previous appeal, which considered a similar development but to a depth of 5m, found there to be no substantive evidence to demonstrate a significant loss of daylight or sunlight to either neighbouring property. I have no reason to disagree with the findings of the Daylight and Sunlight Report, or those of the previous Inspector in this regard.
7. No 202 Winchmore Hill Road has a ground floor rear extension. The first-floor extension to the appeal property would be out of sight in the outlook from the ground floor living space at No 202. At first-floor level No 202 has a bay window nearest to the shared common boundary. There is no doubt that the extension would be seen in the outlook from those window casements that are angled towards the appeal site. However, this would be from a reasonable distance and at an angle, and in my assessment it would appear as a well-considered and proportionate addition.
8. To the opposite side, there is a gap between the flank wall of the appeal property and 198 Winchmore Hill Road equivalent approximately to the width of a driveway. No 198 also has a single-storey extension from where the first-floor addition to the appeal property would be out of sight. The nearest first-

floor window to No 198 is flush with the rear wall of the dwelling. Any sight of the extension in the outlook from this window would be oblique and from a distance. I am satisfied that it would be neither unacceptably overbearing nor intrusive in this outlook.

9. Policy DMD 11 of the Council's Development Management Document (DMD), adopted in 2014, deals with rear extensions. With regard to first-floor extensions it states that they must not exceed a line taken at 30-degrees from the mid-point of the nearest original first-floor window to any adjacent properties. The appellant has demonstrated that the extension would breach a 30-degree line projected across the appeal site from both neighbouring properties by a reasonably small margin. In this regard there would be conflict with Policy DMD 11. However, the circumstances of the case, for reasons explained, lead me to conclude that there is no harm to either the character or appearance of the area, or to the living conditions of either adjoining occupier. I am satisfied that the development has achieved a quality of design that is appropriate to its surroundings. I therefore find no conflict with DMD Policies DMD 8 or DMD 37, Core Policy 30 of the Council's Core Strategy 2010, or Policy D3 of The London Plan 2021. For the same reasons I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed places.
10. Overall, notwithstanding the conflict with Policy DMD 11, other material considerations in this instance and the absence of any other conflict with the development plan lead me to conclude that the appeal should be allowed.
11. As the development has already taken place, I have no reason to impose any conditions.

John D Allan

INSPECTOR