



Appeal Decision

Site visit made on 25 January 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal Ref: APP/Q5300/D/22/3312064
69 Birkbeck Road Enfield EN2 0DY

- 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 Ali Reshat against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/03295/HOU, dated 22 September 2022, was refused by notice dated 18 November 2022.
 - The proposed development is a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The Council's decision notice cites Nos. 69 and 71 Birkbeck Road as being affected by the proposed development. However, it is clear from the information submitted that this should have referred to Nos. 67 and 71. Therefore, the main issue is the impact on the living conditions of the occupiers of the adjoining properties, Nos. 67 and 71 Birkbeck Road, in relation to loss of light and outlook.

Reasons

3. The appeal site comprises a detached two storey dwelling, currently vacant and undergoing substantial refurbishment, which is located within a frontage of predominantly two storey semi-detached dwellings. The majority of the semi-detached dwellings have rear two storey 'outriggers' and this is the case with both adjoining properties at Nos. 67 and 71.
4. The proposed single storey extension would extend further to the rear than the existing modest single storey mono-pitched roof addition and this would result in an increased impact on the ground floor windows of both adjoining properties. I saw on my site visit that both adjoining properties have a ground floor rear facing window in the main rear elevation and a door in the side elevation of the outrigger facing towards the appeal site. In the case of No. 71, it also has a window facing towards the site.
5. Policy DMD11 of the Development Management Document (2014) (DMD) sets out some specific criteria in relation to rear residential extensions, including that they should not exceed 4m in depth in the case of detached properties, measured from the original rear wall and should not exceed a line taken at 45 degrees from the mid-point of the nearest original ground floor window to any adjacent properties.

6. The proposed extension, at 4.5 metres depth, would exceed the limit set in Policy DMD11. In addition, in respect of No. 67, the proposed extension would appear to encroach fairly significantly the 45 degree guideline from the rear facing window, which the existing extension does not appear to do. In respect of the ground floor rear facing window to No. 71, it would appear that the existing extension does encroach the 45 degree, though only to a minor degree. The proposed extension would, however, significantly increase this encroachment.
7. The side facing window of No. 71 would also be impacted, but bearing in mind the separation distance and proposed sloping roof edge shape to the boundary, it is my view that the impact on this window would not be unacceptable.
8. Overall, for the reasons given above, I find that the proposal would be harmful to the living conditions of the occupiers of the adjoining properties. It would thereby conflict with Policy CP30 of The Enfield Plan Core Strategy (2010) and DMD Policy DMD11 which seek high quality, design-led development which has special regard to its context and to prevent adverse impacts on the amenities of neighbouring properties.
9. With regard to the National Planning Policy Framework, I find that the proposal would fail to contribute to achieving well designed places and would not be sympathetic to the surrounding built environment nor provide for a high standard of amenity.
10. The Appellant refers to a prior notification application having been submitted but this was refused by the Council. In addition, reference is made to a permission having been granted at another property for a similar extension to that which is now being sought. However, no details have been provided and therefore it is not possible to conclude that it is a comparable case. I am also aware that the appellant is in the process of refurbishing the property in order to put it up for sale and thus increase the supply of local family dwellings. However, these considerations do not outweigh the harm identified above.

Conclusions

11. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR