
Appeal Decision

Site visit made on 21 August 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2019

Appeal Ref: APP/Q5300/W/19/3220520

9 Ridgemount Gardens, Enfield EN2 8QL

- 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 A Halil against the decision of the Council of the London Borough of Enfield.
 - The application Ref 18/02706/FUL, dated 5 July 2018, was refused by notice dated 28 September 2018.
 - The development proposed is the redevelopment of the site to provide a 2/3 Storey block of nine flats.
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Decision

1. The appeal is dismissed.

Procedural matters

2. During the course of the application, the description of the development was changed by the Council to 'Redevelopment of site and erection of part 2, part 3 storey block of 9 self-contained flats (3 x 1-bed, 4 x 2-bed and 2 x 3-bed), with a basement level, landscaping and amenity areas'. I note that the appeal form does not reflect this change. However, this more comprehensive description better describes the proposed development and as the Council have used this revised description in their decision I shall consider the proposal on this basis.

Main Issues

3. I consider that the main issues are:
 - The effect of the proposed development on the character and appearance of the area, including the loss of existing trees and any effect on the highway; and
 - The effect of the proposed development on the living conditions of future occupiers with reference to accommodation size, privacy, and provision and quality of private amenity spaces.

Reasons

Character and appearance

4. The appeal site is located in a primarily residential road. Ridgemount Gardens is a cul-de-sac with mainly large detached bungalows set in large plots. The appeal site marks the transition to housing of greater density, with a mix of

architectural styles. A development of four mews style two storey dwellings lies to the north, with flatted development in Cranford Close and the Ridgeway further to the north east. The land slopes upwards towards the junction with Ridgeway and also falls away towards the rear garden of the site.

5. The existing bungalow is of similar style to others in the cul-de-sac, with a distinctive front gable and shallow pitched roof. It sits comfortably within a moderately spacious plot. There is off street car parking to the landscaped frontage. The rear garden is bound by high domestic style timber fencing with a line of established trees, located immediately behind the fencing to the west. There are a number of trees and shrubs in the front and rear gardens of the appeal site.
6. The proposed development would see the demolition of the existing dwelling, with the erection of a contemporary part single, part two and part three storey building, including a lower ground floor. The proposed building would be set closer to the front of the site, with seven car parking spaces along the frontage with Ridgemount Gardens. An additional two parking spaces are proposed to the east.
7. I recognise the appellant's reference to the Arts and Crafts movement and my attention has been drawn to a number of examples of other contemporary schemes, including Dujardin Mews and Ordnance Road. I have little evidence before me to confirm the planning history or circumstances for these sites, although they appear to be on a much larger scale to the site under consideration in this appeal. As such, they do not appear to be directly comparable, but in any event, I have considered the appeal on its own planning merits.
8. The design and proportions of the proposed building are clearly meant to be bold and contemporary, and it succeeds in this regard. However, whilst the stepped design allows some transition to the existing bungalows to the south, the scale and bulk of the building within this relatively constrained plot, results in a building that would appear overly dominant and cramped on this important transitional site. This dominance is exacerbated, by the uncompromising angular form of the design and lack of any architectural detailing that would allow the building to integrate successfully into the street scene.
9. I acknowledge that the proposed parking numerically meets the London Plan standards, thus providing adequate parking for the proposed development. However, the seven car parking spaces to Ridgemount Gardens, would result in significantly increased vehicle parking and movements, and greater vehicular manoeuvring activity, along the frontage of the site. Moreover, the physical scale of the hard surfacing and access further emphasises the buildings unforgiving character and appearance. The forward siting and proximity of the building to the road, together with the very wide crossover, would allow little scope for any meaningful landscaping to soften the buildings appearance.
10. Turning to the effect of the proposed development on existing trees. There are a number of large mature specimen trees in the front gardens of the dwellings to the south of the site. These provide impressive visual statements and add considerable interest to the street scene. I recognise that this is a characteristic that becomes more diluted to the north, where new development has taken place and frontage trees and landscaping become less visible. However, as the appeal site marks this transition, the large Magnolia tree (T6), sited within the

front garden, therefore makes a particularly important and attractive contribution to the site and the character and appearance of the wider area.

