
Appeal Decision

Site visit made on 25 August 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/Q5300/D/23/3321929

95 Vera Avenue, Southgate, Enfield N21 1RN

- 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 Edward Riley against the decision of the London Borough of Enfield Council.
 - The application Ref 23/00545/HOU, dated 20 February 2023, was refused by notice dated 2 May 2023.
 - The development proposed is a part two storey, part first floor rear extension, two storey side extension together with extension to roof to allow conversion of loft into habitable space with front and side roof lights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the description of development varies between documents submitted for the purpose of this appeal, I have used the description from the Council's decision notice, as this is an accurate and concise description that has also been used by the appellant for their statement.

Main Issues

3. The main issues are the effect on:
 - The character and appearance of the appeal dwelling and that of the local area; and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

4. The appeal dwelling is a two storey semidetached house with front and rear gardens. It is located in an area with a mixture of semi-detached and detached houses and bungalows and some recent small, flatted development. These properties are in a mixture of architectural styles, which results in a streetscape of cohesive scale but significant visual variety.
5. The appeal dwelling is situated on the inside of a bend in the street, which results in its plot, and those of the immediately neighbouring properties,

narrowing towards the rear. The frontage of the appeal dwelling, and that of its semidetached pair, are set back from the frontage of the neighbouring semi-detached houses at 97 and 99 Vera Avenue (No.97 and No.99), and slightly forward of the frontage of the detached bungalow at 93 Vera Avenue (No.93)

6. The proposal would substantially increase the size of the appeal dwelling though the addition of a part two storey, part first floor rear extension, a two storey side extension and roof extension to allow for a lost conversion. The two storey side element of the proposed extensions would, at that part towards the street frontage, be approximately 1 metre from the boundary with No.97. However, due to the narrowing of the appeal plot, the distance to the boundary at the rear of the two storey extension would reduce to approximately 0.56 metres. This would not accord with the minimum 1.0 metre distance to an existing boundary that policy DMD 14 of the Enfield Development Management Document (2014) (the EDMD) states should be maintained for such developments.
7. This proximity to the existing boundary, when considered along with the long flank wall and bulky crown roof form of the two storey part of the proposed extension, would result in it appearing as out of scale with the existing dwelling. When viewed from the rear rooms and gardens of directly adjoining and nearby neighbouring properties, this would have the effect of the proposal appearing as an incongruous and dominating addition to the appeal dwelling.
8. The front the proposed two storey side extension, and first floor extension, would be stepped back from the existing front elevation, and the roofs of these two parts of the proposal would step down from the existing roof ridge. Therefore, when viewed from the front and street, the scale of the proposal would not be readily apparent.
9. For these reasons I find that, on balance, the effect of the proposal on the rear and side of the appeal dwelling, would result in it appearing as out of scale with the appeal dwelling and to not appear as a subordinate addition. This would fail to reflect the local streetscene, which would result in the appeal dwelling appearing incongruous within the context of the established character of the local area.

Living Conditions

10. The set back of the appeal dwelling from No.97, would result in the proposed side element of the two storey part of the proposals extending substantially further rearward of No.97 than the existing dwelling. The rearward extent, height and of the bulk of the proposed two storey element of the proposed extension would, when combined with its proximity to the boundary with No. 97, result in its flank wall being close to and very apparent from the rear windows of this neighbouring house.
11. When viewed from the viewed from the rear ground floor living space of No.97, and that part of its rear garden nearest to the house, this would cause the two storey element of the proposals to appear as intrusive and enclosing, with a domineering and overbearing effect. This would result in the proposed extension being experienced by the occupiers of this neighbouring property as an oppressive presence, thereby causing an unacceptable loss of outlook for its occupiers.

12. Further, due to the height, extent of flank wall, the orientation of the rear of the houses towards the North-East, and close proximity of the 2 storey element of the proposal to the main rear ground floor window to the living space at No.97, it appears that the proposal would block virtually all sunlight to this window. This would also reduce the availability of indirect daylight available to the room that this window serves. Therefore, throughout the year, but more particularly during the winter months, this would result in an unacceptable loss of sunlight and indirect daylight to this main living space. This would significantly accentuate the oppressive presence of the 2 storey extension element of the proposals that I have detailed above.
13. The extent of the rear single storey ground floor element of the proposed extensions, would result in being in close proximity to a small rear ground floor window at the rear of No.93. However, this appears to be a small secondary window and the proposal would not result in a loss of outlook, sunlight, or daylight to the extent that it would result any significant effect on the living conditions of the occupiers of this neighbouring property.
14. Whilst I acknowledge that the appellant has sought to make improvements to their development proposals, following previous refusal for similar extensions to those proposed, in my determination of this appeal I have considered the proposal on its individual merits.
15. For the reasons given above, I find that the proposal would result in substantial harm to the character and appearance of the appeal dwelling and that of the local area, and substantial harm to the living conditions of the occupiers of No.97. This would fail to accord with policy CP30 of the Enfield Core Strategy (2010), policies DMD6, DMD8, DMD11, DMD13, DMD14 and DMD37 of the EDMD, policies D3, D6 and D8 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2023). These collectively seek to ensure that development, including extensions, demonstrate high quality design, respond to context, integrate with the local area, and provide for appropriate outlook and sufficient daylight to surrounding housing, so as to not undermine the quality of life of neighbouring residential occupiers.
16. The Council's decision notice sets out that the proposal would be contrary to policy D4 of the London Plan (2021). I have not come to this same conclusion, as policy D4 relates to design management procedures and policy guidance for London planning authorities.

Conclusion

17. The appeal is dismissed.

Victor Callister

INSPECTOR