
Appeal Decision

Site visit made on 12 November 2019

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal Ref: APP/Q5300/W/19/3235523
747B Green Lanes, Southgate, N21 3SA

- 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 Mrs Miriam Andreou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/00119/FUL, dated 14 January 2019, was refused by notice dated 28 February 2019.
 - The development proposed is change of use of residential flat (C3 Use) to office (A2/B1 Use)
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether or not the loss of residential accommodation is justified.

Reasons

3. The site comprises second floor accommodation above a solicitor's office, which forms part of a parade of retail and commercial uses in North London. The appellant does not provide any significant evidence to dispute that, in planning terms, the existing use of the property is as a residential flat.
4. The wider terrace appears as a purpose-built mixed-use block. Recessed entrances to the upper floor accommodation are found in spaces between the ground floor units facing Green Lanes. The flat is currently accessed via an internal communal staircase leading off one of these entrances. Whilst potentially unsuitable for the physically disabled or elderly, the flat is accessible to people sufficiently mobile to climb up and down stairs. There is also an external staircase leading out to the yard at the rear of the building, but this appeared to be a fire escape and not the primary method of entering and leaving the premises.
5. Internally the apartment and all the rooms within it are well sized. The layout is typical of residential flats and the distance between rooms is reasonable. Both the kitchen and living room have a good standard of natural light and outlook. The two bedrooms face on to an internal lightwell, but as the property is on the top floor and close to the sky, they receive a fair amount of natural light.
6. The site is located in a mixed-use area with a degree of background noise from the road and commercial uses, apparent at both day and night. Other non-

residential uses, including a pub, are other nearby sources of noise. However, this noise and disturbance is not of a level that detracts significantly from the overall quality and usability of the living accommodation provided. The property is located close to shops, services and public transport links which can all be easily accessed on foot. In these respects, the environment is appropriate for residential accommodation. Whilst it is suggested that there is no demand for the unit in its current form, this is not substantiated by detailed viability or marketing evidence.

7. It is argued the flat would not meet residential standards for new development, including those in relation to accessibility, amenity space and parking. However, these are not significant shortcomings and overall the residential accommodation is good. Consequently, there would be a net loss of useable residential accommodation. Policy DMD 4 of the Enfield Development Management Document (Adopted November 2014) states that this will not be permitted unless it is to provide a community facility, or where the continuing residential use is not satisfactory. Neither circumstance applies here.
8. The proposal therefore conflicts with the policy cited above, along with Core Policy 2 of the Enfield Plan: Core Strategy (2010) and policies 3.3 and 3.8 of the London Plan (2016) all of which, amongst other things, seek to increase housing supply and prevent the loss of residential units without justification. The proposal would also conflict with the London Plan Housing Supplementary Planning Guidance Document (March 2016, Updated August 2017). In seeking to increase housing supply, this shares similar objectives to the development plan policies cited above.
9. The proposal would provide additional office accommodation, fulfilling a demand and which would potentially make a more significant contribution to the local economy than the ongoing residential use. It would provide jobs and enhance the commercial environment found on this part of Green Lanes. It would also represent an effective use of land, helping to build a strong, competitive economy. In these respects, the proposal would partially accord with the National Planning Policy Framework ("the Framework"). However, the Framework also seeks to deliver a sufficient supply of homes, and through the loss of good quality housing the proposal would conflict with this objective. I attach significant weight to the harm that would arise, in consequence.
10. The Council have granted planning permission for the loss of residential accommodation on Hazelwood Lane, but the new use appears likely to have met the policy requirements described above. I have limited information about the appeal that was allowed on Fore Street, but it appears from the documents provided that there was a significant amount of compensatory residential accommodation included in that scheme. In consequence, neither of these approved developments are directly comparable to the proposal before me. The example cited where prior approval for a loss of office accommodation was not required is of no material relevance to this dispute.
11. Overall the considerations that weigh in favour of the proposal are insufficient to justify the loss of residential accommodation. The proposal conflicts with the development plan and the appeal should be dismissed.

Neil Holdsworth

INSPECTOR