
Appeal Decision

Site visit made on 7 November 2017

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 28 November 2017

Appeal Ref: APP/Q5300/W/17/3180856
370 Bowes Road, Southgate N11 1AH

- 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 Arianit Dobra (Dobra Properties Ltd) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/01954/FUL, dated 1 May 2017, was refused by notice dated 3 July 2017.
 - The development proposed is a ground floor rear extension to existing A1 (Gift Shop).
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor rear extension to existing A1 (Gift Shop) at 370 Bowes Road, Southgate N11 1AH in accordance with the terms of the application, Ref 17/01954/FUL, dated 1 May 2017 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: Site Plan at 1:1250 (dated 1 May 2017); BOWES370 01-Existing and Proposed Shop Plan; BOWES370 03-Proposed Sections/Elevations.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. BOWES370 03-Proposed Sections/Elevations.

Main Issues

2. I consider the main issues in this appeal to be firstly, the effects of the proposed development on the character and appearance of the area; secondly, the effects of the proposed development on the parking and servicing arrangements for the appeal property; and thirdly, the appeal scheme's effects on the living conditions of the occupants of adjacent properties.

Reasons

Character and appearance

3. The appeal property is the ground floor element of a mid-terraced building, which like its near neighbours is in commercial use with residential uses in the upper floors. At the rear, the appeal property has a long yard, which is

accessed by a service road running along the length of the terrace. A single-storey flat-roofed storage building currently occupies part of the rear yard. The appeal scheme seeks to remove this existing single-storey building and develop a flat-roofed extension of a greater scale, and for the full depth of the existing yard. The proposed development would not take up the full width of the yard, however, and a passageway would be sited along the boundary with No 368, the elevation of the extension that would address this would include a goods access door and four windows.

4. Whilst neither of the appeal property's immediately adjoining buildings have extensions of a comparable depth to that of the proposed development, I saw in other adjacent rear yards a number of extensions and other incremental developments of a variety of scales, widths, and depths. These incremental developments impart a functional and utilitarian character to the appeal site and its surroundings. I note the Council's comments that the deeper, higher and wider rear additions are historic alterations and are sited close to each other in a defined part of the parade; however, they are clearly inter-visible with the appeal site. Consequently, due to the immediate context created by these and other adjacent structures, the appeal scheme would not look incongruous and would not read as overdevelopment of the site. Neither would the proposed development read as an unduly prominent or dominant addition to either its host building or the streetscene more widely.
5. Consequently, taking these matters together leads me to the conclusion that the proposed development would cause no material harm to the character and appearance of the area. As a result, it would not conflict with Policy CP30 of the Enfield Core Strategy (adopted November 2010) (the Core Strategy); or Policy DMD37 of the Enfield Development Management Document (adopted November 2014) (the DMD); or Policies 7.4 and 7.6 of The London Plan: The Spatial Development Strategy for London- Consolidated with alterations since 2011 (adopted March 2016) (the London Plan). Taken together, and amongst other things, these policies seek to ensure that developments have special regard to the pattern and grain of existing streets, their contexts and surroundings; and comprise details and materials that complement the local architectural character.

Parking and Servicing

6. The proposed development would leave no space in the appeal property's rear yard for car or service vehicle parking. However, at my site visit I saw that the shared service road to the rear of the appeal building is wide. Cars were parked along this service road at the time of my visit, and there was available space along there for further parking including in the vicinity of the appeal property. I also saw that there was adequate space for service vehicles to access the road, and a number did so during my visit. Moreover, at the front of the appeal property, whilst short stay parking restrictions are in place for much of the day, servicing and deliveries are permitted in the early mornings and evenings. These considerations, taken together, lead me to the view that the appeal property could be adequately serviced from the road to the rear, or the loading bay to the front, and as a result the proposed development would cause no undue harm to highway safety in these regards.
7. In terms of staff parking, I saw that some space was available on the rear service road that could accommodate this. Moreover, I note also that the

appeal property is located in an area with a high Public Transport Access Level rating, due to its close proximity to Arnos Grove London Underground Station and bus routes, which would reduce the necessity for staff to travel to the site in private cars. Consequently, I consider that the proposed development would not lead to any material increase in parking on adjoining streets.

8. Whilst the siting of refuse receptacles is not expressly annotated on the submitted plans, I note the appellant's intention to site these within the proposed development. Given the size of the proposed extension and the established use of the premises, I consider that this is a reasonable proposal. Although I am mindful of the Council's comments regarding the disorderly arrangement of rubbish receptacles elsewhere along the terrace, it has not been demonstrated that such an arrangement would occur as a result of the proposed development. Therefore, I find that the proposed development would not lead to any undue harm in this regard.
9. Consequently, in respect of this main issue I conclude that the proposed development would not have a detrimental impact on the parking and servicing arrangements of the appeal property. Accordingly, I can find no conflict with Policies CP25 of the Core Strategy; or Policies DMD45 and DMD47 of the DMD; or Policy 6.13 of the London Plan, insofar as they seek, amongst other matters, to ensure that developments provide for the needs of businesses for delivery and servicing; foster road safety; and that car parking proposals adequately meet operational needs, have regard to the existing parking pressures in the locality and the need to maximise the use of sustainable modes of transport.

Living Conditions

10. The proposed development would be taller and deeper than the single-storey element currently present at the site. However, the uses in the adjacent ground floors are commercial, and in contrast to residential properties, their rear yards are not used primarily as amenity space. Moreover, the character of the rear aspect of the terrace is already functional and utilitarian. Consequently, I consider that the proposed development would not materially reduce the outlook available to employees of these adjacent ground floor uses to an extent that would cause harm to their amenity.
11. Whilst there are residential uses at the upper floor, the occupiers of these properties already have a view of the rear yard of the appeal property and its adjacent premises. The proposed development would be marginally more noticeable in these views than the existing single-storey structure at the appeal site. However, due to its positioning at a level lower than the residential uses above it would not constitute an overbearing or enclosing presence and therefore would not materially reduce the outlook available to the occupants of these adjacent residential properties.
12. Consequently, for these reasons I consider that the proposed development would avoid material harm to the living conditions of the occupants of adjacent properties. Accordingly, I find no conflict with Policy 7.6 of the London Plan, insofar as it seeks to ensure that new development avoids unacceptable harm to the amenity of surrounding land and buildings. Similarly, although I note that Policy DMD11 of the DMD refers to residential extensions, and so is not directly applicable to the proposed commercial development, I nevertheless consider for the reasons given that the proposed development would not

conflict with its amenity protection aims insofar as they relate to the outlook available to the occupants of adjacent properties.

Conditions

13. The National Planning Policy Framework, at paragraph 206, sets out that planning conditions should only be imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects.
14. In order to comply with the Town and Country Planning Act 1990 (as amended), I have attached the standard implementation condition. In the interests of certainty I have attached a condition specifying the approved plans. In order that the proposed development is sensitive to the character and appearance of its host building, I have attached a condition that requires the use of the facing materials shown on the approved plans.

Conclusion

15. The appeal scheme would not conflict with the development plan insofar as the policies that have been drawn to my attention are concerned. Accordingly, for the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should succeed.

G J Fort

INSPECTOR