
Appeal Decision

Site visit made on 21 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: 14 December 2017

Appeal Ref: APP/Q5300/W/17/3181794
30 Brettenham Road, Edmonton N18 2EU

- 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 D Long (Build4 the Future) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/01887/FUL, dated 27 April 2017, was refused by notice dated 27 June 2017.
 - The development is described as "ground floor rear infill extension, part first floor rear extension, formation of new roof and change of use to a hostel for the homeless consisting of 12 interconnecting rooms".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Whilst the Council mentioned Policy DMD4 of Enfield's Development Management Document (adopted November 2014) (the DMD) in its Officer Report on the application that led to this appeal, it was not referenced in its Decision Notice. Nevertheless, on the basis of the material supplied to me by the parties, this policy is clearly integral to an assessment of the planning merits of the appeal.
3. The policy forms part of the development plan, and I am required to have regard to it in my assessment of the appeal under the terms of section 38(6) of the Planning and Compulsory Purchase Act 2004. Furthermore, as a copy of the policy has been supplied to the appellant, I consider that no prejudice would occur as a result of proceeding on this basis.

Main Issues

4. I consider the main issues in this appeal to be firstly, the effects of the proposed development on the character and appearance of the host property and its surroundings; secondly, whether the proposed development would meet the day-to-day needs of its future occupants in terms of the provision of living space; thirdly, the effects of the proposed development on the living conditions of the occupants of adjacent houses on Argyle Road; and fourthly, the effects on the housing mix of the Borough taking into account local policy.

Reasons

Character and appearance

5. Set in predominantly residential environs the appeal property is a two-storey dwelling set apart from the adjacent terraces on Argyle Road and Brettenham Road. Set back behind a hard surfaced front yard, the appeal property is faced in brick and render, with a front elevation with a strong sense of symmetry and balance emphasised by its paired recessed doorways, its fenestration, the central window at first floor with hemispherical render work above it and the stepped brickwork parapet at the roof level. Set in a wider streetscape with a variety of scales and styles of property, the appeal property is nevertheless a widely visible element given its separation from the terrace addressing Argyle Road on one side, and its distance from, and siting proud of the building line of, the three storey terrace to its other side. Its proximity to the junction with Brook Crescent further emphasises the prominence of the appeal building and whilst it is unique in terms of its design in its immediate environs, it nevertheless makes a considerable and positive contribution to the wider streetscene.
6. The proposed development seeks to alter the property, including the introduction of a pitched roof, hipped at one side with a gable end at the other. Three windows would be introduced in the front elevation extending above the eaves level into the front roof slope. The recessed doorways at the front would be infilled. An extension would be added to the rear, infilling between projections at the ground floor and extending the first floor, with a hipped roof that would be set down from the roof ridge of the appeal property's proposed principal roof. The changes would facilitate the conversion of the appeal property to supply 12 bedrooms.
7. The asymmetric nature of the proposed development's roof would be strongly at variance with the symmetry of the appeal building's façade and would upset its balance. This effect would be exacerbated by the proposed development's erosion of features that add to the property's balance and architectural character including the paired doorways and the stepped parapet. Moreover, the overall massing and scale of the proposed roof would read as a dominant addition to its host dwelling, which would overwhelm the style and aesthetic of the building's upper floor. I saw that whilst roof styles vary in the immediate surroundings of the appeal property, none had the asymmetric form of the proposal, and this would exacerbate the proposed development's incongruity. As a result, the proposed development would diminish the character of the host dwelling and would consequently erode its contribution to the character and appearance of the wider streetscene.
8. In arriving at this view I note that the proposed development would increase the scale of the appeal building to around the same as the adjacent dwellings on Brettenham Road. I also note the appellant's comments regarding the design and scale of 2 Argyle Road to the side of the appeal property, a single-storey flat roofed building addressing Brettenham Road. However, these aspects of the appeal scheme and of the adjacent buildings would do little to soften the harmful effects that the proposed development would cause, or help it to assimilate with the streetscene. I note that the extension to the rear would entail the removal of the existing external staircase, but any minor visual improvement in these regards would not justify the proposed

development's considerable harmful effects. Whereas I am mindful of the appellant's comments regarding the current state of the rear garden, I have been supplied with no substantive evidence to suggest that the proposed development, or its continued use, would lead to any material improvements in this regard.

