
Appeal Decision

Site visit made on 20 June 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 5th July 2017

Appeal Ref: APP/Q5300/W/17/3170665
374 Green Lanes, London N13 5PD

- 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 Andrew Burke against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/04051/FUL, dated 3 September 2016, was refused by notice dated 26 January 2017.
 - The development proposed is the conversion of existing first floor mews flat and vacant garage below into a one bedroom mews house, involving the demolition of existing roof over yard and erection of single-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing first floor mews flat and vacant garage below into a one bedroom mews house, involving the demolition of existing roof over yard and erection of single-storey rear extension at 374 Green Lanes, London N13 5PD in accordance with the terms of the application, Ref 16/04051/FUL, dated 3 September 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02 Rev A and Location Plan

Main Issue

2. The main issue is the effect of the proposal on the living conditions of future occupiers with particular regard to outlook, light and sunlight

Reasons

3. The appeal site lies in a narrow lane to the rear of 374 Green Lanes and contains a small self-contained flat at first floor with a garage underneath. The existing flat has 3 small rooms comprising a WC with shower, a very small kitchen and main living/bedroom. Light to the flat is via a window and roof light on the front elevation. The window in the kitchen is obscurely glazed and faces the rear of the main property.
4. The changes to the building would result in the main living room and kitchen being provided on the ground floor along with a patio garden area to the rear. This would be accessed via a pair of glazed doors. At first floor a bedroom and WC with shower would be provided, along with a fitted wardrobe. Externally,

the existing garage door would be replaced with diagonal timber boarding and high level windows and two dormer windows would be introduced at first floor level.

5. The living room/kitchen area would have high level windows to the front and large patio doors to the rear. The kitchen would also have a side window overlooking the outdoor space. Given this number of windows and the appeal site's orientation, despite the presence of existing nearby development, the new ground floor accommodation would receive adequate levels of daylight and sunlight.
6. Although the principal outlook from the ground floor rear windows of the proposed house would be towards the three storey rear wall of the host property 374 Green Lanes, in my view that would be far enough away so as not to be overbearing. Moreover, the enclosed patio area would be a pleasant private amenity space for the occupiers of the house to enjoy. Also, the proposed accommodation would be a significant improvement to the current accommodation.
7. Consequently, I find the development to be in compliance with the residential amenity aims of Policy DMD 8 of the Enfield Development Management Document 2014 and Policy 7.6 of the London Plan (2011).

Other Matters

8. Concerns have been raised that the lane is unsuitable as an entrance to the proposed accommodation as a result of it being used for access, parking, loading and unloading for shops along this part of Green Lanes. In addition it is suggested the proposed conversion would result in litter and refuse problems along the lane. However, the building is currently used for residential purposes and the proposed conversion would not materially alter the situation along the lane.

Conditions

9. I have considered the conditions suggested by the Council should I be minded to allow the appeal. By law the timing of the development should be limited and to provide certainty, the approved plans should be specified.

Conclusion

10. I therefore conclude that, having regard to all other matters raised, the appeal should be allowed.

Graham Wyatt

INSPECTOR