



Appeal Decision

Site visit made on 5 September 2022

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/Q5300/W/22/3299646
49 and 53 Green Road, Southgate N14 4AP

- 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 Stoilova - Esfandiari against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/04634/FUL, dated 13 December 2021, was refused by notice dated 9 March 2022.
 - The development proposed is described as 'single storey rear extension to 49 and 53, this a joint application to remove any impact on both properties.'
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extensions to 49 and 53, together with new access door to front elevation at 49, at 49 and 53 Green Road, Southgate N14 4AP in accordance with the terms of the application, Ref 21/04634/FUL, dated 13 December 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 development hereby permitted shall be carried out in accordance with approved plans 001 49 Green Road, 001 53 Green Road, 003, Proposed Block Plan site Location Plan.
 - 3) 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.

Preliminary Matters

2. As the proposed development only relates to two of the four residential units within the building, the correct address for the purposes of this appeal is 49 and 53 Green Road. The address in the heading above therefore differs from 49-55 Green Road as set out in the planning application form.
3. I have amended the description of development in the decision above from that set out in the last bullet point of the heading above, which has been taken from the planning application form. The amended description leaves out wording that is unnecessary to describe the development. For clarity, I have included reference to the new access door to No 49.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and the area.

Reasons

5. The south side of Green Road, along the stretch that the appeal site is located, is characterised by semi-detached properties with hipped roofs, with a staggered front and rear building line. This leads to a pleasing street scene. Whilst subdivided into four flats, the appeal property reflects that character having the appearance of a pair of semi-detached dwellings.
6. Policy DMD11 of the Enfield Development Management Document 2014 (DMD) indicates that proposed rear extensions will only be permitted if, amongst other things, adequate amenity space is retained (criterion 1b) and there is no adverse visual impact (criterion 1c). It further specifies that single storey extensions should not exceed 3 metres in depth beyond the original rear wall in the case of terraced and semi-detached properties (criterion 2a) and that a common alignment of rear extensions should be secured (criterion 2c).
7. Although the proposed extensions would have a depth of more than 3 metres, equating to approximately three fifths of the depth of the existing building, they would be adequately accommodated within the generous rear gardens of the appeal site. They would not appear as disproportionate or incongruous features that would be harmful to the character of the host building.
8. The rear garden location means that the extensions would not be readily visible from the public realm and therefore they would not be obtrusive within the wider area. Furthermore, the proposed rear projection would complement the existing staggered rear building line along this part of Green Road. In view of this, the scheme would not harm the character or appearance of the area. As such the proposals would comply with criteria 1b and 1c of DMD Policy DMD11.
9. I observed on my site visit that several of the properties in the same stretch of Green Road have rear extensions of different depths, which do not achieve a common alignment. I noted that the rear extension of the adjacent property, No 47, projects to a position broadly in line with the existing original rear wall of the appeal properties. The maintenance of a common alignment would, at this time, preclude the construction of any rear extension at the appeal site therefore. Moreover, the achievement of a common alignment would result in the loss of the characteristic staggered rear building line diminishing the existing character of the area. I consider, therefore, that compliance with criterion 2c of DMD Policy DMD11 would, in this location, be contrary to the criterion 1c which seeks to prevent adverse visual impact arising from rear extensions.
10. For these reasons, I find that the proposal would not result in harm to the character and appearance of the host building or the area. Consequently, I find no conflict with Policy CP30 of the Enfield Core Strategy 2010, Policies DMD8 and DMD37 of the DMD and Policies D4 of the London Plan 2021 which seek to achieve high quality development, with scale and form appropriate to existing patterns of development.
11. Whilst the proposal would meet the requirements of criteria 1b, and 1c of DMD Policy DMD11, it would not comply with criteria 2a or 2c. However, as described, the proposal would not harm the character and appearance of the host building or area. For the reasons given above, the harm arising from the conflict with DMD Policy DMD11 would be very minor.

12. The Council have referred to Policy D8 of the London Plan 2021 in the decision notice. As the development does not involve or affect public realm this policy is not relevant to this appeal.

Planning Balance

13. The proposed extension and alterations to No 49 include a large bedroom with en-suite shower-room and a wheelchair ramped doorway directly into it thereby providing carers access at all times of the day and night. The proposed open plan kitchen and living-room would create a more disability-friendly space enabling the entire household to enjoy such communal accommodation. Such facilities will be of significant benefit to the disabled occupant, creating space more suited to their needs, meaningfully improving their living conditions. This amounts to a benefit that greatly weighs in favour of the development.
14. The extension proposed at No 53 would provide additional space for the occupying family which would be beneficial to their well-being. In addition, a comparable depth of extension to both properties would help to maintain a visual balance at the rear elevation of the host building. Such a benefit adds moderate weight in favour of the development.
15. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004.
16. Overall, whilst the proposal would conflict with the development plan, such conflict would be only very minor. The benefits that I have identified would outweigh the harm arising from such conflict. Based on the individual merits of the scheme, the material considerations indicate that planning permission should be granted, therefore.

Conditions

17. A condition is necessary requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have also imposed a condition relating to materials in the interests of safeguarding the character and appearance of the properties and the area.

Conclusion

18. For the reasons given above, having regard to the development plan as a whole and all relevant material considerations, including the Framework, the appeal should be allowed

Elaine Moulton

INSPECTOR