
Appeal Decision

Site visit made on 7 June 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th August 2023

Appeal Ref: APP/Q5300/D/23/3316519
1A Park Terrace, Bell Lane, Enfield EN3 5EU

- 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 Mahsum Er against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/02907/HOU, dated 30 August 2022, was refused by notice dated 12 January 2023.
 - The development proposed is the erection of a 6m single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed extension is substantially complete. It appears to have been constructed broadly in accordance with the plans although some differences were evident in the size and position of the rear windows, type of roof lights and use of render to the walls. I also saw that the host dwelling, as built and to which the rear extension attaches, differed markedly to the building as shown on the drawings notably in its scale, design, and roof form. For the avoidance of doubt, this appeal relates solely to the single storey rear extension, as proposed, and as shown on the drawings because it was on that basis that the Council refused planning permission.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a new detached dwelling that occupies a prominent corner plot within a predominantly residential area, wherein dwellings differ in type, design, and size. Consequently, there is variety in the existing built form within the area to which No 1A belongs. The site is not within a conservation area. The appeal dwelling does not fall within the setting of a listed building.
5. The appeal extension is single storey and would project outwards from the main rear wall by up to 6-metres. The depth of the new addition therefore comfortably exceeds the limit of 4-metres for extensions of this type that is identified in Policy DMD 11 of the Council's Development Management Document (DMD). The appeal extension also projects across almost the entire

width of the house. It is, therefore, a sizeable addition. That the appeal extension also has a flat roof visually accentuates its considerable scale and bulk by appearing as an overly large 'box-like' addition. When seen from the back garden of No 1A, the appeal extension would visually dominate the rear elevation of the dwelling to the extent that its presence would be overwhelming. As a result, the intrinsic character of the host building would be spoilt with the new built form in place.

6. That strong impression would also be evident from Brimsdown Road just to the side and rear of the site, from which the extension would project noticeably above the boundary wall that currently marks the highway frontage of the site. From this public vantage point, the development sought would draw the eye as an uncharacteristically large and visually disruptive element within the street scene and the local area.
7. The appellant appears to place some reliance on the scale and depth of a rear extension that might otherwise be achieved through the exercise of permitted development (PD) rights. However, a condition was imposed on the planning permission for the new dwelling that removes PD rights for buildings and extensions. Since PD rights do not exist in this instance, I am unable to attach more than very limited weight to this consideration in support of the appeal. I note the proposed use of materials to match those of the dwelling, as shown on the plans, and that appeal extension would be set back from the site boundary.
8. I saw some examples of large rear extensions and flat roof buildings within the local area and have carefully considered those cases to which the appellant has referred and provided photographs. Few background details of these cases have been provided and none appear to be directly comparable with the appeal scheme in terms of scale and in their relationship with the host building and the local street scene. As few direct parallels can be drawn between these existing developments and the proposal, I attach limited weight to them in support of the appeal. In any event, I have assessed the development on its own merits.
9. The Council is also critical of the proposal because they consider that it would fail to secure a common alignment with other rear extensions, to which DMD Policy DMD 11 refers. However, as a detached property of individual design within a corner plot, No 1A represents a bespoke development. In those circumstances and considering the varied built context within which the proposal would be seen, I doubt that a failure to line up with existing rear extensions would necessarily be obtrusive or incongruous.
10. Nevertheless, on the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. As such, it conflicts with Core Policy 30 of The Enfield Local Plan Core Strategy 2010-2025 and DMD Policies 8, DMD 11 and DMD 37. These policies aim to ensure that new development achieves high quality design and that residential extensions are appropriate in scale and massing; have no adverse visual impact and are in keeping with the character of the property and the local area. It is also at odds with the policies of the National Planning Policy Framework, which state that development should be sympathetic to local character and add to the overall quality of the area.
11. Once complete, the proposal would provide additional living accommodation for future occupiers, and it would make efficient use of the available space within

the site. However, these considerations do not outweigh the significant harm that I have identified.

Conclusion

12. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR