
Appeal Decision

Site visit made on 21 September 2016

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 28th October 2016

Appeal Ref: APP/Q5300/W/16/3152892

104, Tottenham Road, Southgate, Enfield, London N13 6DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Hasan Kirdag against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 15/05290/FUL, dated 19 November 2015, was refused by notice dated 3 March 2016.
 - The development proposed is a single storey front extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of 106 Tottenham Road.

Reasons

Character and appearance

3. The appeal building part of a short terrace of two storey, buildings and has a shop unit on the ground floor with living accommodation above. Number 106 is in residential use whilst number 102 is a similar shop unit with a flat above. The shop unit at number 102 has been extended forward with a flat roofed extension. At the time of my site visit the open frontage of the appeal building was being used for the display of goods for sale.
 4. The surrounding area is primarily residential, comprising mainly traditionally built, two storey, terraced houses, although there is a public house adjacent to number 102 and a further shop unit at numbers 122-114 to the east of the appeal building.
 5. Policy 7.6 of the London Plan 2015, Core Policy 30 of The Enfield Plan Core Strategy 2010 (CS), Policies DMD 37 and DMD 40 of the Enfield Development Management Document 2014 (DM) require a high standard of design in new development that has regard to its context, and that extensions to ground floor
-

frontages respect the rhythm, style and proportions of the building/group of buildings of which they form a part.

6. The proposed development is a single storey, flat roofed front extension which would abut the existing extension at 102 and would be open on the remaining two sides incorporating open mesh roller shutters that would be retracted when the shop was trading and extended when the premises were closed.
7. The proposed extension would not extend to the full width of the property and the shop entrance and the door to the first floor flat would not be enclosed. While it would align with the front extension to the shop unit at no 102 Tottenham Road, the roof would be at a lower level which would result in an obvious discontinuity between the extensions. In addition, it would project significantly forward of the house at no 106 and the frontages of the residential properties adjacent to this. Although the extension would appear as a lightweight canopy when the shutters were open when they were extended, despite being of an open mesh design, they would be in stark contrast to the brickwork façades of the appeal building and adjoining residential properties. As such the extension would unduly add to the prominence of the ground floor of the appeal building and create an abrupt visual division between the existing commercial and residential properties on this part of the frontage of Tottenham Road.
8. I note the appellant's point that the neighbouring shop at 102 Tottenham Road has been extended to the front and has permanently closed shutters at each end, which I was able to see on my site visit. However, these galvanised shutters form a harsh and incongruous feature in the street scene and are not the type of development that should be used as a reason to allow similar works at number 104.
9. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. It would be contrary to the relevant requirements of CS Policy 31 DM Policies DMD37 and DMD 40, and Policy 7.6 of the London Plan 2015 which seek a high standard of design that is appropriate to its context. It would also be inconsistent with the requirements of the National Planning Policy Framework (the Framework) which also seek a high standard of design in all new developments.

Living conditions of the neighbouring occupants.

10. The Framework seeks a good standard of amenity for all existing occupiers of land and buildings. The neighbouring property at number 106 is a two storey house with a ground floor bay window and a small front garden area which adjoins the present open frontage of the appeal building.
11. The proposed extension would be set approximately 2 metres from the boundary with number 106 and approximately 2.5 metres from the projecting bay window. Due to the north facing orientation of the terrace, the development would not affect direct sunlight to the ground floor of number 106. Although the extension would project approximately 3 metres beyond the front façade of the appeal building, as a result of the separation distance from the bay window of number 106, and the relatively low height of the flat roof, whilst it would be visible in part, it would not appear as excessively overbearing.

12. I therefore find that the proposed development would not cause harm to the living conditions of the occupiers of number 106 Tottenham Road.

Conclusion

13. I have found that the proposed development would not cause harm to the living conditions of the occupiers of the adjoining residential property. However, the policies in the development plan and the Framework are clear that new development should be of a high standard of design that is appropriate to its context and the harm that I have found in this respect significantly outweighs any lack of harm to the living conditions of the adjoining residents.
14. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR