



Appeal Decision

Site visit made on 22 August 2017

by R A Exton Dip URP MRTPI

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

Decision date: 31st August 2017

Appeal Ref: APP/Q5300/W/17/3176945 79 Green Lanes, Southgate N13 4TD

- 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 A Kaya against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05173/FUL, dated 17 February 2017, was refused by notice dated 15 May 2017.
 - The development proposed is described as change of use of first floor to residential unit (1x1 bed). Alterations to front for new access to first floor. Two roof windows to front side. First floor rear extension
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on i) the living conditions of future occupiers of the proposed residential unit; and ii) the character and appearance of the terraced parade which the appeal site forms part of.

Reasons

Living conditions

3. The appeal site forms part of a parade of shops and services on the western side of Green Lanes. The parade is predominantly single storey although the central property rises to two storeys as a design feature and the pub on the corner of Kelvin Avenue also has a second storey element. The appeal site also has a second storey recently granted planning permission and restricted by condition to be used for storage in connection with the existing premises.
4. The rear of the appeal site is served by an access route that passes along the whole of the parade. From my observations on site this appears to provide the servicing arrangements for the businesses located in the parade.
5. The proposed residential unit would be largely accommodated within the existing first floor extension. A small extension to the rear of this leading onto the outdoor amenity space forms part of the proposal. The outdoor amenity space would be very limited in size and located in close proximity to neighbouring business uses and the access used to service them.
6. Taking into account the likely requirements for useable space and domestic paraphernalia for even the modest size of residential accommodation proposed,

the amenity area would be inadequate on a practical level. Furthermore, its proximity to business uses and their service accesses including a pub, restaurant and hot food takeaway that are open in the evenings, would lead to an unacceptable standard of living conditions for occupiers.

7. The bedroom within the residential unit would be served only by two roof windows. This would not create a satisfactory living environment for occupiers. As the only bedroom in what would be a relatively small dwelling it should have a reasonable outlook.
8. The proposal makes no arrangements for refuse and re-cycling facilities and cycle parking arrangements. This would not afford occupiers acceptable living conditions or access to a sustainable form of transport. There is no evidence before me to demonstrate that there is a means of providing these facilities if I were minded to allow the appeal and apply a condition requiring their provision.
9. In light of the above I conclude that the proposal would not provide adequate living conditions for future occupiers. Of the development plan policies drawn to my attention I consider the proposal conflicts with Policies 3.5, 6.9, 6.10 and 6.13 of the London Plan adopted 2015 ('the London Plan'), Policy CP4 of the Enfield Plan Core Strategy adopted 2010 ('the Core Strategy') and Policies DMD8, 9, 37, 45, 47 and 48 of Enfield's Development Management Document adopted 2014 ('the DMD'). These require new housing developments to be of the highest standard and make appropriate provision for refuse, re-cycling and cycle parking facilities. It would also conflict with the London Housing Design Guide insofar as it relates to improving standards in quality of housing design.

Character and appearance

10. In the appeal decision Ref APP/Q5300/A/03/1111026 referred to by the Council, the Inspector noted the limited amount of second storey development and concluded that this and the absence of residential use in the parade rendered that proposal out of character. The situation has now changed in that whilst no other residential uses in the parade have been drawn to my attention, the appeal site does have a second storey.
11. The development plan has also changed since the time of the previous appeal. It is the current development plan that Section 38(6) of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with unless material considerations indicate otherwise.
12. I note the comments in the planning officer's report relating to how the Council seeks a comprehensive re-development of the area. This however is not specifically required by any of the development plan policies before me.
13. The proposed first floor extension to the rear is very small and would not be highly visible from the public realm. Whilst the proposed door at street level within the existing shopfront would be more visible within the public realm it would not appear out of place within the varied appearance the parade displays to Green Lanes.
14. In light of the above I conclude that the proposal would not appear out of character with the area. Consequently, the proposal would accord with policies 7.4 of the London Plan, Core Policy 30 of the Core Strategy and policies DMD8,

37, 39 and 40 of the DMD. These require development proposals to be of high quality design that has regard to local context.

Other matters

15. I note the appellant's comments on the general suitability of the site for residential development, the contribution the proposal would make to housing provision in the area, its compliance with the London Plan's minimum floor space requirements and its energy efficiency. However, these factors do not outweigh the harm to living conditions of future occupiers I have identified. It should be noted that PPS1 and PPS3 referred to by the appellant were superseded by the National Planning Policy Framework in 2012.
16. I also note the interested parties' comments on issues of loss of privacy, noise, security and access. However given my conclusion above it is not necessary for me to consider these matters further.

Conclusion

17. Whilst I find no harm to the character and appearance of the area, the inadequacy of living conditions for occupiers and the consequent conflict with the development plan justifies the refusal of planning permission. For the above reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR