



Appeal Decision

Site visit made on 27 September 2022

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2022

Appeal Ref: APP/Q5300/D/22/3296610

1 Monkfrith Avenue, London, N14 4PT

- 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 Yadel Dinc against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/04771/HOU, dated 21 December 2021, was refused by notice dated 1 March 2022.
 - The development proposed is a two storey rear extension, loft conversion with alteration to the roof, erection of rear dormer, 2 x front and 2 x side rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension, loft conversion with alteration to the roof, erection of rear dormer, 2 x front and 2 x side rooflights and front porch at 1 Monkfrith Avenue, London, N14 4PT in accordance with the terms of the application Ref 21/04771/HOU, dated 21 December 2021 subject to the conditions in the attached schedule.

Preliminary matter

2. I have noted that the Council's description differs slightly from that in the application and includes a front porch which is shown on the plans. I have therefore determined the proposal on this basis and have included the porch in the formal decision above.

Reasons

3. The main issues in this appeal are the effect of the proposed development on:-
 - the character and appearance of the dwelling and the area in regard to the rear extension and the rear dormer;
 - the living conditions of the neighbouring occupiers at 3 Monkfrith Avenue with regard to light and outlook;
 - the effect on trees within the rear garden and nearby street trees on De Bohun Avenue.

Character and appearance

4. The development plan includes policies D3, D4 and D8 in the London Plan (2021), CP30 in the Enfield Core Strategy (2010) and policies DMD6, DMD8, DMD11, DMD13, DMD14 and DMD37 in the Enfield Development Management Document (2014) which together, seek to encourage and deliver high quality

- design. The National Planning Policy Framework (the Framework) has a similar objective.
5. The appeal site comprises a traditional, detached house on a corner plot within a residential area of dwellings of varying ages and styles. It has a main hipped roof with a slightly lower hipped roof over a two storey projection on part of the rear elevation.
 6. The proposed two storey extension would be clearly seen from De Bohun Avenue which adjoins the side boundary of the property and would be seen in the context of the rear elevations of a hipped roof bungalow at no 3 and a large extended dwelling at no 5. It would extend across the width of the dwelling and would extend 4m beyond the line of the existing projection with a total projection of some 7m from the recessed part of the rear elevation. It would have a large crown roof although the form of that would not be clearly apparent in the street scene and its ridge would not exceed that of the main roof.
 7. As the extension would project more than 4m from the original rear elevation closest to the boundary with no 3 and would be slightly less than 1m from the side boundary, it would fail to meet all of the requirements of policies DMD11 and DMD14. However, as no 3 is set forward of the appeal dwelling on its rear elevation, the extension would project only 1.4m beyond the rear elevation of that dwelling. The proposed hipped roof dormer would be set some 0.3m below the ridge of the roof, slightly less than the 0.5m required by policy DMD13.
 8. I have noted that the dwelling at no 5 (on the other side of no 3) has been extended significantly along its boundary with no 3. It has a two storey hipped roof extension with twin gabled dormers that are only very slightly below the ridge at 0.2m. The proposed extension here would be set back from the building line of that dwelling and would be less bulky. In these circumstances, whilst it would not be subservient to the existing dwelling, its form, scale and bulk would not be disproportionate or unduly dominant. Given the hipped roof design of both the proposal and the bungalow at no 3, there would be a sufficient amount of space and openness between the dwellings and the proposal would not appear unduly cramped.
 9. I conclude then that whilst the proposal would not fully comply with the detailed requirements of policies DMD11, DMD13 and DMD14, the rear extension and dormer would not harm the character and appearance of the dwelling or the street scene and would accord with the objectives of those policies and with the other policies referred to above.

Living conditions

10. The extension would project beyond the rear elevation of the neighbouring bungalow at no 3 in close proximity to the side boundary. No 3 has no rear facing windows at first floor other than a rooflight. At ground floor it has a conservatory which has a solid roof and windows across its rear elevation and in a short length of its side elevation. I noted at my visit that the side facing windows are obscure glazed and are unlikely to provide a significant part of the light to and outlook from that room. The rear windows face directly onto the large rear, south-east facing garden and therefore enjoy a good level of light and a pleasant outlook.

11. As noted above, as the rear extension would not meet all of the detailed requirements of policy DMD11 which, together with policy DMD8, seeks to protect the amenities of neighbouring properties. However, given the orientation of the proposed extension to the north-east of no 3, its very limited projection of only 1.4m beyond the rear elevation of no 3 and the good existing levels of light to and outlook from that property, the impact on light and outlook would not be significant. The proposal would not, therefore, cause significant harm to the living conditions of those occupiers and would accord in this respect with the objective of policy DMD11, with policies DMD8 and CP30 which reflect national policy in the Framework in seeking to maintain and improve the quality of the built environment.

Trees

12. Policies G7 of the London Plan (2021) and DMD80 of the Development Management Document reflect one of the aims of national policy in the Framework in seeking to ensure that existing trees of value are retained and protected in new development proposals.
13. The appellant has said that the proposal includes the removal of two apple trees in the garden of the appeal site. At my visit I saw that those are of a modest size and though visible in the street scene, are of little amenity value. Nonetheless, the above development plan policies seek to encourage new tree planting as part of development proposals and a condition for replacement trees as part of a landscaping scheme is therefore necessary.
14. De Bohun Avenue has a number of street trees which make a positive contribution to the character and appearance of the street scene. The street tree outside the property is sited approximately in line with the mid-point of the side elevation of the dwelling. The proposed extension would be sited to the rear of the dwelling and would be an acceptable distance from that tree. I am satisfied, therefore, that the street tree would not be adversely affected by the proposal but have included a condition requiring a tree survey and tree protection measures as suggested by the appellant and which is necessary given the amenity value of the street tree. I conclude then that, subject to those conditions, the proposal would not cause harm to trees of value at or around the site and would accord with the policies referred to above.

Conditions

15. In addition to the landscaping and trees conditions referred to above and the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition requiring that external materials will match those of the existing dwelling is necessary in the interests of the character and appearance of the dwelling and the area.

Conclusion

16. For the reasons given above, I conclude that the proposed development would accord with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

Inspector

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 120-80-P2 120-80-P3 120-80-P4 120-80-P5 120-80-P6 120-80-P7 120-80-P8 120-80-P9.
- 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.
- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) The details submitted in accordance with condition 5 above shall include:
a plan showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;
a schedule in relation to every tree identified listing: information as specified in paragraph 4.4.2.5 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations) (or in an equivalent British Standard if replaced); and, any proposed pruning, felling or other work; in relation to every existing tree identified to be retained on the plan referred to above, details of: any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area; and, all appropriate tree protection measures required before and during the course of development (in accordance with paragraph 5.5 of British Standard BS 5837) (or in an equivalent British Standard if replaced); areas of existing landscaping to be protected from construction operations and the method of protection. [In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.]

End of conditions.