



Appeal Decision

Site visit made on 25 January 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 09 February 2021.

Appeal Ref: APP/Q5300/W/20/3263016

1 Mitchell Road, Southgate N13 6EG

- 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 Hamid Kamyab (KIKS Group Limited) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/02002/FUL, dated 1 July 2020, was refused by notice dated 17 August 2020.
 - The development proposed is the erection of a new dwelling, ground floor rear extension and loft conversion to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area; (b) the living standards of the occupiers of the proposed dwelling and (c) the safety of other highway users.

Reasons

Character and Appearance

3. The appeal property is a 2-storey semi-detached dwelling located at the junction of Mitchell Road and Chequers Way. By reason of its location, the property is sited within the larger plot than similarly designed dwellings fronting Mitchell Road. Within the surrounding area there are a mix of houses, purpose built apartment buildings and employment buildings associated with a dairy. To the north of the property is Ostliffe Road, beyond which is the A406 North Circular Road, and to the west is a large tarmac surfaced area of highway land which is used for parking and as a waiting area for buses. By reason of siting, the property is located at a visually prominent corner plot.
4. The proposed development includes the erection of side and rear extensions to the property. Although the proposed side extension would have a lower roof height than the host property and the first floor front elevation would be set back, the overall bulk and width of this element of the appeal scheme would appear disproportionate to the size of the property and would materially unbalance this pair of semi-detached dwellings. There would be the appearance of a terrace of 3-dwellings and this type of residential development

would not reflect the immediate streetscene along Mitchell Road comprising pairs of semi-detached dwellings.

5. In combination, the scale and massing of the rear and side extensions, together with the proposed dormer, would represent an overdevelopment of this prominent corner plot. The overdevelopment of the plot would be manifested by the small garden sizes for the existing and proposed dwellings when compared to other private amenity spaces. The front elevation of the proposed dwelling would be sited close to the boundary with Chequers Way and would accentuate the cramped character and appearance of the appeal scheme. The identified unacceptable harm would also be accentuated by the contrived design and layout associated with the proposed dwelling, including the main access being from Chequers Way rather than Mitchell Road and the parking for the existing and proposed dwellings sharing the front garden access.
6. Although the appeal scheme would be an effective use of land within the urban area and future residents would have access to a range of local facilities, these matters do not outweigh the unacceptable harm which has been identified.
7. Accordingly, on this matter it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. It is further concluded that the appeal scheme would conflict with Policies 7.1, 7.2, 7.4 and 7.6 of the London Plan (LP); Policies CP4 and CP30 of Enfield's Core Strategy 2010-2025 (CS) and Policies DMD 6, DMD 13, DMD 14, DMD 37 and DMD 38 of Enfield's Development Management Document (DMD). Amongst other matters these policies require proposals to improve the quality of the built environment, including by reference to taking into account the nature of the surrounding area and promoting high quality development of an appropriate scale, bulk and massing.

Living Standards

8. The Council assessed the internal space of the proposed dwelling based upon the provision of a 3-bedroom unit for occupation by 6 people over 3-storeys. However, as noted by the appellant, the appeal scheme identifies that the proposed 2-storey dwelling would be a 2-bedroom unit occupied by 4 people. Based upon LP Table 3.3 and Annex 4 to the *London Housing Supplementary Planning Guidance* (SPG) the internal floorspace should be 79sq m. The appellant calculates some 96sq m of internal floorspace would be provided and the Council has not disputed this figure. For this reason, the internal floorspace of the proposed dwelling would meet the required standard.
9. On this issue it is concluded that the proposed development would result in satisfactory living standards for the future occupiers and, as such, there would not be a conflict with LP Policy 3.5, CS Policies CP4 and CP30; DMD Policies DMD 8 and DMD 6 and the SPG. These policies relate to the quality of the accommodation provided, including adequate room sizes. LP Policies 3.4 and 3.8, CS Policies CP5 and CP6 and DMD Policy DMD 3 concern the mix and density of housing development rather than living standards.

Highway Safety

10. DMD Policy DMD 8 requires adequate car parking to be provided for developments and LP Policy 6.13 refers to the maximum parking standards

identified at LP Table 6.2 being used as the basis for the assessment of applications. For housing schemes, the maximum standards for off-street parking are 1.5 spaces for 3-bedroom dwellings and up-to 1 space for a 2-bedroom property.

11. However, DMD Policy DMD 45 refers to other factors which can be taken into account, including access to facilities and the existing parking pressures in the locality. During the morning site visit it was noted that there is access to bus services and shops are within walking distance. However, where parking and waiting restrictions were not applicable there was limited scope to park on-street. In the absence of adequate alternative on-street parking provision, this is a case where it would be appropriate for the provision of off-street parking spaces to accord with the maximum standards.
12. Two parking spaces are proposed for the dwellings which would utilise the hard surfaced front garden of the host property. The maximum parking standards would not be achieved by the appeal scheme and this could result in indiscriminate parking on-street, including close to the road junction, thereby causing a danger to the safety other highway users.
13. Although 2 cars could park within the front garden, the ability to safely manoeuvre these vehicles would be limited by the available space. There would be a need to reverse vehicles into/from the front garden close to a junction where, as the Council claim, the existing means of enclosure would limit visibility. There would be a danger caused to the safety of other highway users, including pedestrians and cyclists.
14. Alterations could be secured by condition to reduce the height of the means of enclosure and potentially widen the existing access. However, these matters would not address the limited space for manoeuvring within the front garden and the shortfall in the off-street parking provision.
15. It is, therefore, concluded that the proposed development would cause a danger to the safety of other highway users and, as such, it would conflict with CS Policy CP25; DMD Policies DMD 8, DMD 45 and DMD 46 and LP Policies 6.10 6.11 and 6.13. In addition to the provision of off-street parking spaces, these policies also require high quality environments for cyclists and pedestrians. CS Policy CP24 and DMD Policy DMD 47 are not judged to be of direct relevance to this issue because they relate to the definition of the road hierarchy and the provision of new accesses, roads and servicing.

Conclusion

16. Although the proposed development would result in satisfactory living standards for the future occupiers this matter is significantly and demonstrably outweighed by the unacceptable harm caused to the character and appearance of the surrounding area and the danger caused to the safety of other highway users. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR