



Appeal Decision

Site visit made on 19 August 2025

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 September 2025

Appeal Ref: APP/Q5300/D/25/3368834

63 Swan Way, Enfield EN3 7HZ

- 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 Y Gul against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/01188/HOU.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 63 Swan Way, Enfield EN3 7HZ in accordance with the terms of the application Ref 25/01188/HOU subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing no's: A100 (Location & Site Plan), A104 (Proposed Ground & First Floor Plan), A105 (Proposed Front & Rear Elevation and Section A-A), A106 (Proposed Side Elevation Section) and A107 (Existing & Proposed Block Plan).
- 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Main Issue

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

Reasons

3. The appeal site comprises of a mid-terrace dwelling which is located in an area that is predominantly residential and formed of two storey buildings. The appeal property has an existing single storey rear extension, which although not having any planning approval, is a lawful structure due to it being in place for over 10 years.

4. The proposal seeks to replace this existing single storey structure with a rear extension that would have the same footprint. Unlike the existing structure which has a mono-pitch roof, the proposal would have a flat roof form. Despite this difference and the increased height of the proposal, having regard to the presence of the existing structure, I do not consider the increased height or altered roof form would appear overly dominant and nor would it result in the harmful loss of sunlight or daylight.

5. The proposal would utilise materials such as brick which are of a more solid nature than the existing structure which is in part formed by clear transparent panelling. The neighbouring properties to either side of the appeal site would however continue to have an open aspect over their rear gardens. The increased height along part of their respective common boundary with the appeal property would not result in an unduly heightened sense of enclosure to the detriment of neighbouring occupier's outlook.

6. Both main parties have referenced the absence of technical evidence, such as in the form of a sunlight and daylight report but having regard to the submissions before me on the existing structure and the proposed replacement extension, I do not consider there would be an unacceptable harmful effect arising in relation to light.

7. Given the above, I conclude that the proposed development would not have an unacceptable adverse impact on the living conditions of neighbouring occupiers with regard to sunlight, daylight and outlook. As such, the development would be compliant Core Policy 30 of The Enfield Plan Core Strategy 2010-2025 and Policy DMD 37 of the Enfield Development Management Document (Enfield DMD). The proposal would be contrary to the depth and height requirements for single storey extensions set out in Policy DMD 11 of the Enfield DMD, but it would comply with its provisions that seek to ensure that there is no impact on the amenities of neighbouring properties.

Conditions

8. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. I have imposed a condition requiring compliance with the approved plans. A condition requiring the external materials of the extension to match the existing building is necessary in the interests of the character and appearance of the host building and the area.

9. Reference has been made to the need for a drainage strategy condition to manage surface water. The proposal would however replace an existing structure on the same footprint and consequently it would not increase the risk of flooding. I do not consider this condition to be necessary.

Conclusion

10. The proposal would accord with the development plan as a whole, and there are no other considerations, including the National Planning Policy Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR