



Appeal Decisions

Site visit made on 23 April 2025

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2025

Appeal Ref: APP/Q5300/D/24/3339412

35 Forest Road, Enfield EN3 6ST

- 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 Zamir Quni against the decision of the Council for the London Borough of Enfield.
 - The application Ref is 23/04108/HOU.
 - The development proposed is described as part single, part 2-storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development cited in the planning application form differs to that contained within the decision notice and appeal form. There is no evidence that this change was formally agreed. The latter more accurately reflects the scope of the proposed plans which were submitted, consulted upon, determined by the Council and are now the subject of this appeal. As no parties' interests would be prejudiced, in the interests of clarity I rely upon that latter description for the purposes of the heading above.
3. There is another appeal¹ at the property made by the same appellant against an enforcement notice served by the Council on the existing outbuilding to the rear of the site. Whilst at the same site these are independent appeals and are subject to separate decisions.
4. There has been a revised National Planning Policy Framework (the Framework) published by the Government since the Council issued its decision. However, it does not raise new issues that are determinative for the purposes of my assessment and therefore injustice to the parties does not arise. Any references to the Framework in this decision are to the revised version.

Main Issues

5. The main issues in this appeal are the effects of the proposal on i) the character and appearance of the area; ii) the living conditions for the occupiers of adjoining properties at Nos 33 and 37 Forest Road with specific regard to daylight/sunlight and outlook; and iii) the living conditions of the proposed occupants, with particular reference to internal space.

¹ PINS Ref: APP/Q5300/C/23/3334956

Reasons

Character and appearance

6. The appeal site is a two storey semi-detached property located on the south side of Forest Road in Enfield. The surrounding area is mainly residential with a degree of variation in the style and materiality of the properties. Despite this variation there is nevertheless a regularity to the rhythm of the layout of the properties along Forest Road, providing a traditional suburban feel. The rear of the properties in Forest Road have had incremental alterations and additions, particularly at ground floor and roof levels. This provides a varied character with differences in the scale of additions with a noticeable lack of coherence or symmetry.
7. The appeal site has recently been renovated and extended. The extensions include a rear ground floor flat roofed extension, a rear full width dormer roof extension and a single story flat roofed brick built detached outbuilding located at the rear of the garden. The host property, extensions and outbuilding have been finished in white render and incorporate the use of grey hung tiles and grey/black framed windows providing a more contemporary appearance.
8. The proposal seeks to provide a full width first floor extension above the flat roof of the existing single storey extension. The drawings before me highlight that the depth would exceed the existing rear wall of the host property by approximately 3.00m, protruding significantly from the established first floor depth. This would extend the full width of the property. From my site observations there were no other obvious examples of prominent first floor extensions, like that proposed here.
9. Whilst it is acknowledged that there is significant variation at the rear of the properties in the vicinity, in general, those projections at first floor level are made up of traditional outriggers which appear to have been in situ for some time. Given this context, the introduction of the prominent full width first floor rear extension at the appeal site would provide disproportionate bulk and mass to the detriment of the host property. The proposal coupled with the existing extensions at the ground and roof level would create a scale of development that is out of keeping to the host property and the area in general.
10. Consequently, the proposal would harm the character and appearance of the area. As such, it would be contrary to the relevant sections of policy D4 of the London Plan (LP), March 2021; core policy 30 of the London Borough of Enfield Council Core Strategy (ECS), adopted November 2010 and policies DMD 6, DMD 8, DMD 11 and DMD 37 of the Enfield's Development Management Document (EDMD), adopted November 2014. Collectively these policies seek new development to be of a high quality having a scale and form which is appropriate to the existing pattern of development or setting and having regard to the character typologies. The proposal would also be contrary to the Framework which seeks high quality design with no adverse visual impact, amongst other things.

Living conditions – adjoining occupiers

11. The properties most effected by the proposal are the adjoining occupants at Nos. 33 and 37 Forest Road. In respect to the latter site, with particular regard to the first floor extension, this would be hard up on the boundary of this property, near the first floor rear window. I have not been provided with any evidence in respect to whether the window serves a habitable room, as such I have taken a

precautionary approach. Given the close proximity of the first floor extension, it would loom over this window, providing a stark elevation to the detriment of this neighbours' outlook. The proposal would also provide a visual harm when viewed from the garden area of this property. Consequently, the proposal would be overbearing in this regard.

12. I have not been provided with any sunlight/daylight assessment, thus again I must adopt a precautionary approach. In terms of the impact on light at No 37, along with the first floor window on the rear elevation of this property, there is also a large conservatory at the ground floor level which could be affected.
13. The Council refers to the criteria in policy DMD 11 of the EDMD. Policy DMD 11 indicates that a 30 degree line taken from the mid-point of existing first floor windows at the adjacent properties, is a guide to ensure that adequate lighting levels can be maintained. It appears that the proposal would breach this 30 degree guide. Furthermore, the increase in height which would arise because of the proposal, could potentially diminish the amount of light entering the conservatory at ground floor level. In the absence of evidence to the contrary the proposal may negatively impact on light levels experienced at this property.
14. In respect to No 33, the proposal is set further away from the boundary line than that experienced at No 37. Nevertheless, the increase in bulk and mass at the first floor would provide an overbearing and incongruous addition to the detriment of the living conditions of this neighbour, as visual harm would arise in terms of the outlook from the first floor windows, and the use of the rear garden space at this property.
15. Overall, the proposal would have a harmful impact upon the living conditions for the occupiers of both adjoining properties with specific regard to daylight/sunlight and outlook. The proposal would therefore conflict with EDMD Policies DMD 6, DMD 8 and DMD 11, which amongst other things, are concerned with protecting residential amenity. It would also be contrary to the Framework which, amongst other things, also seeks a good standard of amenity for existing and future occupants of buildings. However, I find no conflict with LP policies D3 and D4; ECS core policies 4 and 30 and EDMD policy DMD 37 which are principally concerned with housing and design.

Living conditions – potential occupiers

16. The Government's nationally described space standard, March 2015 (NDSS) contains the minimum internal space requirements for new dwellings. These requirements are also applied in a local context within LP policy D6 and Table 3.1 and EDMD policy DMD 8.
17. Whilst it is acknowledged that bedroom 3 of the proposal would not meet the width requirements for a single bedroom, these requirements are for new residential development only and would not be applicable to the extension of an existing residential unit. Consequently, I do not find conflict with the relevant policies on this matter.

Conclusion

18. Overall, I find that the proposal would be contrary to the development plan, taken as a whole. There are no material considerations that indicate the proposal should

be determined other than in accordance with the development plan. Consequently, I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR