
Appeal Decision

Site visit made on 11 August 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2020

Appeal Ref: APP/Q5300/W/20/3253841
102 Lincoln Road, Enfield EN1 1JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to outline grant planning permission.
 - The appeal is made by Mr Fred Harvey against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/00579/OUT, dated 17 February 2020, was refused by notice dated 14 April 2020.
 - The development proposed is described as 'Re-submission: Sub division of site and erection of 1 x single dwellinghouse (Class C3) (OUTLINE APPLICATION - all matters reserved).'
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters reserved. The application was submitted with a number of floor and roof plans, however, I have treated all aspects of these as indicative. I have therefore, determined the appeal on this basis.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the site and surrounding area;
 - the living conditions of the occupiers of the neighbouring properties; and
 - highway safety, with particular regard to the provision of parking.

Reasons

Character and appearance

4. The appeal site is located to the rear of No 102 Lincoln Road, a 2 storey end-of-terrace property. It forms part of the garden area and garages of the host property and adjoins the side of No 148 Fotheringham Road. The surrounding area is predominately residential and is characterised by 2 storey terraced properties which have small front gardens and low brick walls, and relatively long rear gardens. The long garden of the host property and its positioning on the corner of the road, gives the site an open and spacious feel, and offers views thorough the site to the large mature trees at the nearby park.

5. The proposal is for the subdivision of the site and the erection of a dwelling, along with the demolition of the existing garages. Whilst the appellant has provided plans of the possible layout and stated that it would be a 2 and half storey dwelling, these elements are all indicative at this stage.
6. The introduction of a dwelling in this location would significantly alter the open and spacious view currently experienced along this part of the street. Given the positioning of the site close to the nearby junction and being a readily visible part of the street scene, a dwelling in this location would be visually prominent. Furthermore, the proposed development would be in contrast to the established spatial character of the surrounding context, which is generally characterised by long gardens to the rear.
7. Whilst the proposal could provide amenity space for both the proposal and the host property, it would significantly alter the pattern and style of development in the area. It would reduce the openness and spaciousness which currently exists. As such, the proposed development would appear cramped and intrusive in the street scene and would be at odds with the nearby dwellings.
8. I have been referred to a similar scheme which was approved on a nearby road¹. However, I have not been provided with full details of the scheme or what may have led to its approval. Therefore, I am unable to determine if it is directly comparable.
9. The appellant has stated that he would be willing to accept restrictions where reasonable and necessary on the height, footprint and materials of the development. As well as conditions on the size and positioning of openings and the use of obscurely glazed openings. However, these would not overcome the harm that I have identified above.
10. The proposal would harm the character and appearance of the site and surrounding area. Therefore, it would be contrary to Policies 3.4, 3.5, 7.1, 7.4 and 7.6 of the London Plan (2016) (LP), Policy 30 of the Core Strategy (2010) (CS), Policies DMD 6, DMD 7, DMD 8, and DMD 37 of the Enfield Development Management Document (2014) (DMD). These policies collectively seek, amongst other things, for new development to be high quality and reflect the local character and context of the area.

Living conditions

11. The Council has suggested that due to the location of the neighbouring properties in relation to the proposal, the site could be harmful to the occupiers of these properties and would potentially affect the amenities of these neighbouring buildings. The Council also stated that without elevation plans, it would not be possible to assess the full impact of the proposal on these adjoining properties. However, as the proposal is only in outline with all matters reserved, the final design and layout has not yet been determined. Consequently, as the final details of the proposal are yet to be finalised, there is nothing before me to suggest that the proposal would be harmful to the living conditions of the nearby properties.
12. The proposal as submitted, would not have a harmful effect on the living conditions of the occupiers of the neighbouring properties. Therefore, it would accord with Policy 7.6 of the LP and Policy CP30 of the CS. These policies

¹ TP/04/1651

require new development to not cause unacceptable harm to the amenity of the occupiers of nearby properties.

Highway safety

13. The appeal site is located in an area with a Public Transport Accessibility Level (PTAL) of 2, indicating poor access to frequent public transport services. The PTAL rating would suggest that car ownership could be reasonably high. However, evidence of this has not been supplied. Nevertheless, on my site visit I observed a high number of cars parked on-street in the vicinity of the appeal site. I accept that this was a snapshot in time, but I have nothing before me to suggest my observations were not typical. The site is not located within a controlled parking zone and the Council has suggested that the area is known to have parking stress. As such, from the limited evidence before me it would seem that the area has a relatively high parking demand, and this may result in parking stress in the area.
14. The submitted plans show that the development could accommodate a garage on the ground floor, however, this aspect is only indicative, and would need to be considered as part of the reserved matters stage. Nevertheless, the proposal, due to the demolition of the garages would reduce the opportunities for parking for the host property. Whilst the appellant has stated that these are no longer in use and that he easily find spaces on the road, I noted that one of the garages had a no parking, garage in use sign on it. In any case, in theory the loss of the garages would result in the loss of an area where vehicles could be parked for the host property. Any parking demand would therefore need to be accommodated on-street.
15. On-street parking already occurs locally, and I have not been presented with substantive evidence to suggest there is insufficient capacity for the parking demands of the appeal scheme to be met on street. However, I have not been provided with evidence that there is. In my view, the onus is on the appellant to provide sufficient evidence that there is on street parking capacity.
16. I noted on my site visit that few properties have parking within their curtilage. In the absence of evidence to support Parking Survey, the proposed development will increase the parking demand on the surrounding roads and prejudice the existing availability of on-street parking contrary.
17. Although the site has a low PTAL rating the appellant has highlighted that there is access to different modes of public transport due to the frequency of Bus Route 192 which stops nearby. Whilst this would provide future occupiers alternative transport provision, it does not necessarily mean that the proposal would not have a harmful effect on highway safety. The appellant has also stated that the dwelling's impact on traffic levels would be minimal and that a nearby development was approved² despite no on-site car parking provision for that dwelling or the neighbouring dwelling to its north. However, I do not have the details of this scheme before me.
18. The Council has suggested that it is unclear if any cycle parking could be adequately accommodated in the front forecourt area given the parking issues identified. However, I consider that the site is large enough to be able to

² TP/04/1651

accommodate cycle storage and could be dealt with by an appropriately worded condition.

19. Thus, in the absence of evidence to the contrary, I cannot be certain that there is sufficient capacity to accommodate the parking demands of the appeal scheme and the host property on-street. As such, the proposal could contribute to circumstances where inconsiderate and dangerous parking may occur. This would be to the detriment of highway safety, and thus contrary to the collective aims of Policy 6.13 of the LP, CP4 of the CS and DMD 45 of the DMD. These policies, amongst other things, seek to deliver improvements to the road network and address parking needs. Policy CP30 is mentioned in the decision notice under this main issue but relates to the quality of the built and open environment so is not relevant in this instance.

Other Matters

20. I acknowledge that the proposal would provide a new dwelling to meet local housing need and due to it being a small site could be delivered relatively quickly. However, as the proposal is only for one dwelling, the benefits would be very limited, and it would not overcome the harm that I have identified above.
21. I note that the appellant has raised concerns about how the application has been dealt with by the Council. However, this is not a determinative matter for the appeal.

Conclusion

22. Whilst I have identified that the proposal would be acceptable in terms of living conditions, I have identified harm to the character and appearance of the area and highway safety. Therefore, for the reasons set out above, the appeal is dismissed.

D Peppitt

INSPECTOR