



Appeal Decision

Site visit made on 19 December 2023

by C Livingstone MA(SocSci) (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2024

Appeal Ref: APP/Q5300/W/23/3324402

44 First Floor Flat, Harlech Road, Enfield, Southgate N14 7BX

- 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 Andrew Christodoulou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 23/00255/FUL, dated 26 January 2023, was refused by notice dated 27 March 2023.
 - The development proposed is a rear dormer extension to an existing loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

3. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Lakes Estate Conservation Area;
 - the effect of the proposed development on the living conditions of the occupiers of 46 Harlech Road with regard to light and outlook.

Reasons

Impact on Conservation Area

4. The Lakes Estate Conservation Area (CA) comprises primarily of dense residential development between Palmers Green and Southgate Green. The linear pattern of development allows for wide, tree-lined streets. Most properties are semi-detached, although minimal spacing results in an overall impression of continuous development. The significance of the CA is derived partly from the large and finely detailed properties, that are well-preserved examples of Edwardian architecture. The first floor flat in 44 Harlech Road (No.44) is part of a large semi-detached, two storey pair that were built between 1905 and 1914 and is an attractive example of the housing that defines the area.

5. The proposal is for the erection of a box dormer that would extend from an existing box dormer on the rear roof slope. The proposed dormer extension would have a flat roof and extend for several metres over an original mono-pitched outrigger on the rear elevation. This box like appearance would not reflect the finely balanced proportions and detailing of the original property. The close spacing between the properties restricts views of the rear of the property from the public realm.
6. Being smaller and lower, the rear outrigger was designed to appear subservient to the main body of the property. The erection of the flat roofed dormer extension would impact negatively on the balance between the main body of the property and the rear outrigger. While not clearly visible from the public realm, as detailed above, the quality of the architecture is a defining feature of the conservation area. Due to its scale and position, the extension would be a prominent and incongruous addition when viewed from the rear gardens of neighbouring properties. Further, the proposal would result in the loss of symmetry between No.44 and the attached property No.42 Harlech Road and the rear outriggers retain their relatively unaltered appearance, which also incorporate attractive original bay windows on their rear elevations.
7. It is acknowledged that the proposed dormer extension incorporates a palate of external materials and some design details to match the existing dwelling. However, this does not ameliorate the harm I have identified with regard to the overall design and scale of the proposal.
8. As such, the proposal would harm the character, appearance and significance of the CA as a whole. Paragraph 208 of the Framework explains that where, as I find in this case, the harm to the significance of the CA would be less than substantial, that harm should be weighed against the public benefits. The proposed development would provide improved living conditions for the appellant, there may also be economic benefits associated with construction. However, any specific public benefits there may be in this case, would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
9. For the reasons detailed above the character or appearance of the Lakes Estate CA would not be preserved or enhanced as a result of the proposed development. As such, the proposal is contrary to Policies D3, D4 and HC1 of The London Plan (2021), The Enfield Plan Core Strategy 2010-2025 (2010) (CS) Policies CP30 and CP31 and Improving Enfield Development Management Document (DMD) (2014) Policies DMD37, DMD44 and DMD13. These policies are consistent with the Framework in requiring development to deliver good design, respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

Living conditions of neighbours

10. As detailed above, the high density of development in the area is reflected in minimal spacing between properties. Neighbouring property 46 Harlech Road (No.46) was also constructed with a rear outrigger and there are existing windows at both ground and first floor level on the outrigger that face the rear outrigger at the host property. The proposed dormer extension would extend from ridge height from the majority of the width of the rear outrigger, for several metres.

11. The scale and close proximity of the proposed development to the windows on the rear outrigger on No. 46 is such that it is likely that the development would have a dominant and overbearing impact on the occupants of that property.
12. The appellant submitted a Daylight and Sunlight Report in support of the application which predicted that there would be no material change to daylight availability to No.46 and the proposal would be compliant with BRE guidelines. However, the occupants of No.46 submitted an updated survey of the impact of the proposed development on light at their property, in support of their objection to this Appeal. The survey found that the proposed extension fails several of the BRE daylight and sunlight tests and would have a harmful impact on light to a ground floor breakfast room and a first floor bedroom/study. The Appellant submitted further information as a rebuttal to this survey. However I am not persuaded by the additional information provided, in light of the neighbours survey.
13. Based on the evidence before me, the layout and orientation of No.44, to the south-east of No.46, coupled with its scale and mass is such that the proposal would be likely to have a harmful impact on light to habitable rooms within that neighbouring property.
14. For the reasons detailed above the proposed development would have a harmful effect on the living conditions of the occupiers of No.46 with regard to light and outlook. Therefore, the proposed development is contrary to DMD Policies DMD8, DMD13 and DMD37 which require that roof extensions are not dominant when viewed from the surrounding area, make a positive contribution to quality of life and preserve amenity in terms of daylight, sunlight and outlook. I find no conflict with CS Policies CP30 and CP31, in respect to living conditions, as these policies focus on design quality and built and landscape heritage.

Other Matters

15. Several photos of dormer extensions within the surrounding area were provided in support of the appeal. However, I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal, including in respect of scale, location, use and development plan policy. In any case I have determined the appeal on its own merits.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

C Livingstone

INSPECTOR