



Appeal Decision

Site visit made on 27 February 2025

by **SJ Desai BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 March 2025

Appeal Ref: APP/Q5300/D/24/3348500

38 Charles Street, Enfield EN1 1LD

- 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 Mrs Duzgun Turk against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/01714/HOU.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to light and outlook.

Reasons

3. The appeal property comprises of a two-storey, mid terrace, dwelling that is located on the northern side of Charles Street. The rear of the dwelling includes a part two-storey, part single storey outrigger, which forms part of a pair with a matching outrigger at the adjacent 40 Charles Street.
4. The dwelling is typical of the development in the surrounding area, being relatively narrow in width and with the rear elevations of the wider terrace generally characterised by evenly spaced pairs of half-width outriggers retaining a gap to the main rear elevation of the dwellings.
5. The proposed development would extend 6m from the main rear elevation of the dwelling along the shared boundary with 36 Charles Street, infilling the space between the boundary and the existing outrigger. It would intercept a 45-degree line taken from the centre point of the existing window within the main rear elevation of No.36 and would project significantly beyond the windows within the flank elevation of the existing outrigger at that property.
6. The proposed development would extend approximately 3m beyond the two-storey section of the existing outrigger along the shared boundary with No.40 effectively replacing the existing single storey element of the outrigger, albeit projecting marginally beyond the original rear building line and being of a greater height. It would span the full width of the property.

7. By virtue of its scale, when taken with the significant projection beyond the main rear elevation of No.36, I find that the proposed development would have a significant overbearing effect that would result in a loss of daylight, loss of outlook and create an unacceptable sense of enclosure from ground floor habitable rooms within that property. The proposed development would be unacceptably harmful to the living conditions of neighbouring occupiers at No.36.
8. I find no unacceptable impact would result in respect of occupiers' living conditions at No. 40, due to the limited proposed projection beyond the rear building line of the part single storey outrigger at that property.
9. Notwithstanding, I conclude that the proposed development would unacceptably harm the living conditions of neighbouring occupiers at 36 Charles Street, with particular regard to a loss of light and outlook. As such, it would conflict with Policy CP30 of the Enfield Core Strategy 2010 and Policies DMD8, DMD11 and DMD37 of the Enfield Development Management Document 2014. Taken together, these policies require, amongst other criteria, that developments are contextual, provide a good level of amenity and have an acceptable impact upon neighbouring properties in respect of daylight and outlook. The proposal would also conflict with the Framework, which seeks to ensure that development results in a high standard of amenity for existing and future users.

Other Matters

10. The appellant references a similar extension at a nearby property, granted planning permission under reference 23/01133/HOU. I am not aware of the full circumstances of this case, as no details have been provided. It therefore remains unclear whether there are any similarities between the proposal and that other scheme. In any event, I have determined the appeal on its own merits and this nearby approval does not negate the harm identified from the appeal proposal and does not lead me to a different conclusion in this case.
11. The appellant suggests the potential incorporation of additional mitigation in terms of boundary treatment and landscaping. However, such measures would not address the harm identified.
12. Whilst I understand the wishes of the appellant to secure additional living space, I do not consider that these personal circumstances provide sufficient justification to outweigh the harm I have identified from the proposal.

Conclusion

13. For the reasons given above, I conclude that the proposal would conflict with the development plan and there are no material considerations that have been shown to carry sufficient weight to indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

SJ DESAI

INSPECTOR