



Appeal Decision

Site visit made on 21 November 2024

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/Q5300/D/24/3348479

27 Devonshire Road, Edmonton, London N9 8NG

- 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 Erdal Kaplan against the decision of the Council of the London Borough of Enfield.
 - The application reference is 24/01109/HOU.
 - The development proposed is "first floor side extension on existing garage with conversion of garage to a habitable room."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed first floor side extension on the character and appearance of the area.

Reasons

3. The appeal site is located on the east side of Devonshire Road, which is in a well-established residential area. It is a two-storey semi-detached dwelling. Its semi-pair is no.25, which is situated to its south. It has a single storey, flat-roofed, attached garage on its north side which is a few centimetres from the southern flank wall of no.29 Devonshire Road. The garage stands slightly back from the main elevation of the appeal site dwelling and also back from the front elevation of no.29.
4. The proposed development involves creating a first floor side extension above the existing garage, and the garage would be used as a habitable residential room. (It is noted that the submitted plans show the garage to be demolished but nothing of substance turns on that in this instance.) There would be a hipped roof over the proposed extension at a lower ridgeline level than the main roof and there would be, amongst other things, a new window at ground floor level replacing the garage door and a new front facing window at first floor level. There is an existing single storey rear extension.
5. Policy DMD 14 of the Enfield's Development Management Document "EDMD" (adopted 2014) indicates that extensions to the side of existing residential properties will only be permitted where, amongst other things, they do not result in the creation of a continuous façade of properties or a 'terracing effect' which is out of character with the locality. A minimum distance of side

extensions to maintain adequate space from the neighbouring boundary is specified as a separation of 1 metre. The appeal proposal in this case would breach that policy at first floor level and a terracing effect with no.29 would result.

6. No.29 has a two storey flank wall constructed on the common boundary with the appeal site. The proposed development would, for the most part, fill in the gap at first floor level between no's 27 and 29. This would cut down the visual space at first floor level which currently allows views through to vegetation and to space free of built development to the east of the appeal site.
7. The visual gap is important to the streetscene as it contributes to openness, giving relief from built development, and helps to define the dwelling pattern in the immediate area. On my site visit I noted many other first floor level gaps in the Devonshire Road streetscene, both on the east and west sides of the road, and I found that factor to be a defining characteristic of the locality. These gaps give relief to the dense residential development in this area.
8. I also viewed the proposal from the rear garden of the appeal site and found the visual gap through to Devonshire Road also improved the character and appearance of the rear elevations of the appeal site property and no.29 Devonshire Road.
9. In coming to my judgment, I have noted that no.29's southern flank wall is not situated at least 1m away from the boundary with appeal site. This may or may not have been in breach of adopted policy when it was constructed but, nevertheless a breach of that policy would not change the fact that the proposal would significantly reduce the existing gap at first floor level between the two homes.
10. I have borne in mind the benefits that would flow from the development including expanded living space for current occupants and a more spacious house for future occupants, but these do not outweigh the harm I have identified to the character and appearance of the area.
11. Overall, I conclude that the proposal would result in unacceptable harm to the character and appearance of the area and would be contrary to policy D8 of the London Plan 2021 and policies DMD 14, DMD 37, DMD 6 & DMD 8 of the EDMD.

Conclusion

12. Having considered all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.

INSPECTOR