9. The plans are unclear in terms of the storage arrangements for refuse receptacles. Whilst I saw elsewhere within the appeal property's immediate environs that bins were stored in front yards, the bulk of these areas had boundary treatments to the front which gave a degree of screening and enclosure, which is not present or proposed at the appeal property. Due to the increase in occupation that would arise from the proposed development, and the consequent amount of rubbish receptacles required, be these paladin bins or more standard units, I consider that disorderly arrangement of these within the readily visible forecourt could have harmful effects on the character and appearance of the streetscene that would compound the impacts of the proposed development's physical changes.
10. In arriving at this view, I note the appellant's comments regarding the current refuse arrangements at the site, including the lack of wheelie bins; however, the intensification of use as a result of the proposed development is likely to generate considerably more refuse and thus have materially more harmful effects in these regards.
11. Consequently, these matters, taken together lead me to the conclusion that the proposed development would cause considerable harm to the character and appearance of its host property and its surroundings. As a result, the appeal scheme would conflict with Policy CP30 of Enfield's Core Strategy (adopted November 2010) (the Core Strategy); Policies DMD5, DMD6 and DMD37 of the DMD; Policies 3.4, 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); and the National Planning Policy Framework (the Framework). Taken together, and amongst other things, these policies seek to ensure that the design of development takes opportunities available for improving the character and quality of an area; has special regard to its context and reinforces local distinctiveness; is of an appropriate scale and form; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; avoids harm to the residential character of its surroundings; and incorporates adequate refuse storage arrangements.

Living Space

12. The proposed development would include 12 bedrooms all with en-suite bathrooms, and I note references in material submitted by the appellant to cooking facilities supplied within each of the rooms-although the extent of these facilities is unclear from the floor plans. According to the floor plans, the sizes of the bedrooms vary from around 14 SqM to around 18 SqM. The majority of the proposed bedrooms are linked by doorways. Aside from the appeal scheme's stairways and circulation space no other internal areas would be shared and the proposed development would therefore lack shared internal amenity space.
13. I note that the provision of linking doorways between the rooms aims to facilitate a more flexible living arrangement for the proposed development's

future occupants. However, the proposed bedrooms would include facilities required for a day-to-day private domestic existence. This consideration, taken together with the lack of shared facilities supplied inside the proposed development, leads me to the view that the rooms provided in the appeal scheme would be to all intents and purposes self-contained units, having much more in common with residential flats than hostel bedrooms.

14. Consequently, I am mindful of the London Plan in this regard, Policy 3.5 of which incorporates the Government's *Technical housing standards-nationally described space standard* (March 2015) (the Space Standard) into development plan policy. The Space Standard sets out the minimum gross internal area (GIA) requirements for new residential developments. Whilst I note that the estimated areas annotated on the submitted floorplans do not include the bathrooms, I have been supplied with no material to suggest, once the areas of the bathrooms are added to a GIA calculation, that the bedrooms would meet the minimum requirement of 39 SqM for a 1 bed, 1 person dwelling set out in the Space Standard. Consequently, the very low level of space that would be achieved in each of the rooms, combined with the lack of internal amenity space elsewhere within the proposed development, lead me to the view that the appeal scheme would fail to provide internal space adequate to meet the day-to-day needs of its future occupants.
15. In arriving at this view, I am mindful of the letter¹ (the letter of support) supplied by the appellant from the Council's temporary housing lead. Whilst this states that the proposed development would provide 'ideal' temporary accommodation, I have been supplied with no undertaking between the Council and appellant that would give legal effect to these intentions, and consequently, this does not alter my conclusions in respect of the nature of the use or the consequent adequacy of its internal arrangement.
16. For these reasons the proposed development would conflict with Policy CP4 of the Core Strategy; Policy DMD8 of the DMD; Policy 3.5 of the London Plan; and the Mayor of London's Housing Supplementary Planning Guidance (adopted March 2016). Taken together, and amongst other matters, the policies and guidance seek to ensure that the design of new dwellings is of a high quality, and incorporates adequately sized rooms, with convenient and efficient room layouts.

