



Appeal Decision

Site visit made on 17 October 2017

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 27 November 2017

Appeal Ref: APP/Q5300/W/17/3180164
463-465 Hertford Road, Enfield, EN3 5UT

- 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 Elitok Properties Limited against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/01775/FUL, dated 20 April 2017, was refused by notice dated 19 June 2017.
 - The development proposed is the addition of a two bedroom unit to the rear of 463-465 Hertford Road as an end addition to the terrace on the south side of East Road, plus a ground floor rear extension to the existing supermarket.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have also dealt with another appeal (Ref 17/01476/FUL) on this site. That appeal is subject of a separate decision.

Main Issues

3. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the surrounding area;
 - Whether the proposed residential unit would provide satisfactory living accommodation for future occupiers in respect of private amenity space; and
 - The effect of the development on highway safety in the vicinity of the appeal site.

Reasons

Character and appearance

4. The appeal site is situated on the corner of Hertford Road and East Road. Nos 463-465 Hertford Road is in use as a retail shop on the ground floor, with residential use at first floor level. East Road comprises two rows of two storey terraced properties. No 1 East Road is a two storey end terrace with front to back pitched roof. The flank wall of the property abuts the rear boundary of

the appeal site. The East Road frontage of the appeal site is bounded by a brick wall of about 3 metres in height, enclosing a yard.

5. The appeal would involve a single storey rear extension to the supermarket within the rear yard of Nos 463-465 and a new two bedroom unit above, attached to No 1 East Road. The overall height of the residential unit would be the same as No 1, but it would be wider than other properties in the street. In addition, whilst the type of windows and materials differ somewhat across the terrace, the introduction of a door at first floor level would emphasise the wider frontage, and would be at odds with the existing pattern of fenestration within the terrace as a whole. Other design features such as roller shutters at ground floor level and a glazed balustrade at first floor level that would project forward of the subject terrace further serve to illustrate the incongruity of the proposal within the street scene. I acknowledge the appellant's contention that the existing yard and gates are not attractive, but this is not sufficient reason to permit a development that would be at odds with the character and appearance of the surrounding area.
6. For the above reasons I conclude that the proposal would cause material harm to the character and appearance of the surrounding area. It would therefore be contrary to policies DMD6, DMD8 and DMD37 of the Development Management Policies DPD (DMD) (2014) and Policy CP30 of the Core Strategy (CS) (2010), and policies 7.4 and 7.6 of the London Plan. These policies require development to be appropriate to the surrounding context.

Living conditions

7. The appellant has advised that an amenity space of 13 square metres would be provided for the occupants of the 2 bedroom unit at first floor level, enclosed by a glazed balustrade. This would be in excess of the minimum standards for residential properties set out in DMD Policy DMD9. However, although the glazing could be obscure glazed through the imposition of a condition, the amenity space would be overlooked at close range by occupants of No 1 East Road and the adjacent flats at Nos 463-465, as well as from the staircase leading to these properties. As a result the space, which would be the sole amenity area for occupants of the property, would not be sufficiently private.
8. Further to the above, the Council contends that the proposed amenity area is accessible by the public. The submitted plans appear to show a gate separating the area from the stairway, but nonetheless privacy would still be compromised for the above reasons.
9. I therefore conclude on this main issue that the proposal would not provide satisfactory living conditions for future occupants, and would be contrary to DMD policies DMD6, DMD8, DMD9 and DMD39 and CS Policy CP4. These policies require proposals to provide a good quality of accommodation for future residents that would not be significantly overlooked by surrounding properties.

Highway Safety

10. No off-street car parking is proposed for the dwelling. There is a parking bay for several cars at the western end of East Road adjacent to the appeal site, and parking is restricted opposite the parking bay and close to the junction with Hertford Road. However, whilst the remainder of East Road has no

parking restrictions, on-street parking demand is high, due to the lack of off-street parking for many of the terraced properties and the proximity to commercial uses on Hertford Road. At the time of my site visit at about 10:00 most on-street parking space within the road was occupied.

11. Although bus services are available nearby on Hertford Road, the appeal site has a public transport accessibility level of 2, signifying that the frequency of the public transport network in this location is relatively poor. The addition of a two bedroom residential property would increase parking demand in the locality, for which there is limited capacity to accommodate. The proposal would worsen existing parking problems in the area, which are intensified by the narrowness of East Road, a no-through road, and the fact that vehicles have to enter and leave via Hertford Road. As such the proposal is likely to increase the risk of conflict between vehicles and to pedestrians using the road.
12. I conclude that the proposal would be harmful to highway safety and thus would be contrary to CS policy CP25 and DMD policies DMD45, DMD47 and DMD48 and London Plan policy 6.13.

Conclusion

13. For the reasons set out above the appeal is dismissed.

Claire Victory

INSPECTOR