



Appeal Decision

Site visit made on 28 February 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09/03/2022

Appeal Ref: APP/Q5300/W/21/3280999

56 Turkey Street, Enfield EN3 5TP

- 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 Prakash Desai against the decision of London Borough of Enfield.
 - The application Ref 21/01582/FUL, dated 22 April 2021, was refused by notice dated 14 July 2021.
 - The development proposed is sub-division of the plot and the erection of a two-storey detached dwelling together with parking, cycle and refuse storage, following the demolition of the existing garage, and the provision of a dropped kerb and parking for the existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The first reason for refusal on the Council's decision notice refers to the relationship of the proposal with the existing dwelling at No 56 Turkey Street. It is clear from the Council's delegated report that the Council's concerns in that particular regard primarily relate to the quality of outlook and light for occupiers of No 56. I have therefore given regard to this in defining the second main issue.
3. At the time of my visit the plot serving No 56 Turkey Street had already been subdivided. However, the boundary fencing erected did not reflect the alignment of the proposed boundary on the plans before me. I have therefore based my assessment on the 'Proposed Block Plan' submitted as part of the planning application.

Main Issues

4. The main issues are:
 - (i) The effect of the proposal on the character and appearance of the area;
 - (ii) The effect of the proposal on the living conditions of occupants of No 56 Turkey Street with particular regard to outlook and light; and
 - (iii) Whether the proposal would provide suitable living conditions for occupiers of the proposed dwelling with particular regard to the provision of internal floor space and private outdoor space.

Reasons

Character and appearance

5. The appeal site is located within a residential area. There are a mix of dwellings styles along Turkey Street. However, the appeal site is situated within a row of similarly designed two-storey semi-detached dwellings. The garages serving these dwellings more often adjoin side boundaries with regularly spaced gaps at first floor level between the semi-detached pairs. No 56 Turkey Street is one of a pair of semi-detached dwellings which are angled to face the junction of Turkey Street and Goodwood Avenue. This in turn creates a wider splayed gap between the dwellings at Nos 56 and 54 than those generally seen within the row. Dwellings are similarly arranged on the opposite corner of Goodwood Avenue and also at the junction of Turkey Street with Ascot Gardens to the other end of this row of dwellings. The regularity in design, spacing and layout of these semi-detached pairs gives a pleasant sense of order and consistency to this part of the street scene.
6. The front elevation of the dwelling would incorporate some of the design features seen on neighbouring semi-detached dwellings including a set back to the first-floor elevation and a bay window. Even so, due to their relative angled position, the space between the dwellings which would narrow considerably towards the rear, together with the depth of the development which would overlap the rear elevation of No 56, these two dwellings would sit awkwardly alongside each other when viewed from Turkey Street. In addition, the gap between the two-storey side elevations of the development and the dwelling at No 54 would be markedly tighter than the more generous spacing generally seen between other semi-detached dwellings in the row. As a result, the proposal would result in a visibly cramped development that would not positively respond to the defining characteristics of this part of the street scene.
7. My attention has been drawn to side extensions that have taken place to some of the semi-detached dwellings in the area. However, the extensions are not comparable to the detached dwelling before me or its prominent location on Turkey Street next to the angled corner dwellings. The evidence before me also indicates that planning permission has been granted for a dwelling next to No 24 Turkey Street. However, that particular site sits next to a three-storey block of flats and within a more transitional part of the street scene. The dwelling at No 1A Goodwood Avenue is situated in a wider plot and set back from the neighbouring corner dwellings facing Turkey Street. It therefore sits comfortably within the context of Goodwood Avenue and therefore is also not comparable to the appeal proposal.
8. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard, the development would conflict with the design, local character and context requirements of Policy D4 (Delivering good design) of the London Plan (2021) (LP), Policy CP30 (Maintaining and Improving the Quality of the Built and Open Environment) of The Enfield Plan Core Strategy (2010) (CS) and Policies DMD 7 (Development of Garden Land), DMD 8 (General Standards for New Residential Development) and DMD 37 (Achieving High Quality and Design-Led Development) of the Enfield Council Development Management Document (2014) (DMD).

Living conditions of occupiers of No 56 Turkey Street

9. The proposed dwelling would extend beyond the rear elevation of the dwelling at No 56. This would result in a tapered boundary close to the rear elevation of the existing dwelling at No 56. As a result, the proposed dwelling in combination with any boundary treatment erected would be likely to have an overbearing and enclosing impact when experienced from the closest ground floor rear elevation window and the garden area next to the rear elevation of No 56.
10. There is no detailed evidence before me to suggest that the development would be harmful to levels of light experienced from No 56. Whilst I cannot therefore be certain that the development would harmfully reduce levels of light experienced by occupiers of No 56, this does not diminish the other harm to neighbouring living conditions identified above.
11. I conclude, the development would be harmful to the living conditions of occupiers of No 56 with particular regard to quality of outlook. In that regard it would conflict with the amenity requirements of Policies DMD 7 and DMD 8 of the DMD. The proposal would also conflict with the requirements at Paragraph 130 of the Framework for developments to create places with a high standard of amenity for existing and future users.

Living conditions for future occupiers

12. The Government's 'Technical housing standards - nationally described space standard' (published 2015) (the space standards) requires amongst other things that two-bedroomed two-storey dwellings with bed space for three persons have a minimum gross internal floor area (GIA) of 70m² with built in storage of 2.0m². Table 3.1 under Policy D6 (Housing quality and standards) of the LP sets out the same minimum internal space standards.
13. Whether I take the appellant's GIA measurement at 67.72m² or the Council's at 64m², the dwelling would fall below the minimum requirements in the space standards. Therefore, whether or not additional storage could be provided under the staircase does not overcome the overall deficiencies identified. Given the space standards are minimum requirements, I am not persuaded that GIAs below this would provide a comfortable internal living environment for future occupiers.
14. The Council's calculations suggests that 27m² of private outdoor space would be provided for the proposed dwelling. This would exceed the minimum private amenity space requirement for a two-bedroomed three-person dwelling set out in Policy DMD 9 (Amenity Space) of the DMD. Whilst I acknowledge that its triangular shape would mean that the rearmost part of the garden would be less usable, I am satisfied that there would be sufficient space for example to sit out or hang out washing. Even so, this does not overcome the deficiencies in the GIA of the dwelling identified above.
15. I conclude, the development would not provide suitable living conditions for future occupiers of the dwelling with particular regard to internal floor space. In that regard, it would conflict with the requirements for developments to meet minimum space standards, be suitable for their intended function and to provide comfortable and functional layouts in Policy D6 (Housing quality and standards) of the LP and Policies DMD 8 (General Standards for New

Residential Development) and DMD 37 (Achieving High Quality and Design-Led Development) of the DMD.

Other Matters

16. The site's sustainable location within the built-up area and the ability to provide suitable parking and refuse arrangements are not matters which overcome the harm identified under the main issues.

Conclusion

17. The development would result in significant harm to the character and appearance of the area and would not ensure that acceptable living conditions would be provided for existing and future occupiers. It therefore conflicts with the development plan when taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Russell

INSPECTOR