
Appeal Decision

Site visit made on 8 May 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 25 May 2017

Appeal Ref: APP/Q5300/W/17/3169380

57A The Fairway, Palmers Green, London N13 5NG

- 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 Ali Acil against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05318/FUL, dated 4 November 2016, was refused by notice dated 19 January 2017
 - The development proposed is a rear extension of an additional 3 metres making a total of 6 metres and conversion of the house into 1 x 3 bedroom flat and 1 x studio flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. Whether the proposal would provide adequate living conditions for future residents with particular reference to space standards, layout; light and outlook; and
 - ii. The effect on the living conditions of the occupants of an adjacent residential property with particular reference to light and outlook.

Reasons

Living conditions of future residents

3. The submitted drawings show a two storey three bedroom flat with a one bedroom single storey ground floor flat. The layout of the ground floor flat shows the bedroom/kitchen space separated from the living room by a very narrow opening. Consequently, it cannot be reasonably described as being a proposed studio flat, but rather would be a one bedroom flat.
 4. As a one bedroom two person single storey flat the 'Technical housing standards – nationally described space standards' (2015) sets a minimum gross internal floor area of 50 square metres. The floor space of the proposed one bedroom flat is significantly below this standard at around 40 square metres. Furthermore, the one bedroom flat would have a contrived layout with a long and narrow living room and a shared kitchen/bedroom which would provide sub-standard living conditions.
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5. The Council's reason for refusal refers to inadequate light and poor outlook as a consequence of there being only one small side window serving the main living area for light and ventilation. However, the submitted plans also show a window adjacent to the proposed front door in the front elevation of the property which could also be a source of light and ventilation. A window and door on the rear elevation of the proposed extension would provide light and ventilation to the bedroom and kitchen area. The location and size of the windows and other openings in the property would also ensure reasonable outlook from the accommodation. Consequently, I do not consider that the proposed ground floor flat would have unacceptable levels of light or poor outlook.
6. Therefore, on this issue I conclude that, although the proposal would provide adequate living conditions with particular reference to light and outlook it fails to provide adequate living conditions for future residents with particular reference to space standards and layout. In this case those are the prevailing considerations. Therefore, it would conflict with Policy 3.5 of the London Plan (2016), Policies CP4 and CP30 of The Enfield Plan Core Strategy 2010-2015 (2010) (the CS) and Policies DMD5, DMD8 and DMD37 of Improving Enfield Development Management Document 2014 (DMD) which among other things seek to ensure that housing is of the highest quality internally, residential conversions provide high quality accommodation which meets internal floor area standards and provide well-designed, flexible and functional layout.

Living conditions of the occupants of an adjacent residential property

7. The appeal property currently has a single storey wrap around side and rear single storey extension which projects approximately three metres from the rear of the original property. The rear part of the extension is a partly open utility area and is situated adjacent to the boundary with 57 The Fairway which also has an open covered extension to the rear. The side wall of the rear extension to No 57A is constructed of masonry with glazing above.
8. The proposed extension would project approximately six metres from the rear of the original wall of the property and would be constructed of pebble dash walls with a tiled roof to match the existing rear of the property. It would be a far more solid construction than the existing extension. The appellant has drawn my attention to the matter that in 2016 it was agreed by the Council that prior approval was not required for a single storey six metre projection rear extension which would be the same externally as the current proposal. That extension has not commenced on site and I have no substantive evidence to indicate that there is a significant probability that it would be constructed should this appeal be dismissed. This limits the weight I can attach to it as a fallback position.
9. The proposed rear giving a total of approximately six metres projection would significantly exceed the three metre guidance set in Policy DMD11 of the DMD. Consequently, by reason of its depth and siting it would cause significant loss of light and create an overbearing and dominant effect on No 57. Therefore, on this issue I conclude that the proposal would have a harmful effect on the living conditions of the occupants of an adjacent residential property with particular reference to light and outlook and would conflict with Policy CP30 of the CS and Policies DMD11 and DMD37 of the DMD. Among other things these seek to ensure that developments have special regard to their context and rear

extensions should have no impact on the amenities of neighbouring properties and not exceed three metres in depth beyond the original wall.

Other matter

10. I understand the wishes of the appellant to provide space for their family. However, such personal circumstances do not outweigh general planning considerations in this case.

Conclusion

11. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR