

Appeal Decision

Site visit made on 31 May 2017

by G Rollings BA(Hons) MA(UD) MRTPI

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

Decision date: 20th June 2017

Appeal Ref: APP/Q5300/W/17/3169561
54 Madeira Road, Southgate, N13 5SS

- 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 David Woods against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/04237/FUL, dated 16 September 2016, was refused by notice dated 6 December 2016.
 - The development proposed is the erection of a two-storey building comprising 2x2 bed self-contained flats.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David Woods against Council of the London Borough of Enfield. This application is the subject of a separate Decision.

Main issues

3. The main issues are:
 - The effect of the proposed development on the supply of family housing within the area; and
 - Whether the proposed development would provide appropriate living conditions for future occupants, with regard to the provision of external space.

Reasons

Provision of family housing

4. The site is located between an existing semi-detached house to the north, at 54 Madeira Road, and parkland to the south. Three previous approvals have been granted for the construction of a detached dwelling on the site: the first and second were for a two bedroom attached house, with the most recent approval being granted in 2011 (Council ref: TP/10/1745); and the third (Council ref: 15/02514/HOU), which is extant, is for a three-bedroom dwelling with car parking at the front and a garden to the rear. The proposed development would provide two self-contained, two-bedroom flats within a building of similar scale, mass and appearance to that of the extant permission.
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5. Development Plan policies for the borough seek an overall increase in the amount of housing, to meet strong local and regional demand. In particular, Policy 3.3 of *The London Plan* (2016) requires boroughs to regularly review local housing need. *The Enfield Plan Core Strategy 2010-2025* (2010) Core Policy 5 identifies several areas of need, which include two bedroom flats and three bedroom houses on the open market, but requires a significantly greater proportion of the latter, for which there is a larger shortfall of supply. Policy DMD 3 of the Council's *Development Management Document* (2015) (DMD) expects developers to maximise the provision of family accommodation, comprising dwellings of three or more bedrooms.
6. I agree with the appellant's assertion that the Council does not specifically require the provision of family accommodation within all development, but it is clear to me that its policy position is strongly in favour of such development, having taken account of the London-wide housing trends cited by the appellant. DMD Policy DMD 3's preference for a design-led approach suggests the provision of family housing where it can be appropriately accommodated, in design terms. The extant approval of family housing for the appeal site indicates that this is the case in this instance. I appreciate that there is a need for both larger and smaller housing, but given that the demand for the former is appreciably greater, the balance of consideration weighs in favour of providing larger homes in preference to smaller dwellings.
7. The appellant stated that a previous approval has been implemented. This accords with the foundation piling in place, which I observed on my site visit, but it is not clear from the evidence whether this refers to the 2011 two-bedroom permission or the 2015 three-bedroom permission. On dismissal of this appeal, a fallback position of the appellant would be to build the subject of the 2015 permission. I consider this a realistic prospect, given the fact that the 2011 permission has been in place for some years and has not been constructed to any substantial degree.
8. I also note that several recent Council decisions for sites in the surrounding area have allowed the construction of smaller dwellings. However, in none of these cases is there a realistic fallback position, and extant permission, for the construction of a dwelling capable of family accommodation of which I am aware. Moreover, although the proposed development would provide two new smaller dwellings, the priority is for the supply of family accommodation within this area, and as such the overall benefit of providing one larger house would be greater than providing two smaller dwellings.
9. I therefore conclude that the proposed development would have a detrimental impact on the supply of family housing within the area. It would conflict with the Core Strategy's Core Policy 5, and DMD Policy DMD 3, for the reasons given above.

Living conditions (external space)

10. For development comprising two-bedroom, one-person flats with access to communal space, DMD Policy DMD 9 sets a standard minimum requirement of 6 sq.m. of private amenity space per dwelling, along with communal space access. Where there is no access to communal space, dwellings require substantially more private space. The appeal scheme would provide about 70 square metres of private space for the ground floor unit only, and none for the proposed upper dwelling.

11. I have considered the appellant's comments on the viability of providing dedicated or communal space for the upper flat, and agree that it would be possible to provide an alternative layout, allowing occupants of the upper flats to gain access via a side passage to the space behind the dwelling. Whilst the presence of a large park next to the appeal site does count in the scheme's favour, DMD Policy DMD 9 place great importance on the provision of private or semi-private space for residents of new development. Given this clear policy position, it would be reasonable to expect an appropriate provision for both flats to be designed from the outset. Nonetheless, given that there is capability of provision, were I to allow the appeal I would exceptionally allow the revision of the garden space allocation to comply with the policy, by way of a planning condition.
12. I therefore conclude that the proposed development would be capable of providing appropriate living conditions for future residents, in respect of the provision of external space, and would not conflict with DMD Policy DMD 9, for the reasons given above.

Conclusion

13. I have found that the proposed development could provide an appropriate amount of outdoor space for future occupiers, but would also have a detrimental impact on the supply of family housing in the area, for which there is demonstrably strong demand. The harm arising from the latter significantly outweighs any absence of harm from the former.
14. Accordingly, for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Rollings

INSPECTOR