

Appeal Decision

Site visit made on 7 April 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 02 May 2017

Appeal Ref: APP/Q5300/D/17/3168791
260 Church Street, Edmonton N9 9HQ

- 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 Gary O'Connor against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/03755/HOU was refused by notice dated 13 January 2017.
 - The development proposed is described as an amendment to planning permission (16/01474/HOU) granted for the erection of a first floor over existing bungalow to create a two-storey dwelling house, together with a part two-storey side extension with new garage and two-storey rear extension.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development given in the above heading is taken from the application form. Part E of the planning appeal form, which was completed by the appellant, indicates that the description of development has changed and a different wording has been entered. The description on the planning appeal form refers to the proposal as a first floor over existing bungalow to create a 2-storey dwelling with a part single, part 2-storey side extension with a new garage, a 2-storey rear extension and a front entrance canopy. The Council determined the application on that basis and so shall I.

Background

3. The Council has recently granted planning permission for various alterations and additions to the appeal property to enlarge it in a similar way to the proposal before me. Compared to the approved scheme, the finished dwelling in this case would be larger and taller with some differences in detailed design. I consider that the approved scheme is a realistic fallback position against which the proposal should be assessed.

Main issues

4. The main issues are the effect of the proposed development, firstly, on the character and appearance of the local area; and secondly, on the living conditions of the occupiers of 254 Church Street with regard to outlook and 262 Church Street with reference to outlook, light and sense of enclosure.
-

Reasons

5. The proposal is to enlarge and externally alter the appeal property, which is a detached bungalow with a garage that fronts Church Street in an area of mixed character, wherein buildings vary in scale, style, height and appearance. As a result, there is considerable variety in the existing built form within the local street scene to which No 260 belongs.
6. With the new built form in place, the appeal dwelling would be much larger and taller with a substantial 2-storey front elevation that would span a major part of the plot's width. In combination, the considerable height and width of the proposed 2-storey front façade, the long and continuous ridge and eaves lines running broadly parallel to the road and deep flank walls would all combine to emphasise the considerable scale and bulk of the finished building. It would also appear uncomfortably close to the adjacent property to one side of the site, which is 254 Church Street, due to the relatively small gap between the 2-storey flank walls of the existing and proposed buildings.
7. When seen from the road, the proposal would therefore be perceived as overly large for the plot. With limited space to one side, it would also appear cramped in terms of layout even though the new development would not project beyond the front build line of No 254. Consequently, the completed dwelling would stand uneasily within the site and awkwardly with No 254. For these reasons, the proposal would not be readily assimilated into the local street scene even taking into account the varied built form with it.
8. The appellant states that the proposal would be no closer to the shared boundary with No 254 than the existing building or the recently approved development. Even so, the proposal would be far more substantive in built form than the existing single storey dwelling. Unlike its approved counterpart, there would be no significant set back in the 2-storey flank wall nor a reduction in height to the ridge closest to the common boundary with No 254. Therefore, the completed dwelling and No 254, as proposed, would appear much closer together in the street scene.
9. Additionally, in views from Church Street, the new front elevation would appear ill proportioned given the relatively large gap between the first floor windows and the eaves. In contrast to the approved scheme, in which the first floor front windows are set just below the eaves, the proposal would give the finished building an awkward top-heavy appearance, which would be obtrusive. Revised detailing of the extensions and alterations would not satisfactorily mitigate the harm that I have identified.
10. On the first main issue, I therefore conclude that the proposed development would seriously harm the character and appearance of the local area. As such it conflicts with Policies DMD 13, 14 and 37 of the Council's Development Management Document (DMD), Core Policy 30 of the Enfield Core Strategy (CS) and Policies 7.4 and 7.6 of the London Plan (LP). These policies aim to ensure that development incorporates the highest standard of design that is appropriate to its context and is in keeping with the character of the building and the area. It is also at odds with the National Planning Policy Framework (the Framework), which states that planning should always seek to secure high

quality design and notes that development should respond to local character and add to the overall qualities of an area.

Living conditions

11. Like the approved scheme, the proposal would result in a 2-storey flank wall close to and parallel with the side boundary shared with No 254. This adjacent detached property has several first floor front windows, of which the closest to the site is set into a recess in the front elevation. As this window would be set back from the front build line of the proposal, a considerable expanse of brick wall would be evident in views from it at close range albeit at an oblique angle. In contrast to the proposed development, the approved scheme included a set back in the flank wall broadly mirroring the front recess of No 254 that would keep a sense of openness in the view from this window. However, in this case, that outlook would be curtailed by the presence of the new 2-storey flank wall, which would unduly dominate outlook when seen from this window.
12. Views from the rear garden of the adjacent property that adjoins the side of the site, which is 262 Church Street, would include the new flank wall with an expanse of roof slope above it. The ground floor part of the proposal would be longer although no closer to the shared boundary with No 262 than the approved scheme. However, the upper part of this sidewall, which would be set back from the ground floor element, would be noticeably taller and more substantive in built form compared to the permitted development. The close proximity of what would be a substantial amount of built form close to and along part of the rear garden boundary of No 262, would represent such a significant change that it would result in an over-dominant impact on outlook.
13. There would also be loss of sunlight to the rear of No 262, in the earlier part of the day due to the overshadowing effect of the proposed development, which would stand just to the southeast. The effect of overshadowing would visually accentuate the imposing presence of the new sidewall, notwithstanding the set back of the first floor element, causing it to overbear on the occupiers of No 262, especially when seen from their back garden. Due to its scale, height and position, the proposal would also lead to an unacceptable sense of enclosure for the occupiers of this adjacent property.
14. On the second main issue, I conclude that the proposed development would materially harm the living conditions of the occupiers of Nos 254 and 262. Accordingly, it conflicts with DMD Policies DMD 10, 11 and 14, CS Core Policy 30 and LP Policies 7.4 and 7.6 insofar as they aim to safeguard residential amenity. It would fail to adhere to a core principle of the Framework, which is to secure a good standard of amenity for all occupiers of land and buildings.

Conclusion

15. For the reasons given above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR