



Appeal Decision

Site visit made on 25 July 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/Q5300/W/23/3315926

4 & 4a Broomfield Avenue, Southgate, Enfield N13 4JN

- 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 Mirza Aamir Hussain against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/03400/FUL, dated 3 October 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the erection of a ground floor rear extension, a rear roof dormer, and front roof lights, in association with the amalgamation of the two flats to a single family dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor rear extension, a rear roof dormer, and front roof lights, in association with the amalgamation of the two flats to a single family dwellinghouse at 4 & 4a Broomfield Avenue, Southgate, Enfield N13 4JN in accordance with the terms of the application, Ref 22/03400/FUL, dated 3 October 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: 1:1250 scale location plan; BA.04.EX.PR.BP Rev 0, BA.04.EX.101 Rev A, BA.04.EX.102 Rev A, BA.04.EX.103 Rev A, BA.04.EX.104 Rev A, BA.04.PR.101 Rev A, BA.04.PR.102 Rev A, BA.04.PR.103 Rev A, BA.04.PR.104 Rev A and BA.04.PR.105 Rev A.
 - 3) The materials to be used in the construction of the external wall surfaces of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mr Mirza Aamir Hussain against the Council of the London Borough of Enfield. This application is the subject of a separate decision.

Preliminary Matters

3. I have used the description from the original application form as this reflects what was applied for even though it is reflected in the decision notice and appeal form by an alternative description.

4. In determining this appeal involving development within a Conservation Area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

5. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Lakes Estate Conservation Area (CA).

Reasons

6. The appeal property is in a predominantly residential area mainly comprising long rows of semi-detached and linked pairs of dwellings. The houses along this part of Broomfield Avenue are particularly distinctive as there are two parts to their roof: a pitched roof over the front part of the properties, and then a second slightly lower pitched roof over the rear part with a valley between the two. Some other dwellings on this side of the street, including the adjoining dwelling at 2 Broomfield Avenue (No 2), have rear dormers on the higher pitched roof which are partly visible from Broomfield Park behind and front rooflights. These alterations have had some effect on the uniformity of roofs in the street.
7. Having regard to The Lakes Estate Conservation Area Character Appraisal 2015 (the Appraisal), the significance of the CA derives primarily from the homogenous, collective value of its high-quality Edwardian suburban housing with late Victorian architectural elements. Most houses are substantial semi-detached two storey pairs but there are examples of slightly smaller houses, linked pairs and small terraces. The appeal property makes a positive contribution to the CA as it comprises one half of a linked pair of two storey houses, and it has nearly all its original features intact.
8. The position of the proposed rear dormer in the valley between the front and rear roofs means that it would not be visible from Broomfield Avenue and only the top part of it would be visible from the park. Although the existing dormer at No 2 was permitted development and installed prior to the designation of the CA and Article 4 direction, the proposed dormer would be similar in scale and bulk to this and other rear dormers at 18 and 20 Broomfield Avenue. There are also smaller, flat roof dormers on other dwellings in this row. Whilst the proposed dormer would not meet the requirements in Policy DMD13 of the Council's Development Management Document 2014 (the DMD) for 0.5m minimum insets from the sides of the roof, it would not appear incongruous in its context.
9. The two rooflights would be modestly sized and set apart, occupying only a small proportion of the front roof. Whilst some were installed prior to the CA designation and when there may have been different building regulation requirements, there are existing considerably larger rooflights located alongside each other on the linked property at No 2 and front rooflights on other houses in the street. Consequently, the rooflights would not be discordant in the street scene.
10. The Council raises the issue of the cumulative impacts of incremental change on heritage assets. In this respect, the Appraisal notes that inappropriate alterations to roofs, including box-dormers, are an issue facing the CA and that

new roof-lights to street-facing roofs are not appropriate. Approval of front-facing rooflights since the Appraisal has been limited and includes a successful appeal at 20 Broomfield Avenue¹. However, given that the attached dwelling at No 2 has both these alterations and the Appraisal recognises that rear box dormers have a limited impact on the area's appearance, the development would not harm the character or appearance of the CA.

11. There is reference to dismissed appeal decisions for rear dormers in other parts of this CA². However, these proposals affected the main rear roof slope of houses with a different design and context to the appeal site. As such, they are not comparable to the proposed development.
12. The proposed ground floor rear extension would be modestly sized comparative to the existing house and incorporate features currently present on this part of the property, including similar window and door openings and a brick wall finish. Therefore, the scale, design and materials of the single storey extension would be appropriate and would preserve the appearance of the CA.
13. Consequently, even given the great weight that should be given to the significance of the designated heritage asset required by the National Planning Policy Framework (the Framework), I conclude that the proposed development would preserve the character and appearance of the Lakes Estate CA. Although it would conflict with Policy DMD13 of the DMD, this conflict is outweighed by its accordance with Policy HC1 of the London Plan 2021 (the London Plan), Policies CP30 and CP31 of the Core Strategy 2010-2015, and Policies DMD6, DMD8, DMD37 and DMD44 of the DMD. Together these require development to conserve and enhance the special interest and significance of heritage assets, be high quality, and appropriate to their setting including in terms of scale, bulk and massing. In addition, the development would accord with the Appraisal where it sets out the special architectural and historic character of the CA.
14. Policies D4 and D8 of the London Plan relate to processes and actions required to deliver good design and to the public realm. However, these do not directly link to the harm identified and therefore I find no specific conflict with Policies D4 and D8 when reaching my conclusion.

Other Matters

15. The proposed single storey rear extension would cause some loss of outlook and light from the ground floor rear room windows at No 2. However, as it would not exceed 3m in height or project more than 3m and would be in accordance with Policy DMD11 of the DMD, it would not cause unacceptable harm to the living conditions of the occupiers at No 2.
16. The development would create a five-bedroom dwelling with reception, lounge and kitchen/dining rooms. As the existing property is relatively large with a sizeable rear garden, the proposed ground floor and roof extension would not be disproportionate or result in overdevelopment of the site.
17. A neighbour is concerned about potential damage to their foundations and shrubs, retaining access to their dormer for maintenance, and access to

¹ Appeal Ref: APP/Q5300/D/18/3215584

² Appeal Refs: APP/Q5300/D/21/3267874 and APP/Q5300/D/20/3251700

adjoining properties for carrying out the works, but these are civil rather than planning matters.

18. I note the reference to a revised scheme which has been granted planning permission but have limited details of this and, in any event, I must determine the proposal on its merits on the basis of the plans before me.

Conditions

19. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. To preserve the character and appearance of the CA, I have also imposed a condition requiring the external wall materials used in the construction of the ground floor rear extension to match those of the existing building.

Conclusion

20. For the reasons given, I conclude that the proposal would accord with the development plan, when read as a whole, and the Framework, and therefore the appeal is allowed.

A Wright BSc (Hons) MRTP

INSPECTOR