



Appeal Decision

Site visit made on 22 December 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/Q5300/W/22/3305581

230 Chase Road, Southgate, Enfield N14 6HH

- 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 Amir Wayman against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/01747/FUL, dated 26 May 2022, was refused by notice dated 3 August 2022.
 - The development proposed is for the subdivision of the site and formation of 2 x 3 bed residential units facilitated by a hip to gable roof extension, enlarged flat roof rear dormer and external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the subdivision of the site and formation of 2 x 3 bed residential units facilitated by a hip to gable roof extension, enlarged flat roof rear dormer and external alterations at 230 Chase Road, Southgate, Enfield N14 6HH in accordance with the terms of the application, Ref 22/01747/FUL, dated 26 May 2022, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Extensions and alterations to the appeal property were ongoing and largely completed at the time of my visit. Those I saw appear very similar to what is shown on the submitted plans. I have considered the development on the basis of the submitted plans.
3. The Council suggest that subdivision of the appeal property to create an additional dwelling could be achieved without the need for the gabled roof extension; and the appellant has provided plans showing alternative dormer extensions which were not part of the planning application. However, I am required to determine the appeal based on the plans used by the Council in reaching their decision, and that is what I have done.

Main Issue

4. The main issue is the effect the proposal would have on the character and appearance of the area.

Reasons

5. The appeal property is situated in a well-established primarily residential area along a busy main road close to the commercial centre of Southgate. There is a mix of mainly two-storey terraced and semi-detached houses close to No 230, some of which have been altered and extended including through the addition

of dormers to the sides and rears. A block of more modern three-storey flats sits opposite the appeal site, next to a two-storey modern convenience store which has flats at the first floor. The size and design of nearby properties varies along this section of Chase Road, and they exhibit a range of external finishes including buff and red brick, pebbledash, smooth and rough-cast render, and red, brown, and grey roof coverings. These features contribute towards creating a pleasant variety of buildings in the area.

6. Chase Road slopes downwards from the centre of Southgate towards Mayfair Terrace before rising again as it continues northwards. The topography results in local roofscapes forming an important element in defining the appearance of Chase Road. No 230 is substantially higher than 228 Chase Road, the property to which it is attached. The difference in roof ridge heights is noticeable when the properties are viewed from Chase Road and from Mayfair Terrace, being marked by a substantial step between the main roof ridges. This results in a noticeable upper portion of the dividing side roof wall of No 230 appearing as if it were an ordinary gable onto which No 228 has been attached.
7. Equally noticeable is a variation in roof pitches between the two properties with the appeal property having a markedly steeper roof pitch than No 228. While the two properties have features in common, including their two-storey front bays, their overall appearance particularly within the roofscape makes both appear distinctly different from each other. Apart from an immediately adjacent pair of semis, properties on both sides of Chase Road as it runs up toward Southgate are predominantly gabled. This contrasts with properties running northwards from the appeal site, and along Mayfair Terrace which mainly have hipped roofs.
8. Within this context, the alteration to create a gabled roof in place of the previous hipped roof as shown on the plans, and that I saw on site, does not unacceptably disrupt the character or balance of the property or the pair of which it forms a part. The gabled roof does not appear out of place, and it sits comfortably in the street. The property is screened in part by mature trees, a matter noted by the Council. However, views into the site are easily achieved from locations along Chase Road. Even if those trees were removed the proposals would not harm the appearance of the area.
9. The rear dormer shown on the plans and that I saw on site is a large structure. Its roof is set down from the main roof ridge, and its cheeks are set in on both sides from the eaves. Having regard to the plans and the dimensions given in the appellant's statement, its design varies marginally from expectations set out in Policy DMD 13 of the Improving Enfield Development Management Document (November 2014) ('the DMD') in respect of inset distances from eaves and ridges for dormers. However, I note that Policy DMD 13 is not prescriptive in that it refers to inset distances that should normally be required, the variance is small, and this constitutes only a technical breach of the development plan.
10. No 230 is set back a short distance from Mayfair Terrace, being separated from that street by the rear garden of No 228. While the dormer is visible, it does not look disproportionately bulky when viewed from Chase Road or Mayfair Terrace. When viewed alongside the dormer in the rear roof of No 228, and when seen in context with other nearby roof alterations, it appears as a largely unremarkable extension. Notwithstanding the small variance from the

development plan that I have noted, in this instance, the dormer does not appear as overly dominant when viewed from nearby public highways.

