The Planning Inspectorate

Appeal Decision

Site visit made on 15 September 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022.

Appeal Ref: APP/Q5300/D/22/3297565
66 Trinity Avenue, Enfield EN1 1HS

- 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 B Panchal against the decision of the Council of the London Borough of Enfield.
- The application Ref 22/00559/HOU, dated 16 February 2022, was refused by notice dated 11 April 2022.
- The development proposed is described as single storey rear extension 4.5m deep x 3m high to eaves.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area and the property itself; and (ii) the living conditions of occupants of neighbouring properties.

Reasons

Character and Appearance

3. The appeal site lies within a predominantly residential area, characterised typically by terraced properties. Many properties in the area have been altered and/or extended in a variety of ways.

4. Policy DMD11 of the Enfield Development Management Document (2014) (the DMD) seeks to ensure that single storey extensions do not exceed 3m beyond the rear elevation of a terraced property and secure common alignment of rear extensions. The proposed development projects 4.5m from the rear elevation and further than the extension to the neighbouring property No. 68 Trinity Avenue.

5. Notwithstanding this, whilst the proposed extension would conflict with Policy DMD11 of the DMD the aim of the policy is to ensure that any residential extension does not disrupt the established pattern and form of development. From what I observed on site the proposed development would not appear out of keeping with the area or the property in itself.

6. I conclude that the proposed development would not harm the character and appearance of the area or the property itself. There is no conflict with Policy CP30 of the Enfield Plan Core Strategy 2010-2025 (2010), Policies DMD6, DMD8 and DMD37 of the DMD and Policies D4 and D8 of the London Plan (2021) which amongst other things seeks to create a strong sense of place, achieve good design appropriate to the local context.

7. There would be no conflict with the National Planning Policy Framework (2021) which seeks to secure good design which adds to the overall quality of the area.

Living Conditions

8. The proposed development extends beyond the existing rear extension of No. 68, given the orientation and the limited projection beyond the neighbouring extension I do not find that the proposal would dominant nor harm the living conditions of the occupiers of No. 68.

9. No. 64 Trinity Avenue does not have a rear extension, however there is a single storey rear extension of No. 62. The proposed development would be set against the shared boundary with No. 64. The scale of the proposal at 4.5m projection along the shared boundary would be stark and dominant to the occupiers of the neighbouring property. In combination with the existing extension at No. 62 the proposed development would cause a 'sense of enclosure'.

10. I conclude that the proposed development would harm living conditions of occupants of No. 64 Trinity Avenue. There is conflict with Policy DMD11 of the DMD which seeks amongst other things to protect the living conditions of the occupants of neighbouring properties.

11. There is conflict with the Framework which seeks to ensure developments have high standards of amenity for existing and future users.

Conclusion

12. I have concluded that the proposed development would not harm to the character and appearance of the area or the property itself, however this does not outweigh the harm I have identified in terms of the living conditions of occupants of No. 64 Trinity Avenue.

13. For the reasons given above I conclude that the appeal should be dismissed.

C Pipe

INSPECTOR