



Appeal Decision

Site visit made on 15 September 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7th November 2025

Appeal Ref: APP/Q5300/D/24/3356214

39 Chequers Way, Southgate, Enfield, London N13 6DA

- 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 and Mrs Economou against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/02650/HOU.
 - The development proposed is for single storey side and rear extensions, with alterations to side fenestrations.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear extensions, with alterations to side fenestrations, at 39 Chequers Way, Southgate, Enfield, London, N13 6DA, in accordance with the terms of the application, Ref 24/02650/HOU, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with drawing references: Location Plan 6000-OS1; Block Plan 6000-OS2; Existing 'As Built' Plans and Elevations 6000-E01 Rev B; As Built Plans and Elevations with Approved Overlay 6000-P01 Rev A; except in respect of the walls/fencing/gates around the front yard area shown on these plans.

Preliminary Matters

2. The application form cited the description of development as: "Retention of extensions as built. Previous approved works illustrated in red." As 'retention' is not a development type, and with better clarity of the works required, I have used the description from the decision notice. However, I have removed reference to 'retrospective', as this is also not a development type.
3. The appeal property gained permission in November 2022 for a single storey side and rear extension, with alterations to side fenestrations (22/02329/HOU). The parties agree that the subsequent works undertaken, completed in October 2023, are not in accordance with its approved plans. The proposal before me seeks permission for the works as completed.
4. The Council's Officer Report highlights that the erected front fencing is subject to enforcement action, and that there is no reference to any front fencing in the planning application form or the description of development. I agree with the Council's approach to this matter, and therefore find the plans to be indicative only in this regard. For the avoidance of doubt, this decision does not approve any walls, fences, or gates around the front amenity area.

Main Issues

5. The main issues are the effect of the development on:

- the character and appearance of the area; and
- the living conditions of the occupants of number 37 Chequers Way.

Reasons

Character and Appearance

6. The property comprises a two-storey semi-detached dwelling, with front and rear amenity space. The dwelling previously incorporated rear extensions, confirmed by the Council as benefitting from planning permission, or which appeared lawful due to the passage of time. They included a single storey rear extension 3m deep, and an attached single storey section of approximately 13m running alongside the boundary with No. 37 Chequers Way. The 22/02329/HOU permission and the proposal sought under this appeal include the demolition of those extensions and new extensions in their place, plus a conjoined side extension element in between the host and No. 37.
7. The permitted scheme sets a clear fallback position. No concern has been put to me for the rear extension as built, due to its massing being a replacement of that previous, and because it assimilates with the character and appearance of the host and the surrounding area. The Council also raises no objections to the materials palette, front porch arrangement, removal of chimney element, or the slight alterations to fenestration type and placement. From the evidence before me including from my site visit, I find no reason to conclude differently in this regard.
8. The Council's reason for refusal relates to the side extension. As its depth and width are essentially the same as the approved footprint, I find the only element requiring further consideration is therefore its height compared to that fallback. The site's slight slope makes this between 3.1m and 3.2m high from ground level to the top of its parapet ridge.
9. The Enfield Development Management Document (DMD) Policy DMD11(2)(a) states that a flat roofed rear single storey extension for a semi-detached dwelling should not exceed a height of 3m from ground level when measured to the eaves, with an allowance of between 3.3m to 3.5m to the top of a parapet wall. Although this is only in conjunction with a depth up to 3m beyond the original rear wall, which is far exceeded by this proposal, it does indicate that a height higher than that sought can be generally acceptable in terms of character. When taking into account the fallback as a material consideration, I see no undue conflict with Policy DMD11 regarding the new height.
10. In the context of the rear plot as a whole, including the matching height of the side and rear extensions, the cohesive material palette, and the overall size of the rear amenity area, I do not find the side extension excessive or unduly bulky. From the front streetscene the side extension is lower than the ridge height of the approved false pitched roof, and it sits lower than the adjacent side extension of No. 37. Within the architectural form of the streetscene, it does not have a dominant or unduly uncharacteristic form and height.
11. Overall, and in the context of the fallback position, the proposal would therefore comply with the Enfield Plan Core Strategy 2010-2025 (CS) Policy CP30, the DMD

Policies DMD8, DMD11, and DMD37, and the London Plan Policy D3. Together and amongst other matters, these require proposals to be high quality, have appropriate regard to their context and surrounding character with no adverse visual impact, and be of an appropriate scale, bulk, and massing with due regard to existing building types, forms, and proportions.

Living Conditions

12. The Council considers the side extension has a harmful impact upon the occupants of No. 37 Chequers Way, and those residents also object to the height increase and the materials.
13. As I have already described, the DMD Policy DMD11 identifies that a flat roof extension 3m deep and up to 3.5m high is acceptable along a shared boundary. I note that although Policy DMD11(2)(b) further refers to a 45-degree line, the fallback position outweighs this element.
14. The dwelling at No. 37 already incorporates a rear extension approximately 3m deep, such that the full depth of the appeal site's side extension is not entirely evident. Although its height slightly reduces the views above and across it from No. 37 when compared to the fallback, I do not find this so excessive so as to cause harm by any reduced outlook, sense of enclosure, or loss of sunlight. I find the use of brick is not untoward within this context.
15. Overall I find no harmful effect on living conditions, and the proposal complies with the CS Policy CP30, the DMD Policies DMD11, DMD8, and DMD37, and the London Plan Policy D3. In combination these policies require proposals to have appropriate regard to their surroundings and to have no impact on the amenities of neighbouring properties, including with reference to outlook and sunlight.

Conditions

16. As the proposal is retrospective, the standard commencement condition is unnecessary. I have specified the approved plans to provide clarity for the terms of the permission, although with specific exclusion of the walls, fencing, and gates around the front yard area. The Council's Questionnaire proposed a condition for matching materials to be used, but this is unnecessary as the proposal is complete.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the development accords with the development plan taken as a whole, and therefore the appeal is allowed.

L N Hughes

INSPECTOR