



Appeal Decision

Site visit made on 9 April 2024

by L Clark BA(HONS) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st May 2024

Appeal Ref: APP/Q5300/W/23/3328859

20 Arnos Road, Southgate, Enfield N11 1AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr C Matheou against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/01993/HOU.
 - The development proposed is rear garden canopy.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed rear garden canopy on a) the character and appearance of the surrounding area, and b) the living conditions of the occupiers of 18 and 22 Arnos Road (Nos 18 and 22) with particular reference to outlook.

Reasons

Character and appearance

3. No 20 is a mid-terraced property situated in a group of similarly designed two-storey dwellings fronting Arnos Road. No 20 has been converted into two flats. This appeal relates to the ground floor flat. The rear elevation of properties within which the appeal property is located contains few extensions which project beyond the rear building line. The exception to this is the appeal property, which appears to have been extended by the addition of a full-width ground floor and part first-floor outrigger and dormer to the rear roof slope.
4. The rear garden of No 20 has been subdivided into two distinct areas and has a segregated path to one side. Ground levels slope from Bowes Road (A1110) towards Arnos Park, with properties on Arnos Road stepped. Ground levels also slope west to east, with gardens set lower than the finished floor levels of the properties. Arnos Road is set at right angles to Seafield Road, with properties within both streets appearing to have long largely undeveloped gardens. Due to the surrounding ground levels, the rear elevation of No 20 and its immediate neighbours are visible from Arnos Park.
5. The proposed garden canopy would extend outwards from the extended rear elevation and extend approximately the full width of the ground floor flat. Even if the roof would be translucent and the sides open, given the elevated

nature of the rear, together with its visibility from neighbouring gardens and Arnos Park, the combination of its height and depth would result in an unsympathetic and visually prominent addition to the rear, visually at odds with the established character of the area.

6. I conclude that the rear canopy would materially harm the character and appearance of the area, contrary to Policy D4 of the London Plan (2021), Policy CP30 of the Enfield Core Strategy (2010) (Core Strategy), and Policies DMD6, DMD8 and DMD37 of the Enfield Development Management Document (DMD) 2014, which collectively seek to ensure that proposals achieve high-quality and design-led development; and that the scale and form of development is appropriate to the existing pattern of development.

Living conditions

7. The ground floor rear elevations of the adjoining dwellings, Nos 18 and 22, appear to be largely undeveloped. The proposed canopy would extend outwards from the extended rear wall of No 20 and would project approximately the whole depth of the existing patio.
8. The combined depth of the existing rear outrigger and the proposed canopy would result in continuous development along the common boundary with No 18 for some distance. Even though No 18 is set slightly higher than No 20, given that the height of the canopy would be set above the rear doors of the appeal property, its overall height would result in an imposing structure and clearly visible from rooms within the rear of No 18, restricting the outlook occupants currently enjoy.
9. Due to the alignment of the fence between Nos 20 and 22, and the fact that the canopy would be set off the boundary with No 22 by the walkway, the outlook from rooms within the rear of No 22 would be principally oblique. Even though the canopy would significantly project beyond the rear wall of No 22, it would be set a sufficient distance from the boundary so as not to harm the outlook of its occupants.
10. I conclude that whilst I find no harm to the living conditions of No 22 with regard to outlook, I do find harm would occur to the living conditions of No 18. As such the development would not accord with Policy D4 of the London Plan, Policy CP30 Core Strategy and Policies DMD6, DMD8, DMD11 and DMD37 of the DMD which collectively seek, amongst other matters, for new residential development to preserve amenity in terms of outlook.

Other Matters

11. I recognise that the proposal would provide outdoor shelter to the occupants of No 20 when in the garden, however, this would be achieved at the expense of the character and appearance of the area and the living conditions of neighbouring residents. These benefits of the scheme therefore attract limited weight.
12. Furthermore, the absence of harm to the light levels of No 18 is a neutral matter in the overall planning balance, as this would be a likely requirement of a well-designed development.

Conclusion

13. For the reasons given above, the material considerations do not indicate that a decision should be made other than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

L Clark

INSPECTOR