



Appeal Decision

Site visit made on 10 January 2023

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref. APP/Q5300/D/22/3312258

9A Bycullah Road, Enfield EN2 8EG

- 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 C Clarke against the decision of the Council of the London Borough of Enfield.
 - The application ref. 22/03248/HOU, dated 20 September 2022, was refused by notice dated 18 November 2022.
 - The development proposed is "First floor side extension and two storey side to rear extension".
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension and a 2-storey side to rear extension at 9A Bycullah Road, Enfield EN2 8EG in accordance with the terms of the application ref. 22/03248/HOU, dated 20 September 2022, 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 the following approved plans numbered BYCU/2022/LOC; BYCU/2022/LOC2; BYCU/2022/01; BYCU/2022/02; BYCU/2022/03; BYCU/2022/04; BYCU/2022/05; BYCU/2022/06; BYCU/2022/07; and BYCU/2022/08.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no external windows or doors other than those indicated on the approved plans shall be installed in the development hereby permitted.
 - 5) Notwithstanding condition 2 above, the glazing serving the first floor windows in both side elevations shall be fixed shut and finished in obscure glass with obscuration equivalent to Privacy Level 3 on the Pilkington Obscuration Range. The glazing so installed shall be retained thereafter.

Procedural matter

2. The description of the proposal set out on the application form has been updated by the description used on the Council's decision notice and the appeal form. I have used that updated description in the heading above.

Main issue

3. The Council did not find that the proposed development would cause an excessive loss of amenity for neighbouring properties for any reason. I see no reason to disagree. The main issue is the effect of the proposed development upon the character and appearance of the dwelling and its surroundings.

Reasons

4. Bycullah Road is characterised by an extremely diverse range of residential properties in terms of age, style, height, design and materials of construction. The appeal property is a 2-storey detached house situated on the eastern side of the road on a plot that is somewhat wider at the front than it is at the rear where the land is also at a significantly lower level.
5. The appeal dwelling falls within a group of 4 similar gable-fronted 2-storey houses (nos 9, 9A, 11 and 11A) that appear to date from the late 1960s or 1970s. Looking at the relevant planning history that has been put before me (including ref. TP/08/0091 for no. 11 and ref. 18/01013/HOU for no. 9), it is evident that all 4 properties have been the subject of various side and rear extensions since their original construction. Rather unfortunately, there are flat roofs over the extensions that have been built to the rear and side of no. 9A, including one over a 2-storey side addition.
6. The principal elevation of the appeal property faces Bycullah Road. The public views of the property are solely from within Bycullah Road. Viewing from the front, the proposed side extension would not appear disproportionately wide. In addition, the new front-facing first floor window would be the same width as those in the main front gable end, unlike the corresponding wider window in the similar side extension to no. 11. The proposed side extension would be appropriately set back from the front edge of the retained garage and respect the main eaves and ridge heights of the existing building. Being set in 1 m from the common boundary with the adjacent dwelling at no. 11, it would avoid the creation of any terracing effect in relation to that neighbouring property. This would be aided by the inclusion of a hipped end to its roof.
7. The Council alleges that as the 2-storey side to rear extension would have a chamfered form at first floor level and a resultant contrived roof form, it would appear incongruous. Following the angled boundary line with no. 11, this extension would be about 1 m wider at the front than at the rear. This tapered form would not be materially different to the existing side extensions where their outer walls run parallel to the angled boundary. In any event, whether viewing from the front or the rear, the front and rear elevations of the dwelling are not seen together in a comparative sense and the angle that would be followed would not be so significant as to produce a seriously skewed or poorly designed built form that would be visually disruptive, even if it was fully visible. As it is, the Council concedes, correctly in my view, that the proposed 2-storey side to rear extension would be "*concealed from view of the public realm...*".

8. Moreover, regardless of when approval was given for the existing flat roof elements to the side, I consider that the Council should have attached far more weight to their substantial removal in the appeal scheme, especially the flat-roofed 2-storey side addition which is a seriously negative visual feature. The proposed roof design would inevitably be more convoluted than the original simple gabled arrangement but not to the extent that it could be described as complex and contrived. Just as is the case at no. 11, the hipped side roof would integrate reasonably well with the existing main roof and the small crown roof towards the centre of it would not be readily apparent.
9. I consider that the proposed development would be visually acceptable and sufficiently respectful of the original building's proportions, scale, character and appearance, the local character more generally and the setting of the site.
10. I find on the main issue that the proposed development would not harm the character and appearance of the dwelling and its surroundings. As the scheme would avoid any adverse visual impacts and deliver high quality design, have appropriate regard to its surroundings and the character of the local area and maintain and improve the quality of the built environment, there would be respect for the important overall aims of the most relevant development plan policies – Policies D3 and D4 of the London Plan 2021, Core Policy 30 of Enfield's Core Strategy 2010 and Policies DMD 11, DMD 14 and DMD 37 of Enfield's Development Management Document 2014 (DMD). There would also be sufficient regard paid to the National Planning Policy Framework insofar as it seeks to achieve well-designed places, the significant point being that the extension scheme would result in a dwelling that appears visually attractive and well-designed in itself and adds to the overall quality of the area.
11. The Council's decision notice makes reference to Policies DMD 6 and DMD 8 of the DMD both of which, to my mind, are mainly concerned with new residential development proposals rather than extensions to existing dwellings.
12. The Council, in its questionnaire, suggests a total of 5 planning conditions to be imposed in the event of the appeal being allowed. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have imposed a condition requiring matching materials to ensure that the development preserves the character and appearance of the area. In the interests of privacy, it is also necessary to impose the Council's fourth and fifth suggested conditions relating to windows, doors and glazing treatments, although I have made minor amendments to them in the interests of precision. I have also removed the tailpiece phrase "without the approval in writing of the Local Planning Authority" from those 2 conditions. This is to avoid significant changes being made to the development and any attempts to circumvent the statutory route to vary conditions, depriving third parties of the opportunity to comment.
13. For the reasons given above and having regard to all other matters raised and the absence of objections from any local residents, I conclude that this appeal should be allowed.

Andrew Dale INSPECTOR