



Appeal Decision

Site visit made on 30 January 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2023

Appeal Ref: APP/Q5300/W/22/3300330

205A Whittington Road, Southgate N22 8YW

- 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 M Christodoulou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/00916/FUL, dated 13 March 2022, was refused by notice dated 3 May 2022.
 - The development proposed is conversion of self-contained flat into 2 x self-contained flats including associated cycle storage and terrace.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) The effect of the proposed development on the character and appearance of the area;
 - ii) Whether the proposed development would make satisfactory provision for accessible cycle parking; and
 - iii) The effect of the proposed development on the living conditions of the neighbouring occupiers at No 207 Whittington Road, with regard to outlook.

Reasons

Character and appearance

3. The appeal site is an end-terrace corner property in a predominantly residential area, with a small parade of ground floor commercial uses occupying the adjoining units in the terrace. The proposed development comprises the conversion of the existing flat occupying the first and second floors into 2 self-contained flats. Whilst there are some large single-storey extensions in the vicinity, the streetscape above ground floor level is characterised by more modest 2-storey outriggers, such as those existing at the host property and its immediate neighbours on Whittington Road.
4. A terrace would be installed to the rear elevation of the existing first floor outrigger to provide external amenity space for one flat. This would be sited above the existing ground floor flat roof extension to the rear of the property.

5. The terrace would be formed by extending the side brick walls of the first-floor rear outrigger further outwards to create screening to the side elevations. Safety railings would be installed on the rear elevation. The outrigger is prominently visible from surrounding public vantage points, being sited directly on the property's boundary with the highway and raised above the street. The screening to the side elevations would represent a continuation of the existing side walls of the outrigger. However, the competing height, boundary features and rooflines of the various elements of the rear projections on the host property would appear as incongruous additions to the building that would conflict with the prevailing characteristics of the area above ground floor level.
6. Reference has been made to similar developments in the vicinity, including at 225 Whittington Road. However, I have been provided no specific details of these proposals. Furthermore, the appeal site is notably more prominent than 225 Whittington Road, and accordingly the proposals would not be comparable. During the course of my visit I noted no specific examples of similar developments in the vicinity that would lead me to alter my previous findings.
7. For the above reasons, the proposed development would result in harm to the character and appearance of the area and would conflict with the aims of Policy CP30 of The Enfield Plan Core Strategy 2010-2025 (Adopted November 2010) (the 'CS'), Policies DMD6, DMD8, DMD11 and DMD37 of the Enfield Council Development Management Document (DMD) (Adopted November 2014) (the 'DMD'), and Policies D3, D4 and D5 of the London Plan (March 2021) (the 'LP2021'). Together these policies seek, among other objectives, for all developments to be of high-quality, accessible and inclusive design, to achieve a high standard of accommodation, to positively respond to local distinctiveness, and to retain design quality through to completion. The Council has referenced Policy DMD7 of the DMD, which relates to the development of garden land. On the basis the proposed development does not concern this, I do not find this policy to be relevant to the appeal.

Cycle parking

8. The proposed cycle storage arrangement would comprise the installation of a lockable shed on land to the rear of the property, currently used for the storage of wheelie bins. The submitted details show this would comprise a double lockable front door and would provide storage for up to 4 cycles.
9. It appears from the submitted details that cycles would be stored standing up alongside each other. If more than one cycle was stored, the cycle nearest the door would need to be removed from the shed before any cycles behind it could be accessed. This would lead to a likely scenario where someone requiring access to a cycle stored at the very back of the shed would need to remove up to 3 cycles, some of which would likely belong to other households, before gaining access to their own. Whilst such a scenario may be appropriate for a single household, the requirement for occupants to physically manoeuvre cycles belonging to other households in order to reach their own would not provide a convenient or secure arrangement.
10. I note both parties refer to the potential for cycle parking to be addressed through additional off-site provision. However, I have been provided with no specific details to demonstrate how this arrangement would work, nor have I seen any completed legal agreement or other mechanism to demonstrate how an acceptable arrangement would be delivered.

11. There is dispute between the parties regarding the ownership and rights of access to the land proposed to be used for cycle parking. Such issues would be private matters to be resolved between the parties involved, and if planning permission were granted this would not grant or infer any specific rights of access. However, on the basis of the matters previously discussed and the harm identified, this would not be determinative to my decision.
12. For the above reasons, the proposed development would fail to make satisfactory provision for accessible cycle parking and would conflict with the aims of Policies CP25 and CP30 of the CS, Policies DMD5, DMD8, DMD37, DMD45 and DMD47 of the DMD, and Policies T4 and T5 of the LP2021. Together these policies seek, among other objectives, to ensure cycle parking is fit for purpose, secure and well-located, for developments and interventions in the public realm to be high quality and design-led, for conversions to incorporate adequate parking that do not adversely affect the quality of the street scene, for development to be inclusive, easy for all to get to and move around, and to ensure cycling is a realistic alternative travel choice to that of the private car.

Living conditions

13. The proposed development would extend the existing rear outrigger further outwards. Whilst there are windows on the recessed rear elevation and the side elevation of the outrigger on the neighbouring property, these are located a significant distance from the part of the outrigger to be extended. The outward extension would not be of a significant scale or massing, particularly when read against the overall scale of the rear outrigger. Accordingly, any loss of outlook to the neighbouring property as a result of the proposed development would be negligible, and I do not find harm to arise in this case.
14. For the above reasons, the proposed development would have an acceptable effect on the outlook afforded to neighbouring occupiers and would accord with the aims of Policy CP30 of the CS, Policies DMD8 and DMD10 of the DMD, and Policies D3, D4 and D5 of the LP2021. Together these policies seek, among other objectives, to promote attractive, safe, accessible, inclusive and sustainable neighbourhoods, to preserve amenity, to ensure adequate daylight and sunlight for proposed and surrounding development, to maintain design quality through to completion, and to achieve accessible and inclusive design. The Council's decision also refers to Policy CP4 of the CS. This relates to design and sustainability standards for new homes, which I do not find to be relevant to this matter.

Conclusion

15. Whilst I have identified no harm with regard to the living conditions of neighbouring occupiers, the proposed development would fail to accord with the development plan as a whole and there are no material considerations that would outweigh this conflict. Accordingly, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR