



Appeal Decision

Site visit made on 21 January 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2020

Appeal Ref: APP/Q5300/W/19/3240320
392 Bowes Road, Southgate N11 1BJ

- 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 Jacobos Chimonas against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/02523/FUL, dated 10 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is described as second storey extension for a new two bedroom flat.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are i) the effect of the proposal on the character and appearance of the area and ii) the effect of the proposal on the living conditions of future residents with particular reference to private amenity space.

Reasons

Character and Appearance

3. The appeal property is a two storey end of terrace property in a row of nine very similar buildings. They are set back from the main road behind low railings and short front gardens. The terrace is extremely uniform in appearance with matching fenestration details, finishing materials and flat roofs. Five of the properties are arranged in a straight terrace following a fixed building line, the last four, which include the appeal property are arranged in a stepped format which follows the gentle curve of the Bowes Road.
4. The appeal property sits in a prominent location on the corner of Bowes Road and Ravenscraig Road. It represents a slight anomaly in terms of the uniformity of the terrace because there is the relatively recent addition of a two storey side extension which has formed a separate unit of accommodation. I acknowledge that this extension increases the overall width of the appeal building and introduces some variation in the fenestration details. However, because it is set back from the principle building line it has a very minor impact on the overall uniformity of the street.

5. Policies DMD8 and DMD37 of the Enfield Development Management Document 2014 (DMD), CP30 of the Enfield Core Strategy 2010 (CS) and Policies 7.4, 7.5 and 7.6 of the London Plan 2016 (LP) require development to, amongst other things, achieve high quality design of an appropriate scale bulk and design that has regard to its context and surroundings.
6. The appeal proposal would introduce a mansard roof to the appeal property that would increase the overall height of the building by around 2.4 metres. The roof extension would facilitate one additional unit of accommodation in the form of a 2 bedroomed flat.
7. I acknowledge the appellant's submissions that there are a variety of roof forms and building designs in the locality, including the three storey shopping parade immediately to the east of the appeal property and a four storey apartment block at the far end of the terrace. Nevertheless, I consider that due to its height, scale and bulk, the proposal would completely unbalance the uniformity of the terrace, creating a discordant and alien feature when read in the context of the host property and the wider terrace. This would have a very significant harmful effect on the character and appearance of the host property and the surrounding area. In this regard I find conflict with the design aims of Policies DMD8 and DMD37 of the DMD, CS Policy CP30 and Policies 7.4, 7.5 and 7.6 of the LP and the National Planning Policy Framework (the Framework).

Living Conditions

8. Policies DMD8 and DMD9 of the DMD include a number of requirements relating to design and spatial standards for new development including amenity space. DMD8 (g) requires that all development provides *high quality amenity space as part of the development in line with Policy DMD9*. For a two person, 1 bedroom dwelling Policy DMD9 stipulates that private amenity space should not be significantly overlooked and should be a minimum of 5sqm where the property has access to communal amenity space and 23sqm where the property does not have access to communal amenity space.
9. The proposal does not make provision for any amenity space and the whilst I acknowledge that there is a small grassed area located to the front of the terrace, it is directly in front of the neighbouring properties and within very close proximity of the busy main road. Consequently, this space is significantly overlooked and therefore unlikely to be suitable as amenity space.
10. I acknowledge the appellant's submission the Arnos Park is located in very close proximity to the site and could provide additional recreational outdoor space for the residents. I further acknowledge that due to its size the proposal is unlikely to be occupied by a family. Notwithstanding this, I consider that residents should still be afforded sufficient private amenity space to fulfil everyday needs such as sitting out, drying washing etc and this would not be permissible under the current proposal. In other words, private and public amenity space are not entirely comparable in terms of how they are used.
11. For these reasons I find that the proposal would have a significantly detrimental effect on the living conditions of future residents with reference to private amenity space. As a consequence, it would conflict with the spatial standards, quality and amenity aims of Policies DMD8, DMD9 and DMD37 of the DMD, CP30 of the SPD and LP Policy 3.5 and the Framework.

Other Considerations

12. I accept the appellant's submission that the proposal is located within a highly sustainable location with excellent links to public transport, services and facilities. I also accept that the proposal would boost housing supply in the location in accordance with LP policy 3.3 and CS Policy CS2. Furthermore, there would be some economic benefits at construction stage and as a result of using local facilities and amenities. Nevertheless, the benefits associated with the development of one additional unit would be relatively limited.

Conclusion

13. The position regarding housing land supply is not entirely certain as neither of the main parties have commented on this issue following the publication of the Housing Delivery Test results publication in February 2020. However, even if the LPA had not met HDT targets or indeed was unable to demonstrate a deliverable five year supply of housing sites, and paragraph 11d of the Framework had been engaged, in this case, I would still have concluded that the identified adverse impacts of the proposal would have significantly and demonstrably outweighed the benefits of the proposal when assessed against the policies in the Framework taken as a whole.

J Hunter

INSPECTOR