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## Appeal Decision

Site visit made on 13 July 2024

**by Elaine Benson BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>TH</sup> July 2024**

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**Appeal Ref: APP/Q5300/D/24/3340117**

**19 Arbour Road, Enfield, London EN3 7TX**

- 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 Mohi Uddin against the decision of the London Borough of Enfield Council.
  - The application Ref is 23/03333/HOU.
  - The development proposed is part double storey side and rear extension.
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### Preliminary Matter

1. The Council refer to the proposed development as 'first floor side extension and part single storey part two storey rear extension with changes to the front fenestration'. I consider that this wording more accurately describes the proposal than that set out in the heading above. Accordingly, I have used the Council's description of development in the decision that follows.

### Decision

2. The appeal is allowed and planning permission is granted for first floor side extension and part single storey part two storey rear extension with changes to the front fenestration at 19 Arbour Road, Enfield, London EN3 7TX in accordance with the terms of the application, Ref 23/03333/HOU, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 2422 03, 2422 04 and 2422 05.

### Main Issues

3. The first main issue is the effect of the first-floor side and rear extension element of the appeal proposal on the character and appearance of the host property and the surrounding area. The second main issue is the effect of the proposed single storey rear extension on the living conditions of the occupiers of No 17 Arbour Road (No 17).

## Reasons

4. The appeal property (No 19) is an end of terrace house which has already been extended at roof level, including a dormer, and with a single storey front, side and rear extension. There is an open passageway between it and the neighbouring No 21 Arbour Road (No 21).
5. The width, height and design of the proposed first floor side and rear extension would be of a proportionate scale and in keeping with the appearance of the house as extended. The roof over the first-floor extension would be separate from the dormer and when viewed together they would not have a jarring or overly bulky appearance. As a result, the extension would not appear visually intrusive, but would sufficiently respect the character and appearance of the host building and the surrounding area which contains similar extensions, including at the adjacent No 21.
6. I conclude therefore that the first-floor side and rear extension complies with the requirements for high quality design set out in Policies D3 and D4 of the London Plan (2021), Policy CP30 of the Enfield Core Strategy (2010) (ECS), Policies DMD6, DMD8, DMD14 and DMD37 of the Enfield Development Management Document (2014) (EDMD) and the design requirements of the National Planning Policy Framework (the Framework).
7. The proposed single storey rear extension would infill the area between the existing extension and the boundary with No 17. It would be 3.6m deep to match the existing extension. This depth would exceed the 3m normally permitted by EDMD Policy DMD11. It would also breach the 45-degree line taken from the midpoint of the rear window of No 17. However, this would also be the case with a 3m deep extension. Furthermore, the extension would be to the north of the neighbouring property, beyond a boundary fence, and would not result in an unacceptable loss of daylight or sunlight, nor cause overshadowing or a harmful loss of outlook. Although the extension would be deeper than the policy normally permits, within this context the additional 0.6m would have a minimal additional effect on the living conditions of the neighbouring occupiers.
8. In conclusion, the proposal complies with the objectives of Policy DMD11 which I consider is the policy most relevant to this aspect of the appeal. There would be no conflict with the similar aims of the Framework to protect residential amenities.
9. For the reasons set out above and having regard to all other matters raised, the appeal is allowed. I have included a condition identifying the approved drawings for the avoidance of doubt and in the interests of proper planning. External materials should match the existing building to protect its character and appearance and those of the surrounding area. This is required by condition.

*Elaine Benson*

INSPECTOR