



Appeal Decision

Site visit made on 1 December 2022

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4TH January 2023

Appeal Ref: APP/Q5300/D/22/3306748

9 Cotswold Way, Enfield EN2 7HD

- 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 Michaelides against the decision of Enfield Council.
 - The application Ref 22/00262/HOU, dated 24 January 2022, was refused by notice dated 13 July 2022.
 - The development proposed is extension to roof at side to form gable end with rear dormer and front rooflights with part single part 2-storey rear extension with roof alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above has been taken from the Council's decision notice as it is a more succinct, accurate description than provided in part four of the planning application form.

Main Issues

3. The main issues are the effect of the proposed extension on a) the character and appearance of the host dwelling and surrounding area; and b) the living conditions of neighbours at 11 Cotswold Way, with particular regard to outlook.

Reasons

Character and appearance

4. No.9 Cotswold Way (No.9) is an attractive 2-storey semi-detached dwelling with a prominent facing gable and an attached garage to the side. Set well back from the front elevation, is a second first floor gable that broadly aligns with the ridge of the garage.
5. Policy DMD14 of Enfield's Development Management Document (2014) (DMD) requires a side extension to have a minimum distance of 1m from the boundary of an adjoining property to avoid the creation of a continuous façade of properties or 'terracing effect.' It is proposed to extend to the side of No.9 over the existing garage and right up to the common boundary with its non-attached neighbour at No.7 Cotswold Way (No.7). This would clearly conflict with the minimum distance required by DMD Policy DMD14.

6. I observed on my site visit that the pairs of semi-detached dwellings on Cotswold Way are typically offset from their boundaries and generously spaced, which provides visual definition between the pairs and contributes to the overall open character of the area. The front two-storey elevation of the neighbouring dwelling at No.7 it is itself offset from the common boundary with No.9, with an attached garage to the side. There would therefore remain a visual gap or space between the two dwellings such that the proposed side extension would not create a continuous façade or terracing effect. A new gable roof is however proposed which would also extend right up to the boundary, significantly reducing the characteristic spacing between the dwellings particularly at roof level. This, I find, would cause significant harm to the character and appearance of the streetscene, despite the slightly different building lines of No.7 and No.9.
7. I note that in contrast to No.9, No.7 has a single facing gable and catslide roof with front dormer and is finished in red brick below the eaves of the roof. Although I accept that the differing design and materials of the two dwellings would visually distinguish the pairs of semis, this would not be sufficient to mitigate the harm I identify above.
8. The proposed side extension would include a new facing gable that would have a minimal offset from the existing gable and front elevation of the dwelling. The ridge of the gable would be lower than the existing but its alignment would nonetheless compete with the principal front gable to the detriment of its character. I observed other examples of double gable features on Cotswold Way but these have typically been designed so that the second is clearly subservient to the principal gable. The appellant has drawn my attention to No.1 Cotswold Way. However, this dwelling has three gables that are noticeably staggered or set back from one another, and I do not therefore find them at all comparable to the gable arrangement proposed for No.9.
9. To the rear of No.9 is an existing conservatory extension and an open sided canopy. It is proposed to demolish these and extend across the full width of the rear elevation to accommodate an open plan kitchen, living and dining area. DMD Policy DMD11 states that single storey extensions must not exceed 3m in depth beyond the original rear wall in the case of terraced and semi-detached properties. I have not been provided with any planning history for No.9 to ascertain whether the open sided canopy is as originally built, or is a later addition. The appellant's evidence is that the extension (although a total depth of 4.8m) projects beyond the canopy by only 2m and does not extend beyond the existing conservatory to be demolished. Even taken as a depth of 4.8m from the original elevation, and although full width, the proposed extension would be only around 3m in height and would not appear a disproportionate addition to the host dwelling.
10. The proposed dormer extension to the rear roofslope would extend the full width of the extended gable roof up to the existing chimney stack on the party boundary with No.9's attached neighbour at No.11 Cotswold Way. DMD Policy DMD13 requires roof extensions to be of an appropriate size and location within the roof plane and, in the case of roof dormers, inset from the eaves, ridge and edges of the roof normally by between 500-750mm.
11. I have not been provided with the inset distances of the proposed dormer but the Council's case is that they do not meet the minimum requirements of DMD

Policy DMD13. The appellant provides no evidence to counter this and the proposed West Elevation drawing shows that the proposed rear dormer would entirely consume the rear roof plane of No.9. Dormers are a characteristic of the rear elevation of dwellings on the west side of Cotswold Way but even considering its broader context and setting, the dimensions of the dormer would appear overly dominant and excessive in scale. It would therefore conflict with DMD Policy DMD13, and would cause harm to the appearance of the host dwelling and wider roofscape.

12. To the rear, the side extension would project to the existing rear elevation formed by the ground floor kitchen and first floor bedroom and return to the main rear elevation effectively infilling the space up the existing bay window. The depth of the extension and its crown roof design would relate reasonably well to the host dwelling, but for the reasons already given, the side projection up to the common boundary would result in a harmful erosion of the characteristic spacing between No.9 and its neighbour at No.7.
13. Although I have found the single storey rear extension to be an acceptable addition, I find the proposed two-storey side and rear extension and the rear dormer to cause significant harm to the character and appearance of both the host dwelling and surrounding area. In addition to the conflict identified above with DMD Policies DMD13 and 14, it would also conflict with Policy D3 and D4 of the London Plan 2021, Policy 30 of the Enfield Core Strategy (2010) and DMD Policy DMD37 which together require all developments to be high quality having regard to their local context and distinctiveness.

Living conditions

14. The proposed single storey rear extension projects around 4.8m from the main rear elevation of No.9 and would be 2m deeper than the existing open sided canopy that extends to the party wall with No.9's adjoining neighbour at No.11 Cotswold Way (No.11).
15. The evidence provided by the appellant shows that the proposed extension would breach the 45 degree angle taken from the centre of the closest ground floor window on the rear elevation of No.11. I observed on my site visit that there is a high boundary wall between No.9 and No.11 and the alignment of the boundary means that this wall first breaches the 45 degree angle. The outlook from the ground floor of No.11 is therefore to an extent already compromised. However, the height of the proposed extension would be 3m, so above the boundary wall and eaves of the open sided canopy. This, in combination with the depth and siting of the extension right on the common boundary, means it would appear overbearing from the closest ground floor window of No.11. It would therefore result in a loss of outlook such that I find harm would be caused to the living conditions of the neighbours at No.11.
16. Whilst I note that the appellant refers to permitted development rights for a 6m single storey rear extension, the Council would need to determine if their prior approval was required for the extension, based on consultation with neighbouring properties. As the outcome of this process cannot be known, I can give this very limited weight in my consideration of the appeal scheme before me.

17. Consequently, because the proposal would not deliver appropriate outlook, or preserve amenity of neighbouring properties it would conflict with LP Policy D3 and DMD Policies DMD8 and 11.

Conclusions

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

R Jones

INSPECTOR