



Appeal Decision

Site visit made on 19 June 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th July 2025

Appeal Ref: APP/Q5300/D/25/3359202

72 Evesham Road, Southgate, Enfield, London N11 2RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Gazmend Sufaj against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/03891/PRH.
 - The development proposed is 6m ground floor rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice includes references to policies of the development plan. The principle of development is established through the grant of permission by the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (the GPDO), and I am required to assess the proposal as a prior approval application as set out within the parameters of the GPDO. Regard can be given to development plan policies insofar as they are material considerations; however, they are not in themselves determinative.
3. The National Planning Policy Framework was revised in December 2024, with further minor updates in February 2025. As the changes do not materially affect the main issue in this case, I have not gone back to the parties for comment. Whilst I have had regard to the Framework in reaching my decision, no party would be prejudiced or caused any injustice by me taking this approach.

Background and Main Issue

4. Under Article 3(1) and Schedule 2, Part 1, Class A of the GPDO, planning permission is granted for the enlargement of a dwellinghouse subject to the satisfaction of expressed limitations, restrictions and conditions.
5. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3) states that the local planning authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable to such permitted development.
6. Paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received.

7. The main issue is, therefore, whether or not the prior approval should be granted, considering its effect on the amenity of the occupiers of Nos 70 and 74 Evesham Road (Nos 70 and 74), with particular regard to levels of natural light and outlook.

Reasons

8. The appeal site (No 72) comprises a two-storey end terrace dwelling with an approximately half-width, flat-roofed, single-storey rear extension. Levels fall notably from the main rear wall of No 70 and its immediate neighbours towards the garden. The current rear extension projects approximately 4.8 metres from the main rear elevation and is set off the shared boundary with the adjoining property No 70. The proposed rear extension would extend approximately the full width of No 70 and project approximately 6 metres from the main rear wall. Its position would maintain the existing spacing between the shared boundary with No 74.
9. From the evidence before me and observations on site, No 70 is set higher than No 72, and is relatively free of extensions to the rear. Its adjoining neighbour to the opposing side, No 68, has a single-storey rear extension set approximately on the shared boundary with No 70, which projects to a similar depth as the current extension at the appeal site.
10. The immediate neighbour, No 74, is located beyond a shared access with No 72. It has a single-storey rear extension which projects approximately the full width of the rear elevation, the depth of which is shallower than the current single-storey rear extension of the appeal site. There are noticeable level differences between No 72 and No 74, particularly within the garden, with No 74 being lower.

Natural light

11. I have no substantive evidence from either party to quantify the impact with regard to light levels. Notwithstanding this, at the time of my site visit (morning), I observed that the rear elevation of No 70 was in partial shade from the current rear extension at No 68. Given the orientation, overall projection and proximity to the shared boundary, the proposed rear extension would likely cast shading over the rear of No 70 and its garden area closest to the rear elevation from late afternoon. This would erode the living conditions for its occupiers.
12. I also observed that the rear of No 74 was partially shaded by the current single-storey rear extension of No 72. Even if the height of the proposed rear extension was similar to the current extension, the depth would not be, as it would be extended by approximately 1.2 metres further. Given the orientation of the appeal site to No 74, this additional projection would likely extend the period of shade to its rear and would therefore erode the living conditions of existing occupiers.
13. The appellant has drawn my attention to a number of examples of precedents which they consider comparable within the local context. Whilst I have been provided with aerial images which show rear extensions of varying depths, widths and designs, I have not been provided with addresses or the circumstances relating to their presence. I therefore attach limited weight to these examples.
14. In the absence of any mitigation, I conclude that the proposed rear extension would reduce the level of natural light to the rear of Nos 70 and 74. This would have a harmful effect on the amenity and thus the living conditions of the existing occupiers. In this respect, the proposal would not accord with paragraph 135 of the Framework,

which seeks, amongst other matters, to ensure development creates places which are well-designed with a high standard of amenity for existing users.

Outlook

15. The proposed rear extension would extend approximately the full width of No 72. Even if it would project approximately 1.2 metres further than the current extension, its width would be wider and would be closer to No 70. Whilst its depth may comply with the 45-degree rule, it would nevertheless project approximately 6 metres on the shared boundary. Whilst the appeal site is lower, the proximity and overall projection of the proposed rear extension would nevertheless have an overbearing impact. This would be harmful to the outlook of the residents of No 70 and thus erode the living conditions for its occupiers.
16. Whilst the design of the proposed rear extension would incorporate a flat roof, which would assist in keeping the overall height to a minimum, it would project approximately 1.2 metres further than the current rear extension. Given that the garden of No 74 is lower than that of No 72, the proposed rear extension would be higher from within No 74. The combination of its projection and height would therefore be harmful to the outlook of the residents of No 74 and thus erode the living conditions of the occupiers.
17. For the above reasons, I conclude that the proposed development would fail to safeguard the outlook for existing occupiers of Nos 70 and 74. This would have a harmful effect on their amenity and living conditions. In this respect, the proposal would not accord with paragraph 135 of the Framework, which seeks to ensure that developments are well-designed with a high standard of amenity for existing users.

Other Matters

18. The appellant has drawn my attention to two planning applications, Ref 18/02169/FUL and Ref 18/01887/FUL, both relating to 97 Evesham Road (No 97). I have been provided with several documents associated with both planning applications which show, amongst other matters, a proposed rear extension measuring approximately 5 metres. In both cases, the decision notices state that planning permission was refused. I therefore have nothing before me to indicate that planning permission has been granted.
19. I did see, however, that No 97 has been extended in a similar form to that depicted in the planning applications. Even if planning permission has been granted, in both cases the rear extension was 5 metres and not 6 metres. Furthermore, from the evidence, No 97 appeared to be an end-of-terrace property with no other dwelling to its flank elevation. Given the differences in projection and site context, I do not consider No 97 to be comparable to the scheme before me. Notwithstanding this, each case must be considered on its own merits.
20. Whilst the proposed development would provide occupants of No 72 with a functional space, and materials used in its construction would match those used in the host property, these matters are neutral considerations that weigh neither for nor against the proposal.

21. I have been made aware of two appeals submitted in respect of No 72 that are yet to be determined¹. As no decision has been made, these have little bearing on my consideration of this appeal.

Conclusion

22. For the reasons given above, the appeal is dismissed.

L Clark

INSPECTOR

¹ APP/Q5300/D/25/3361195 and APP/Q5300/D/25/3368054