
Appeal Decision

Site visit made on 20 September 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/Q5300/W/19/3230609

6 Haselbury Road, Edmonton N18 1QA

- 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 Ozcan Hassan against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/00824/FUL, dated 5 February 2019, was refused by notice dated 9 May 2019.
 - The development proposed is conversion into two self-contained flats and the addition of a dormer window to the rear.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. While I note that the description of development is different on the decision notice compared with the application form, in the interests of certainty I have used the description in the application form having removed elements that were not an act of development.
3. The two-bedroom property has already been converted to two self-contained one-bedroom flats. The planning application includes a rear dormer extension that has not been built and I have considered the appeal on this basis.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development accords with the Council's strategy for the provision of family accommodation in the area and mix of units; and
 - whether the proposed development would provide a suitable living environment for future occupiers with particular regard to external private amenity space.

Reasons

Character and appearance

5. No 6 Haselbury Road (No 6) is a two-storey terraced property. The street is characterised by similar dwellings in a traditional style such that the area has a unified feel. While a few nearby properties have dormer extensions, their number are limited such that they do not form a part of the character and appearance of the area.
6. The proposed dormer extension would be set close to the ridge height of the existing roof and would extend to near the edges of the roof. While the proposal would not be visible from the street, the rear of the property can be viewed from the rear of several surrounding properties. Given its size compared with the rest of the roof of the property, it would appear dominant and would be a discordant addition to the host property and wider terrace.
7. While I note the amended plans submitted as part of the appeal, from the evidence before me, they have not been consulted upon and I have therefore not taken them into account in my assessment.
8. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with Policies 7.4 of The London Plan The Spatial Development Strategy For London Consolidated With Alterations Since 2011 March 2016 (LP) which among other things require developments to have regard to the scale, mass and orientation of surrounding buildings. It would also conflict with Policy DMD13 of the Development Management Document (DMD) Adopted November 2014 which among other things requires roof dormers to be inset from the eaves, ridge and edges of the roof and with DMD Policy DMD37 which requires development to have appropriate regard to its surroundings.
9. Core Policy 30 of The Enfield Plan Core Strategy 2010-2025 (CS) relates to developments in the public realm and LP Policy 7.8 relates to heritage assets and so are not directly relevant to this main issue.

Effect on the provision of family accommodation

10. There is no dispute between the main parties that the existing dwelling was a two-bedroom property. From the evidence before me I see no reason to disagree. The proposal involves the conversion of a two-bedroom house to two one-bedroom flats. While I note the evidence relating to the Draft New London Plan, since there is no certainty that it will be adopted in its current form, I attribute it limited weight. Moreover, although I acknowledge that the Council considers the property to have been a family unit, since DMD Policy DMD5 indicates that family accommodation consists of three or more bedrooms, there has not been a loss of a family unit in this instance.
11. CS Core Policy 5 states that the Council will seek to ensure that new developments offer a range of housing sizes to meet housing need. The Policy also states that over the lifetime of the Core Strategy the Council will plan for the following borough-wide mix of housing: Market housing – 20% 1 and 2 bed flats (1-3 persons), 15% 2 bed houses (4 persons) 45% 3 bed houses, (5-6) persons, 20% 4+ bed houses (6+ persons). Therefore, while I note the Council's comment that it does not support one bedroom one person units where there is a loss of a family unit, since the Policy requires more 1 and 2-

bedroom flats than 2-bedroom houses, the proposal would not conflict with this Policy.

12. The Council has referred to the Strategic Housing Market Assessment which was published in 2010. However, the appellant has provided me with the Strategic Housing Market Assessment Update 2015¹ which provides a more up-to-date assessment of housing in the borough and indicates that there is a net shortfall of one-bedroom properties compared with a surplus of two-bedroom dwellings.
13. Consequently, the proposed development would accord with the Council's strategy for the provision of family accommodation in the area and mix of units. Therefore, it would not conflict with CS Core Policies 4 and 5 which among other things relate to new housing and seek development that offers a range of market housing sizes including 20% 1 and 2 bed flats and 15% 2 bed houses. It would also not conflict with DMD Policy DMD5 which sets out a number of criteria to be met for the conversion of existing units into self-contained flats or with LP Policy 3.5 which requires the design of all new housing developments to take into account tenure and land use mix.
14. CS Core Policy 30 relates to the quality of the built and open environment and is not directly relevant to this main issue. In addition, LP Policies 7.4 and 7.6 relate to local character and architecture and are not directly relevant to this main issue.

External private amenity space

15. No 6 has a rear garden that can only be accessed by the occupiers of the ground floor flat and there is no external private amenity provision for the occupiers of the first floor flat. CS Core Policy 4 states that guidance and standards relating to amenity space will be set out in the Enfield Design Guide and DMD. DMD Policy DMD9 does not provide guidance on the amount of private amenity space for one-bedroom properties without access to communal amenity space. However, the DMD states that in exceptional cases, where it is impossible to provide all dwellings within new flatted development with sufficient private amenity space up to 5% of the units may be provided with a larger internal floor area (within the principal living areas) equivalent to the under provision of the minimum private amenity space. From the evidence before, me the proposal would make such a provision.
16. Furthermore, there is an open public park near the appeal site, which in addition to the larger internal floor area of the first floor flat, and given the limited number of future occupiers, would compensate for the inadequate external private amenity space provision proposed.
17. Consequently, the proposed development would provide a suitable living environment for future occupiers with particular regard to external private amenity space. Therefore, it would not conflict with LP Policy 3.5 which among other things seek the design of all new dwellings to take into account the home as a place of retreat. It would also not conflict with CS Core Policy 4 which links amenity space with the DMD or with DMD Policy DMD9 that seeks good quality private amenity space among other things.

¹ London Borough of Enfield Strategic Housing Market Assessment Update 2015 Final Report

Other Matters

18. I note concerns regarding the service provided by the Council. However, this has not altered my overall decision.

Conclusion

19. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR