

Appeal Decision

Site visit made on 7 February 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: Friday, 31 March 2017

Appeal Ref: APP/Q5300/W/16/3162215

5 - 19 Cobbett Close, Enfield EN3 6QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Sarah Davies, Akelius Residential Limited, against the Council of the London Borough of Enfield.
 - The application Ref 15/03022/FUL, is undated.
 - The development proposed is refurbishment works to include replacement windows, doors and rendering, new access ramp to front, installation of new fence and access gate, associated landscaping involving private and communal amenity spaces.
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Decision

1. The appeal is allowed and planning permission is granted for refurbishment works to include replacement windows, doors and rendering, new access ramp to front, installation of new fence and access gate, associated landscaping involving private and communal amenity spaces at 5 - 19 Cobbett Close, Enfield EN3 6QT in accordance with the application Ref 15/03022/FUL and subject to the condition below:-
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1282-F0-001 P1; 1282-D1-100 P1; 1282-F1-200 P1; 1282-D1-200 P1; Front Garden Concept Revision 01; Rear Garden Concept Revision 01.

Procedural Matters

2. The Council has not submitted any information to indicate the nature of its case in relation to this appeal including any development plan policies that might be relevant. In light of the Council's complete lack of engagement with the appeal process, I have interpreted from the information before me what I consider to be the main issues, based on the nature of the development proposed. I have assessed these issues against relevant policies in the National Planning Policy Framework (the Framework).
 3. Whilst the appellant has raised concerns with regard to the processing of their application by the Council, this is not a matter relevant to my consideration of the planning merits of the development proposed.
 4. It was apparent from my visit that the works had already commenced.
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Main Issues

5. The main issues are the effect of the development on the character and appearance of the area and the level of parking provision in the locality having regard to highway safety and living conditions.

Reasons

Character and Appearance

6. The appeal site is part of a residential area and is one of a number of apartment blocks served by adjacent parking forecourts. The various proposed landscaping works to the forecourt at the front of the property would visually improve the character and appearance of the immediate locality, helping to break up and add visual interest to an otherwise sterile expanse of tarmac.
7. The proposed fencing at the rear of the block would create some private and communal garden space. The separation of these areas from the public realm and the ability to overlook them from the rear of the building, would result in a good standard of defensible space. Similarly, whilst the fencing would enclose the adjacent public footway such that it would pass through a relatively narrow corridor, the space would not be so confined as to present personal security issues for users and there would be a good standard of surveillance over the path from the rear of the building.
8. The proposed alterations to the building itself would be in appropriate materials which do not raise any contentious issues.
9. All in all, I conclude that the proposal would not result in harm to the character and appearance of the area. Accordingly there would be no conflict in this regard with the Framework insofar as it seeks to promote high quality design.

Parking

10. The landscaping proposals would mean that a small number of car parking spaces would be lost at the front of the building. A potential impact of this might be that some residents would have to park on the public highway, further away from their home. However, not all residents of the block will necessarily own cars. Moreover, from what I saw during my site visit, there is no reason to suppose, given the small number of vehicles that would be displaced, that any additional on-street parking in the area would have any adverse impact on highway safety, or that there would be a disproportionate impact on the living conditions of existing residents in terms of inconvenience associated with parking further away than they may like. In terms of highway safety, I have not been made aware of any opposition to the scheme from the Council's Highway officer.
11. I conclude that the proposal would not result in harm either to highway safety or to the living conditions of existing residents resulting from the reduced level of parking provision. It would, therefore, be in accordance with the Framework insofar as it states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe, whilst seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conditions and Conclusion

12. For the above reasons, I conclude that the appeal should succeed and planning permission be granted. There is no need for a time limit condition since development has already commenced. I have imposed a condition specifying the relevant drawings as this provides certainty.

Roy Merrett

INSPECTOR