
Appeal Decision

Site visit made on 24 September 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2019

Appeal Ref: APP/Q5300/W/19/3233141

2 Roseneath Avenue, Southgate, London N21 3NE

- 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 Enver Ozetem against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01080/FUL, dated 20 March 2019, was refused by notice dated 22 May 2019.
 - The development proposed is alterations to and extending the steel staircase at the rear of building.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to and extending the steel staircase at the rear of building at 2 Roseneath Avenue, Southgate, London N21 3NE in accordance with the terms of the application, Ref 19/01080/FUL, dated 20 March 2019 and the plans referenced; Block Plan 7527st/1, Existing basement, ground and first floor plans 7527st/2, Existing 2nd and 3rd floor plans 7527st/3, Existing Elevations 7527st/4, Proposed 1st, 2nd and 3rd floor plans 7527st/5, Proposed Elevations 7527st/6.

Procedural Matter

2. The development has been undertaken and therefore I am considering this appeal retrospectively.

Main Issues

3. The main issues are 1) whether the development preserves or enhances the character or appearance of the Winchmore Hill Green Conservation Area (CA), and 2) the effect of the development on the living conditions of surrounding residents with regard to noise and disturbance.

Reasons

Character and appearance of the Conservation Area

4. The appeal property is a three-storey end of terrace property. It has been converted into three flats with a converted roof space providing an additional level of accommodation. At the front, the property retains much of its original form, however at the rear it has been more heavily altered. The property is located on a street of residential properties and also sits adjacent to the rear of

the commercial properties on Station Road. The appeal site is located adjacent to the Winchmore Hill Conservation Area (CA).

5. The development subject to this appeal comprises an extension to a previous metal staircase to provide access to the second floor of the rear elevation. The staircase subject to the appeal comprises two flights of stairs and two landing areas. It is constructed of black coloured steel to match the previous section of the staircase from which it was extended.
6. Some of the buildings in the surrounding area include existing staircases and railings to the rear. These are mainly to the rear of properties that front onto Station Road. Some of these installations are visible from the street-scene. The staircase subject to this appeal is located to the rear of the property, however its corner position results in it being visible from the street-scene. Such views however are only possible from a limited section of the street and are largely viewed against the somewhat unsightly backdrop of the existing Royal Mail Delivery Office and the rear yards of the commercial properties on Station Road. Whilst these views are possible from a location within the CA they are not prominent and they are from part of the CA that is of lesser significance, forming a section of Roseneath Avenue that appears to have been included in the CA primarily for the purposes of including a section of Station Road in the CA.
7. I find that the staircase has a neutral impact on, and thereby preserves, the character and appearance of the CA. Thus, it complies with Policies DMD37 and DMD44 of the Enfield Development Management Document (2014) which seek, amongst other things, to deliver quality design and to protect the heritage assets of Enfield in terms of their character and appearance.

Living conditions

8. The submitted plans show that the staircase as extended and as previously existed provides access to one residential unit. There are existing residential properties above the commercial units on Station Road and adjoining the appeal site on Roseneath Avenue. The Council consider that the staircase would have an unacceptable impact on residents in relation to increased noise and disturbance.
9. As outlined, the element of the staircase subject to this appeal comprises two flights of stairs and two landing areas. It is clear to me that the main purpose of the staircase is of a transient nature, to provide access to the upper floor of the existing flat. Noise that would occur from residents using the stairs would not be of an unacceptable level. I find it unlikely that the landing areas would be used for any form of congregation as has been suggested, however in the event of this occurring, I consider that the size of the areas would restrict their use to such a small number of people that any noise or disturbance that might occur would not be of an unacceptable level, and not above that which may occur in the rear garden area.
10. Therefore, I find that the staircase does not have an unacceptable impact on the living conditions of surrounding residents with regard to increased noise and disturbance. Thus, it complies with Policy DMD8 of the Enfield Development Management Document (2014) which seeks, amongst other things, that development preserves amenity in terms of noise and disturbance.

Other matters

11. Representation that has been received suggests that the staircase would provide access to an additional residential unit. The development subject to this appeal is for an extension to the staircase only. It is not for the creation of an additional residential unit. Any future creation of an additional residential unit would be required to be subject to a planning application for consideration by the local planning authority. Therefore, matters relating to impact on parking, or any other matters pertinent to the creation of an additional residential unit, are not directly relevant to the appeal before me.
12. Similarly, whether there are two kitchens in the property or separate utility connections are not relevant factors in consideration of the development subject to the appeal.
13. Other matters such as the past conduct or possible future intentions of the appellant in relation to the property are not relevant in the consideration of the development subject to the appeal.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR