
Appeal Decision

Site visit made on 23 November 2017

by Helen Heward BSc (Hons) MRTPI

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

Decision date: 4th December 2017

Appeal Ref: APP/Q5300/W/17/3181232

62 Chiswick Road, Edmonton, London N9 7AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Samir Yunis against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/01076/FUL, dated 9 March 2017, was refused by notice dated 11 May 2017.
 - The development proposed is described as "*demolition of existing building car repair unit and erection of a self-contained 1 bed 2 person bungalow to lifetime homes standards, incorporating change of use from B2 to C3*".
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Preliminary Matters

1. I have used the description of development given on the application form.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the site and locality and (ii) the living conditions of future occupiers of the proposed dwelling.

Reasons

Character and appearance

4. The residential streets in the area are characterised by two storey linear terraced dwellings. They are typically set behind short front gardens, are quite narrow and deep, and separated by gardens at the rear. At the rear of 62 Chiswick Avenue (No 62) walls to existing large outbuildings front the side street. The proposed dwelling would replace these buildings.
 5. The dwelling would have a relatively wide frontage, be quite shallow and set back from the pavement behind a narrow hard surfaced strip. Designed with a pitch roof including one large gable facing the road, and a central doorway with windows either side, it would have the character and appearance of a small bungalow. In these ways it would appear incongruous and at odds with the prevailing pattern of development in the locality.
 6. The existing outbuildings are quite large and occupy almost the entire site. The dwelling would have a smaller footprint and occupy less of the site. The
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ridges of the proposed dwelling would be below the level of an existing ridge. However, the existing buildings are behind high walls and there are few signs of their scale from the street. The existing ridge is set back from the boundary and this mitigates its perceived height. Overall the existing buildings are quite innocuous in the street scene and there is no evidence to say that the use detracts from the visual amenity of the residential street scene.

7. The dwelling once built would be mainly seen in the context of the surrounding terraced dwellings. Where its scale, form and design would appear quite at odds and out of character. In these ways the proposal would fail to achieve a high quality design solution appropriate for its context.
8. Accordingly I conclude that the proposal would have an adverse effect upon the character and appearance of the site and locality. It would therefore fail to satisfy requirements of Policies DMD 6, 8, and 37 of the Enfield Development Management Document 2014 (DPD), CP30 of the Enfield Local Plan Core Strategy (CS) and Policies 7.4 and 7.6 of the London Plan. Amongst other things these policies require that the scale, form and massing of development is appropriate to the existing pattern of development, and of a high quality design which make a positive contribution to the character of the place.

Living conditions

9. The rear garden amenity area would be a narrow strip, approximately 1.2m to 1.6m deep, and enclosed by a blank flank wall and a 1.8m high close boarded fence. The outlook from the kitchen/living room and bedroom windows onto this space would feel quite oppressive. The area of the rear garden would be approximately 16m², but the narrowness of the space would restrict its usability. The living room and bedroom would be dual aspect, but the windows on the other side would be very close to the pavement with little defensible space or privacy. In these ways the design and layout of the dwelling would provide a poor standard of privacy and outlook for future occupiers.
10. Internal spaces would comply with or exceed minimum space standards. At 16m² the rear garden would exceed the minimum external amenity space required, but the area would not mitigate the adverse effects of its layout.
11. I conclude that the proposal would be harmful to the living conditions of future occupiers of the proposed dwelling, contrary to requirements of DMD Policies DMD8 and DMD9, CS Policies CP4 and CP30 and Policy 3.5 of the London Plan that new development must provide layouts which are functional and fit for purpose and provide good quality private amenity space.

Other Matters

12. The second reason for refusal refers to the London Housing Supplementary Planning Guidance and the Government's Technical Housing Standards – nationally described space standard, 2015. However, there is little to say how the development fails to satisfy requirements of these documents. Therefore I have attached very limited weight to them.
13. Design advice at paragraph 56 of the National Planning Policy Framework (the Framework) advises that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Although paragraph 60 indicates that

panning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, it is proper to seek to promote or reinforce local distinctiveness.

14. The proposal would provide one additional 1 bedroom dwelling and I attach a limited amount of weight to this modest contribution to housing supply.
15. There is an existing use of a B2/car repair workshop. The building is fairly dilapidated and the Council considers it may not have operated for a long period of time. For this reason the Council raises no objection to the loss of the employment use and nor do I.
16. There is nothing to say that the proposal would adversely affect the amenity of the neighbouring dwellings in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance.
17. My attention is drawn to appeal APP/Q5300/W/17/3176946 at the neighbouring site, No. 2A Hendon Road but I have considered this appeal on its own merits.
18. The actions of the Council during the consideration of the application are not matters that can be addressed in this appeal and I note that the appellant has pursued them through the Council's complaints procedure.

Conclusions

19. Although the proposal would deliver 1 additional dwelling, the proposal would be harmful to the character and appearance of the site and locality and the living conditions of future occupiers of the proposed dwelling, and for these reasons the proposal would conflict with the development plan as a whole.
20. Therefore, and having taken all other matters raised into consideration, I conclude that the appeal should be dismissed.

Helen Heward

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