



Appeal Decision

Site visit made on 9 April 2014

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 April 2014

Appeal Ref: APP/Q5300/D/14/2214758

306 Hertford Road, Lower Edmond, Enfield N9 7HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph 4A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
 - The appeal is made by Mr A Dias against the decision of the Council of the London Borough of Enfield.
 - The application Ref P13-03703PRH, dated 13 November 2013, was refused by notice dated 24 January 2014.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises - taking into account any representations received. My determination of this appeal has been made in the same manner.
3. Since the submission of this appeal the National Planning Practice Guidance has been published. Although regard has been had to this national guidance it does not materially alter the matters which have been identified by the parties.

Reasons

4. The proposed extension would project into the rear garden from the appeal property's 2-storey outrigger. The depth of the proposed single storey extension would fall within the 6 metre tolerance for an extension identified by Class A(ea) of the Schedule to the 1995 Order.
5. However, Class A(h) requires an addition that extends beyond the wall forming the side elevation of the original dwelling not to have a width greater than half the width of the original dwellinghouse. The overall width of the appeal property is indicated on the submitted drawings to be 4.7 metres. The proposed extension would be 3.25 metres wide and would extend beyond the wall forming the side elevation of the original outrigger. Therefore, the appeal scheme would result in an extension that would be greater than half the width of the original dwellinghouse.

6. For the reason given, it is concluded that this appeal should fail because the proposed extension does not satisfy the all the requirements of Class A of the Schedule to the 1995 Order. Accordingly, there is no need for me to consider the impact of appeal scheme on the amenity of any adjoining premises, in particular the living conditions of the occupiers of 304 Hertford Road.

D J Barnes

INSPECTOR