



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: 25 January 2018

Appeal Ref: APP/Q5300/W/17/3181703

276, Lonsto House, Chase Road, Southgate, London, N14 6HA

- 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 Dudrich (Holdings) Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/04591/FUL, dated 7 October 2016, was refused by notice dated 13 February 2017.
 - The development proposed is described as *"proposed extension of a partially glazed pyramid roof over existing building to provide space for a 1 bed staff flat with external forward facing terrace, and extension to stairs and lift shaft to suit, and recladding existing building with silver/grey panels and green detailing"*.
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Procedural Matters

1. The Council described the development as *"construction of partially glazed roof to form a third floor to provide additional 1 x 1-bed self-contained flat"* and that the appellant advises that the proposal is not for an additional flat as there is no existing residential accommodation in Lonsto House. I have used the description of development given on the application form.

Application for costs

2. An application for costs was made by Mr Rodger Dudding - Dudrich (Holdings) Ltd for an award of costs against the Council of the London Borough of Enfield. That application is the subject of a separate Decision.

Decision

3. The appeal is dismissed.

Main Issue

4. The main issue in this case is whether or not the design of the proposed development would be in keeping with the pattern, character and appearance of the locality.

Reasons

5. The three-storey, flat-roofed building is situated at the front of the site. The site is located at the edge of a group of commercial developments and between the district centre and a residential area. The building is quite utilitarian in appearance. Although there are a variety of pitched roofs on buildings in the locality, there are also a number of buildings with flat roofs. I found the appeal building to be neither particularly unusual nor obtrusive.
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6. The proposal would not have a crown roof structure. The four hipped roof planes would lead up to a smaller pyramid structure above recessed windows. The physical break to create the glazed third floor would break the continuity of the roof structure and together with a balcony and three dormers it would detract from the simplicity of the overall pyramid roof form and draw attention. Although the dormers would be small and set in this would not materially mitigate the effects.
7. The width and height would create a significant structure. I did not see any pyramid roof forms of comparable scale and design to the appeal proposal. The pitch would be noticeably steeper than that of pitch roofs on adjacent commercial buildings. The nearby residential terrace may have a similar pitch but the roof over the terrace is of a conventional design and appears much smaller in scale to that of the proposal. Overall the scale and design of the proposed roof would appear obtrusive and would not integrate or harmonise with the built form of the locality. Although it might not be seen in very close views it would be quite apparent from a number of viewpoints in the locality.
8. Chase Road comprises a mixture of land uses and a variety of buildings of different design and character. There are different roof forms in the locality and some elements of the design can be seen in adjacent developments. It is not necessary that details replicate local architectural character. I find nothing to say that a hipped roof would be unacceptable in principle.
9. For the reasons given I conclude that the design of the proposal would result in a poor form of development that would be out of keeping with the character and appearance of surrounding development, and would fail to complement or integrate satisfactorily with the character and appearance of the locality.
10. In these ways it would be contrary to aims of Policy CP30 of the Enfield Local Plan Core Strategy 2010 (CS), Policies DMD6, DMD8 and DMD37 of the Enfield Development Management Document 2014 (DPD), and Policy 7.4 of the London Plan (2011). Amongst other things these policies seek to promote high quality design that is appropriate to its context; where the design scale, proportion and mass of development would have a positive, well integrated relationship with the urban structure and make a positive contribution to the quality and character of the built environment in the locality.
11. These development plan policy aims are broadly consistent with advice in the National Planning Policy Framework (2012) (the Framework) which 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 of the Framework indicates that planning 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 also confirms that it is proper to seek to promote or reinforce local distinctiveness.

Other matters

12. The decision notice refers to DMD Policy DMD13 Roof Extensions. The proposal is not for an extension to an existing dwelling, therefore I have attached no weight to this policy.

13. There is nothing to say the proposals would cause harm by overlooking or loss of privacy. The proposed dwelling might exceed the current Building Regulations in terms of fabric efficiency and energy performance; and comply with the London Plan space standards and the LPA's amenity space standards. I am not persuaded that there is evidence to say that the design of the development would not comply with London Plan Policy 7.2 which seeks to promote accessible and inclusive design for the safe and convenient use of all, or that it would conflict with aims of London Plan Policy 7.5 for the design of public and private spaces that make up the public realm. However, these are not factors in favour; rather they are neutral in effect.
14. The scheme would deliver social and economic benefits to the area in the form of a new self-contained one bedroom dwelling, located in an accessible location, and close to transport facilities. It would also add one unit to the stock and range of housing. In these ways the proposal would make a contribution to the aims of Enfield Core Strategy Policy 2 and London Plan Policy 3.3 to increase housing supply. In the same way it would contribute to aims in the Framework to boost significantly the supply of housing and deliver a wide choice of high quality homes. However, the contribution of one unit would be very modest in scale and this limits the weight I attach to these benefits.
15. There is a long history of planning permissions on the site. It is not disputed that a proposal identical to the current scheme was granted planning permission on 14 October 2004 (LPA ref: TP/04/1772) or that a subsequent application for an amendment to planning permission TP/04/1772 to allow alterations to lift motor room and construction of a rear dormer window, was granted consent in 2005. However, the grounds of appeal state that planning application TP/04/1772 was not implemented. There is no evidence to demonstrate that these schemes could now be implemented or that there is a 'fall-back' position. Therefore, I attach limited weight to this evidence.
16. I am informed that the proposals have been designed by an experienced local architect with many years of experience working with this authority and who gained the permission in 2004.
17. Design policies are not new and design was a material consideration at the time the previous schemes were approved. The appellant refers to local and national planning policies that were in place at that time. Nonetheless, the present scheme falls to be considered against current local and national policy.
18. Paragraph 210 of the Framework and the Government's Planning Practice Guidance website (PPG) include advice that to the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. This reflects the statutory requirement in section 38(6) of the Planning and Compulsory Purchase Act 2004.
19. Having regard to advice at paragraph 215 of the Framework, I find that the policies that the Council had regard to are contained within current development plan documents and are consistent with advice for design in the Framework. There is no evidence to say that relevant policies of the development plan are otherwise out of date.

20. Therefore, in the absence of a fall-back position, I attach little weight to considerations relating to the previous scheme and the policies in force at that time. I also find that the presumption in favour of sustainable development in the 4th bullet point of paragraph 14 of the Framework is not engaged.

Conclusions

21. The proposal would deliver a self-contained one bed dwelling, located in an accessible location, and close to transport facilities and in these ways would contribute to aims of Enfield Core Strategy Policy 2, London Plan Policy 3.3 and advice in the Framework to boost significantly the supply of housing and deliver a wide choice of high quality homes. The contribution of one unit attracts a modest amount of weight.
22. However, the proposal would result in a poor form of development that would be out of keeping with the character and appearance of surrounding development, and would fail to complement or integrate satisfactorily with the visual amenity and character of the locality. For these reasons I conclude that the harms outweigh the benefits and that the proposal would conflict with the development plan as a whole.
23. Therefore, and having taken all other matters raised into consideration, I conclude that the appeal should be dismissed.

Helen Heward

PLANNING INSPECTOR