11. A number of additional trees lie within, and close to the site's rear boundaries. Whilst views of these from Ridgemount Gardens are to some extent screened by the existing dwelling, they can still be seen over the roof line and provide an attractive backdrop to the dwelling. Moreover, they are clearly visible from the dwellings in Oakley Mews. Accordingly, they contribute to visual amenity of the site and the wider area.
12. The proposed development would lead to the loss of three trees on the site, none of which are protected. These are identified in the submitted Hallwood Associates Appeal Statement (Trees and Landscape), as T2 Spruce, T4 Lime and T6 Magnolia. These trees vary in size and condition, but I have no substantiated evidence before me to demonstrate that they would be unlikely to survive on site for many years.
13. The tree annotated T1 in the Trees and Landscape Statement would be sited within the rear communal amenity area. I have some concerns about the spread of this tree in terms of the overshadowing and maintenance issues that could arise, which may lead to pressure to cut back or remove the tree in the longer term.
14. For the above reasons I find that the loss of trees of significant amenity value as a result of the proposed development would significantly harm the character and appearance of the area.
15. Overall, I conclude that the proposed building would appear dominant and incongruous when viewed in the context of other development in the local area. The layout of the proposed parking would further emphasise the dominant nature of the building in the street scene. Moreover, the proposed development would result in the loss of trees of significant amenity value. Accordingly, it would significantly harm the character and appearance of the area. The proposal would thus conflict with policies CP5 and CP30 of the Enfield Plan Core Strategy (2010) (CS), and policies DMD6, DMD8, DMD37, DM45, DM46, DM47, DM80 and DM81 of the Development Management Document (2014) (DMD), and policies 3.4, 6.13, 7.4 and 7.6 of the London Plan (2016) (LP). The policies jointly, among other things, seek to ensure that new development is of an appropriate scale and respects the quality, character and distinctiveness of existing neighbourhoods

Living conditions

16. LP Policy 3.5, requires that new homes have adequately sized rooms and sets out the minimum space standards required. These are taken directly from the London housing design guide space standards.
17. It is agreed by the parties that the two bedroom and three bedroom flats exceed the minimum space standards. Flats 4 and 9 however, have a floor area of some 45 and 47 square metres respectively. The appropriate space for a one bedroom two person flat is 50 square metres, and 37 square metres for one in single occupancy.
18. Whilst the plans indicate a double bed in each bedroom, it has been confirmed by the appellant that the proposal is for two one bed, one person flats. Whilst the occupation of these units by two people cannot be ruled out, I am not

however convinced that the provision of internal walls, in themselves determines that these should be treated as two person flats. I therefore conclude that the proposed development would be acceptable in terms of providing adequate living space for future occupiers. Accordingly, the proposal would not conflict with CS Policy CP4, or DMD Policies DMD8, DMD 9 and DMD37, or Policy 3.5 of the LP in this regard.

19. Flat 2 would be provided with a small private amenity area adjacent to the communal garden. This space, whilst not formally separated from the communal garden beyond, would be provided with planters where additional screening could be secured and maintained through a suitably worded condition. I therefore do not find the scheme unacceptable in this regard.
20. The rear community amenity space is modest in size and bound by established trees to the west. It is unclear from the evidence that I have, whether these trees lie within the appeal site or within the adjacent property. At the time of my site visit they were clearly located outside the western fence line. I note that, the landscaping plan submitted, does not indicate that these trees are to be removed. This space will be significantly overlooked by both the occupiers of the new flats and the existing occupiers of the adjacent Oakley Mews development.
21. Whilst it is accepted that there is often a degree of overlooking where gardens are sited next to each other in urban areas, the level of overlooking from a large number of properties would make this space unattractive and of poor quality for future residents.
22. Accordingly, whilst I find that the proposed development would provide appropriate living conditions in terms of internal space and private amenity space for Flat 2, I conclude that the communal amenity space would be significantly overlooked and would thus not provide appropriate private amenity space for all of the future occupiers of the flats. The proposed development would therefore conflict with Policy CP4 of the CS, Policies DMD8, DMD 9 and DMD37 of the DMD, and Policy 3.5 including accompanying Table 3.3 of the LP. These policies taken together seek to ensure that new development meets adopted space standards and high quality amenity space.

Other matters

23. I am aware that the Council provided pre-application advice prior to the submission of this proposal and the scheme was amended as a result. However, local planning authorities are not bound by any informal advice given by officers. My assessment is therefore based on the circumstances of the case and the evidence before me.

Conclusion

24. I have identified that significant harm would be caused to the character and appearance of the area and the living conditions of future occupiers. This harm would significantly and demonstrably outweigh the benefit of providing the additional dwellings.
25. For the above reasons and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Hilary Orr

INSPECTOR