11. I conclude that the development would not harm the character and appearance of the area. It therefore complies with Policy D6 of the London Plan (March 2021), Policies DMD 8, DMD 13 and DMD 37 of the DMD, and Core Policy 30 of the Enfield Plan Core Strategy 2010 – 2025 (November 2010) which collectively and in summary require development to be of good design, appropriate to its context and surroundings, of appropriate size, scale, bulk and massing, be in keeping with the character and balance of the property, and not be dominant in local views. The proposal also accords with the National Planning Policy Framework ('the Framework') which seeks the same outcomes from development.

Conditions

12. Conditions have been suggested by the Council and the appellant has no objections to those. I have imposed the suggested conditions with some minor modification for clarity except where they are not necessary or reasonable for reasons I have set out below.
13. I have imposed a condition stipulating the approved plans in the interest of certainty. Representations suggested a need for cycle storage and for details regarding surface water drainage arrangements to be agreed with the Council. I agree that both measures are necessary to promote active travel and to secure appropriate drainage arrangements that minimise the risk of flooding. I have imposed appropriate conditions accordingly.
14. Conditions are necessary to secure appropriate refuse storage arrangements and means of enclosure to the boundaries of the appeal site to protect the living conditions of neighbours and to prevent harm to the character and appearance of the area. I have imposed appropriate conditions to secure these.
15. Conditions are necessary to encourage the efficient use of water and to secure energy efficiency measures in the interests of promoting the prudent use of resources. However, I have not been provided with all development plan policies the Council refer to in these regards. I have therefore simplified those conditions, each of which will achieve the intentions set out by the Council.
16. The proposed development had commenced when I viewed the site, and it is therefore not necessary to impose the standard commencement conditions. Given the progress I observed, which appeared to show that the external finishes were largely in place, and I found these to be acceptable, it would not be necessary to attach a condition regarding materials to be used in the development.
17. Having regard to the stage reached in the proposed development at the time of my site visit, a construction management plan would not now be necessary.
18. I am not convinced that the widescale removal of permitted development rights suggested by the Council would be reasonable or justified, and no specific justification has been provided regarding the necessity for such a condition in every respect.

19. It would be unreasonable to require approval from the local planning authority of a final Energy Performance Certificate since this matter is covered in separate legislation which establishes an approval and enforcement regime.

Conclusion

20. For the above reasons, having regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions in the attached schedule.

David English

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing 3D drawing EX – 3D dated 4/5/22;
Existing Front & Rear Elevations drawing EX – E001 dated 4/5/22;
Existing Side Elevation drawing EX – E002 dated 4/5/22;
Existing Side Elevation 2 drawing EX – E003 dated 4/5/22;
Existing Location Plan & O.S. Map drawing EX – L001 dated 4/5/22;
Existing Ground Floor Plan drawing EX – P001 dated 4/5/22;
Existing First Floor Plan drawing EX – P002 dated 4/5/22;
Existing Loft Plan drawing EX – P003 dated 4/5/22;
Existing Roof Plan drawing EX – P004 dated 4/5/22;
Existing Section AA drawing EX – S001 dated 4/5/22;
Proposed 3D drawing PR – 3D dated 10/5/22;
Proposed Front & Rear Elevations drawing PR – E001 dated 10/5/22;
Proposed First Floor drawing PR – E002 dated 10/5/22;
Proposed Side Elevation 1 drawing PR – E002 dated 10/5/22;
Proposed Side Elevation 2 drawing PR – E003 dated 10/5/22;
Proposed Location Plan & O.S. Map drawing PR – L001 dated 10/5/22;
Proposed Ground Floor drawing PR – P001 dated 10/5/22;
Proposed First Floor drawing PR – P002 dated 10/5/22;
Proposed Loft Plan drawing PR – P003 dated 10/5/22;
Proposed Roof Plan drawing PR – P004 dated 10/5/22;
Proposed Section AA drawing PR- S001 dated 10/5/22;
Proposed Block Plan drawing PR- S002 dated 10/5/22; and
Location Plan & O.S. Map drawing L – L001 dated 27/5/22.
- 2) The development hereby permitted shall not be occupied until space has been laid out within the site for bicycles to be parked securely in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. That space shall thereafter be kept available for the parking of bicycles.
- 3) The development hereby permitted shall not be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and

- c. provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 4) The dwelling hereby permitted shall not be occupied until a refuse storage area has been constructed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The approved scheme shall be retained thereafter.
- 5) The dwelling hereby permitted shall not be occupied until a plan and details indicating the positions, design, materials and type of boundary treatments to be erected has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before first occupation and retained thereafter.
- 6) The dwelling hereby permitted shall not be occupied unless the water efficiency Optional Requirement of Part G2 of the Building Regulations have been complied with. The measures implemented shall be retained thereafter.
- 7) The dwelling hereby permitted shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Homes have been met and the details of compliance provided to the local planning authority.