



Appeal Decision

Site visit made on 9 August 2022

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2022

Appeal Ref: APP/Q5300/W/22/3290701

81B Woodberry Avenue, Southgate N21 3LG

- 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 Helen Phylactou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/02275/FUL, dated 10 June 2021, was refused by notice dated 16 December 2021.
 - The development proposed is single storey rear extension to the ground floor flat to create an extra bedroom. Proposed crossover to create 2 parking spaces for the ground floor flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host property and the area; and
 - The effect of the proposed development upon the living conditions of the occupiers of the host property and 83 Woodberry Avenue.

Reasons

Character and Appearance

3. 81B Woodberry Avenue is a residential flat contained within a terraced property. Woodberry Avenue is a tree-lined street addressed by the frontages of terraced properties on either side. The properties are of traditional appearance and many exhibit similar architectural features and materiality. Though the house types differ, this cohesion in the appearance of properties is replicated on neighbouring streets. I found the extent to which properties have retained distinctive architectural features characteristic of the area.
4. On the rear elevation of the host property is a two storey bay window. Some neighbouring properties incorporate similar bays. These are distinguishing features which contribute positively to the character and appearance of these properties. The roof of the host property slopes down towards the garden, as does the roof on an existing single storey rear projection. Single storey rear projections at the properties which adjoin have similar pitched roofs.

5. In contrast, the proposed rear extension would be a rectangular flat roofed addition to the property. Though some of the bay would remain visible, particularly the upper section, the extension would nevertheless conceal a substantial portion of it. I find the dissimilarity between the appearance of the proposed extension with the existing pitched roof features of the host property, and some of those on neighbouring properties, coupled with the extent of bay concealment harmful and unsympathetic. The contrast between the retained bay and the box-like extension would also appear visually awkward.
6. There may be a variety of rear extensions elsewhere on Woodberry Avenue including those which conceal bay windows. However, I do not find that these are a strong influence over the prevailing character of the area. There are other examples of rear extensions which do not conceal bay windows and that exhibit designs less at odds with the main property, such that the overall character of bay windows continues to prevail.
7. As a result, the development would be contrary to Policy CP30 of the Enfield Core Strategy, 2010 (CS) and Policies DMD8, DMD11 and DMD37 of the Enfield Development Management Document, 2014 (DMD). In summary, and amongst other things, those policies seek to ensure that development is of high quality, reinforces locally distinctive character and results in no adverse visual impact. I do not find conflict with Policy D4 of the London Plan 2021 which focuses principally upon processes which assist in ensuring the delivery of design quality. The content of this policy is largely irrelevant to the specific harm I have identified.

Living Conditions

8. The plans show that the existing rear bay serves a ground floor bedroom within the host property. The bay window contains a substantial amount of glazing which will provide the occupants with a pleasant outlook of the long rear garden. The south facing orientation of the bay will permit considerable sunlight to enter the room. At the front of the flat, the plans depict a living room also served by a bay window. No 83, which adjoins, also has bay windows to front and rear albeit, set slightly higher than that on the host property.
9. The proposed bedroom 1 would be served by one tall but narrow window with access door. Some views of the garden would be available from this window. However, outlook from the window would be narrowly channelled between a boundary fence to one side and the side elevation of the proposed rear extension to the other. Furthermore, the angle of the window would be such that it would be orientated towards the boundary fence. Any occupant of the room, when looking out of the window, would receive a significant sense of enclosure and levels of outlook would be very restricted.
10. Despite the slender nature of the window, due to the southerly aspect, there would be times that bedroom 1 would receive direct sunlight. Nevertheless, light levels are likely significantly affected by the presence of the fence and it has not been shown that the extension would not cause significant shade for considerable periods of the day. I find that the amount of outlook available from this bedroom and the levels of light that the bedroom would receive would be unacceptably low.

11. At neighbouring property No 83, substantial outlook will be available from within the room served by the ground floor rear bay window. The room will also receive significant sunlight owing to its southerly orientation, as will the rear garden with patio. The outlook across No 83's rear would remain to its occupants.
12. However, though the extension would be inset from the common boundary it would nevertheless remain quite close to it and the extension would run alongside the patio/garden and past the bay window of No 83 for a considerable length and at a height well above the existing fence. Given the flat roofed design, the height of the extension would remain consistent for its entire length. Although there is a step up in level to No 83 this is limited and is insufficient to reduce, to a meaningful extent, the effects of the size and proximity of the extension. Due to its length, height and proximity the proposed extension would create a harmful dominating effect that would unacceptably reduce the levels of outlook presently available from within the ground floor bay window at No 83. The extension would also likely cause shading to the areas of patio/garden at No 83 that are adjacent.
13. Given they are both single storey, flat roofed extensions to provide further bedroom accommodation, there are some similarities between the approved extension at No 105B and that proposed in this case. However, I note that, in comparison to this case, the extension at No 105B was slightly lower, shorter in length and set farther from the common boundary whilst the bedroom window created in that design would not angle towards a fence. Even setting aside such differences, I have identified harm in this case and the approval of similar developments elsewhere does not override this harm.
14. Consequently, for the reasons given, the development would be contrary to Policies DMD8 and DMD11 of the DMD. In summary, and amongst other things, those policies seek to ensure that development preserves the living conditions of residents including in respect to their light and outlook.

Other Matters

15. It is noted that the tree located in the rear garden and subject to a Tree Preservation Order could be adequately protected from the development. The vehicle crossover and parking spaces proposed to front could be delivered without any detriment to highway safety. However, this lack of harm is neutral in the planning balance and does not outweigh the harm I have identified in respect of the main issues.

Conclusion

16. For the above reasons, having taken account of the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR