



Appeal Decision

Site visit made on 29 November 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2022

Appeal Ref: APP/Q5300/W/22/3304573

Land lying at Ringmer Place, lying to the rear of 11 Bush Hill, Winchmore Hill N21 2DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Chris Andreou against the decision of London Borough of Enfield.
 - The application Ref 21/04797/FUL, dated 23 December 2021, was refused by notice dated 20 May 2022.
 - The development proposed is sub-division of site and erection of a new 4 bedroom dwelling house of two storeys and loft accommodation, off-street parking and landscaping works, accessed via existing vehicle entrance at Ringmer Place.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted an amended plan demonstrating floor to ceiling heights. As the plan relates to a very minor internal dimension change only and is not considered prejudicial to any party, I have taken this plan into account in reaching a decision.

Main Issues

3. The main issues of the appeal are:
 - The effect of the proposed development on the character and appearance of the surrounding area.
 - Whether the proposed development would provide an adequate standard of accommodation for future occupiers in relation to floor areas and floor to ceiling heights.

Reasons

Character and appearance

4. The appeal site is located within a residential setting on land to the rear of No. 11 Bush Hill. The surrounding properties comprise large, detached dwellings which are set back from the road with garden areas and off-street parking located to the front and generous gardens to the rear. This established pattern continues along Ringmer Place where properties broadly align with one another and are neatly arranged around the cul-de-sac. The arrangement and form of

dwelling give a sense of openness and spaciousness within the street scene which contributes positively to the character and appearance of the area.

5. The appeal site has a large garden to the rear and the proposed development within this rear garden would reduce the amount of space between the host property and the proposed dwelling. This, together with the overall position and siting closer to the road and substantial height and width of the property would result in a cramped form of development which would sit uncomfortably close to the host property and site boundaries.
6. Whilst the amenity space proposed would exceed the minimum requirements, this would not negate the perception of overdevelopment on this site, eroding the existing pattern of development.
7. At my site visit, I observed that the solid boundary wall and landscaping to the side of the rear garden area is consistent with that on the opposite side of the road and contributes to the sense of openness on approaches onto Ringmer Place breaking up the built form of the cul-de-sac. Although the wall and landscaping are shown to be retained, the introduction of a proposed dwelling in this space would be highly visible from Ringmer Place given its position and siting closer to the road and substantial height and width. Consequently, the proposed development would remove this key feature appearing as inconsistent and overly prominent in the street scene in comparison to adjacent properties. The limited views of the site from Bush Hill is a neutral factor in my overall decision.
8. I accept that the proposed development would be of a similar height and footprint to other nearby properties. However, it still lacks cohesiveness with the form and layout of surrounding properties given the over intensive use of the plot and incongruous positioning in front of the existing building line.
9. I conclude that the proposed development would unacceptably harm the character and appearance of the surrounding area. As such, it would be contrary to Policies D3 and D4 of the London Plan, Policies CP30 and CP31 of the Core Strategy and Policies DMD6, DMD8 of the Enfield Development Management Document which together, amongst other things, requires development to have special regard to their context and be appropriate to the existing pattern of development.

Standard of accommodation

10. I note the Council's concern regarding the floor to ceiling heights. However, given that the appellant has provided a revised plan demonstrating that the required standard could indeed be met, I am content that this matter is adequately addressed.
11. While the reasons for refusal included inadequate floor areas, the Council's Officer's report clearly sets out that the proposal would comply with minimum internal floor space standards and there is therefore a level of ambiguity over the Council's second reason for refusal. I have considered the plans submitted and in the absence of further clarity on this specific matter from the Council, I am content that such standards have indeed been demonstrated.
12. I conclude that the proposed development would provide an adequate standard of accommodation for future occupiers in relation to floor areas and floor to ceiling heights and would comply with Policy D6 of the London Plan, Policies

CP4 and CP30 of the Enfield Core Strategy and Policies DMD6, DMD8 and DMD37 of the Enfield Development Management Document which together, amongst other things, seek to achieve a high quality of design and standard of accommodation.

Other Matters

13. I acknowledge that the proposed development would provide a family dwelling within a sustainable location. However, the modest contribution of one family sized property would not be sufficient to outweigh the harm identified to the character and appearance of the surrounding area.
14. The appellant suggests that the Council are underperforming in terms of housing delivery and that the presumption in favour of sustainable development should be applied although the Council haven't responded on this matter. Even if I were to accept the appellant's figures, the harm identified would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole. As a result, the presumption in favour of sustainable development would not apply.

Conclusion

15. Although the proposed development would provide an adequate standard of accommodation for future occupiers in relation to floor areas and floor to ceiling heights, it would unacceptably harm the character and appearance of the area and thus conflict with the development plan as a whole. There are no other considerations that individually or cumulatively outweigh this harm. The appeal should therefore be dismissed.

N Teasdale

INSPECTOR