
Appeal Decision

Site visit made on 12 September 2019

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

an Inspector appointed by the Secretary of State

Decision date: 25 October 2019

Appeal Ref: APP/Q5300/W/19/3232466
87A Hood Avenue, London N14 4QJ

- 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 Jacky Emanuel of Phocal Investments Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01161/FUL, dated 26 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is first floor extension to a single storey flat creating an additional bedroom.
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Decision

1. The appeal is allowed and planning permission is granted for first floor extension to a single storey flat creating an additional bedroom at 87A Hood Avenue, London N14 4QJ in accordance with the terms of the application, Ref 19/01161/FUL, dated 26 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 1461JE_ FUL1: SH1 Revision B.

Procedural Matters

2. I have taken the address from the appeal form and decision notice as the application form does not state the number of the property.
3. While I note that the description of development is different on the decision notice, I have taken the description of development from the application form in the interests of certainty.
4. Two amended drawings were submitted with the appeal statement. However, since they have not been consulted upon, I have not had regard to them in assessing the appeal.

Main Issues

5. While there are three reasons for refusal, from the evidence before me the main issues are:
 - whether the proposed development would provide a suitable living environment for future occupiers with particular regard to the internal space provision; and

- the effect of the proposed development on the character and appearance of the area.

Reasons

Living environment

6. No 87A Hood Avenue (No 87A) is an existing one-bedroom ground floor flat. The main parties acknowledge that the existing accommodation is unsatisfactory in terms of internal space provision. The proposal would involve a first-floor extension that would substantially increase the size of the dwelling to a two-bedroom three person dwelling. From the evidence before me, the internal dimensions of the proposed rooms would provide accommodation that while not spacious, would be functional and meet the needs of future occupiers.
7. It is common ground between the main parties that the overall internal size of the proposed dwelling would still fall short of the requirements set out in the Technical housing standards – nationally described space standard (NDSS). In addition, the floor space and internal dimensions of one of the proposed bedrooms would also fall short of the NDSS requirements.
8. I note that the gross internal space provision would exceed the requirements of the NDSS for a single storey dwelling and that a greater requirement has been set for dwellings over two storeys in order to account for additional space required for vertical circulation between floors. I also acknowledge the Council's comments regarding the lawfulness of the existing building and intensification of the existing dwelling.
9. However, the NDSS deals with internal space within new dwellings. While the NDSS provides a useful guide to the size of internal space provisions, since the proposal would increase the size of an existing under-sized dwelling, the standard is not strictly relevant to this proposal.
10. Consequently, the proposal would provide a suitable living environment for future occupiers with particular regard for internal space provision. Therefore, the proposal would not conflict with Policy 3.5 of The London Plan The Spatial Development Strategy for London Consolidated with Alterations Since 2011 March 2016 (LP) in this regard which seeks development that has adequately sized rooms and convenient and efficient room layouts or with LP Policy 7.2 which relates to inclusive environments. The proposal would also not conflict with Core Policy 4 of The Enfield Plan Core Strategy 2010-2025 Adopted November 2010 (CS) which among other things seeks to improve the physical condition of existing housing stock. In addition, it would not conflict with Policy DMD37 of the Development Management Document Adopted November 2014 (DMD) which among other things seeks development that is suitable for its intended function. It would also not conflict with the National Planning Policy Framework (Framework) in this regard.
11. DMD Policy DMD8 and the dwelling space standards of the Housing Supplementary Planning Guidance March 2016 as well as the NDSS relate to new residential development and are not directly relevant to the proposal.
12. CS Core Policy 30 relates to developments in the public realm and is not directly related to the proposed development. LP Policy 7.1 relates to London's neighbourhoods and communities and is not directly relevant to this main issue.

Character and appearance

13. The appeal property is situated at the end of a terrace in a residential area that is characterised by two storey terraced properties. The ends of the terraces generally have hipped roofs such that this feature is a part of the character and appearance of the area.
14. The proposal includes a hipped roof which given the hipped roof of No 89 Hood Avenue (No 89) and others in the area, would not be an incongruous feature in the area. Since the proposed roof would be set a short distance down from the existing adjacent roof and the proposed extension would be set back from the first floor of the adjoining property, the proposal would not appear prominent in the street scene.
15. Consequently, the proposed development would not harm the character and appearance of the area. Therefore, it would not conflict with LP Policies 7.4 and 7.6 which among other things relate to local character and seek development that complements the local architectural character. It would also not conflict with DMD Policy DMD37 which among other things seeks development that is appropriate to its context and has appropriate regard to its surroundings. The proposal would also not conflict with the Framework in this regard.
16. Since LP Policy 7.5 and CS Policy CP30 relate to the public realm, these policies are not directly relevant to the proposal. DMD Policy DMD14 relates to side extensions and is not directly relevant to this proposal.

Other Matters

17. I note the Council's reference to the potential for increased noise and activity at the site. However, given the residential nature of the area, there is no evidence before me to demonstrate that the proposal would result in harm to the living conditions of neighbouring occupiers with regard to noise. Therefore, this point has not altered my overall decision.

Conditions

18. No conditions were suggested by the Council. However, having had regard to paragraph 55 of the Framework and the Planning Practice Guidance, in addition to the standard time related condition, a condition requiring the development to be carried out in accordance with the submitted drawings is necessary.

Conclusion

19. For the reasons given above the appeal should be allowed.

R Sabu

INSPECTOR