Living Conditions

17. The proposed development would introduce a moderate amount of additional flank walling, and the overall height of its roof would increase. However, I saw that the adjacent habitable room windows at the first floor on the Argyle Road dwellings are located at a reasonable distance away from the appeal building, and the existing flank wall is already a considerable presence in views available from them. The proposed development's increased scale of flank walling and roof would no doubt be discernible from these windows; however, due to the distance between these structures, and the hipped nature of the roof, the appeal scheme would not constitute an overbearing or enclosing element that would materially reduce the outlook available to the occupants of the Argyle Road properties.

¹ Dated 31 March 2017

18. As a consequence the proposed development would not cause harm to the living conditions of the occupants of the adjacent Argyle Road dwellings. Accordingly in this respect the proposed development would not conflict with Policies DMD6, DMD8 and DMD 10 of the DMD; Policy CP30 of the Core Strategy and Policies 7.4 and 7.6 of the London Plan. Taken together, and amongst other things, these policies seek to ensure that new development avoids unacceptable harm to the amenity of the occupants of surrounding land or buildings.

Housing Mix

19. Policy DMD4 of the DMD seeks to restrict the loss of existing residential units. However, as the proposed development would result in a residential use and would not lead to a reduction in residential floor space, I consider that it would not conflict with Policy DMD4 of the DMD insofar as it seeks to control the loss of existing housing stock. I can therefore find no harmful effects to the housing mix of the Borough in the context of this local policy.

Other Matters

20. I have taken into account the letter of support which identifies a requirement for temporary accommodation in the Borough. This weighs in favour of the proposed development; however, whilst I note the appellant's willingness to enter into a legal arrangement with Enfield Homes, I am mindful of the Council's comment that no legally binding undertakings have been entered into to secure the use of the property for these purposes. Accordingly the need for temporary accommodation referred to in the letter of support is a matter that only weighs in favour of the proposed development to a modest degree.
21. I am aware of the appellant's assertions regarding the quality of the existing ground floor flats at the site in terms of natural light available in their bedrooms, and that the internal area supplied would not meet the Space Standard. However, I have been supplied with no estimate of the amount of floorspace within these ground floor flats, and given my conclusions on the adequacy of the internal space that would be provided by the appeal development it has not been demonstrated that it would lead to significant improvements in these regards. As a result this is not a matter that weighs materially in favour of the proposed development.
22. The proposed development could lead to refurbishment and redecoration of the property, and the installation of new furnishings. This may be the case, but as these measures could be undertaken to the property to some extent without recourse to the proposed development they weigh in its favour only to a modest degree.
23. Although I have had regard to the appellant's comments regarding the existing tenants at the appeal property, the alleged breaches of covenants that may have occurred, and the condition of the rear garden, these are matters of property management that are essentially private considerations which are not instrumental in a planning decision of this nature.
24. The Council did not raise any objections regarding the noise aspects of the appeal scheme, and as a result I find no conflict with Policy DMD68 of the DMD. However, this matter has only a neutral effect on the overall planning balance.

Conclusion

25. The proposed development would cause no harm to the living conditions of the occupants of the adjacent dwellings on Argyle Road, and the change of use would not conflict with the development plan insofar as it seeks to restrict the loss of existing housing stock. Moreover, the proposed development's potential to meet a need for temporary accommodation and the refurbishment of the property that the appeal scheme could entail would weigh in its favour to a modest degree. In the overall planning balance however, these matters are clearly outweighed by the considerable harm the proposed development would cause to the character and appearance of its host property and its surroundings, and its failure to meet the day-to-day needs of its future occupants as a result of its inadequate supply of internal space.
26. In these latter respects the proposed development would clearly conflict with the development plan insofar as the aforementioned policies are concerned. As no material considerations have been advanced in this instance sufficient to outweigh these conflicts, I conclude, for the reasons set out above, and taking into account all other matters raised, that the appeal should be dismissed.

G J Fort

INSPECTOR