



Appeal Decision

Site visit made on 27 February 2023

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 April 2023

Appeal Ref: APP/Q5300/D/22/3309984

130 Gladbeck Way, Enfield EN2 7EN

- 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 Paul Burkett against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/02193/HOU, dated 20 June 2022, was refused by notice dated 16 August 2022.
 - The development is a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I saw on my site visit that works were complete on the construction of a loft conversion with a rear dormer and the space was furnished as a bedroom with en-suite. The works seemed largely as shown on the application plans and completion is consistent with the information given in the planning application form. I have determined the appeal on its planning merits based on what I considered from my site visit to be a completed development. I have therefore referred to the proposal as 'the development', including in the banner heading above.
3. I have deleted the words 'retrospective application' from the description since this is not a form of development.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal dwelling is a mid-terraced house in a cul-de-sac which forms part of a quiet, relatively modern housing estate served by a sinuous estate road, Gladbeck Way, in a suburban location on the edge of Enfield town. The area close to the appeal property comprises a pleasant mix of two-storey semi-detached and terraced houses, the terraces being formed as short blocks of three or four dwellings. Several three storey blocks of flats served by the estate road are also located close to the appeal site. Facing materials are generally consistent in the vicinity with the dominant design features comprising pitched roofs and gable walls to the dwellings.

6. Due to the winding nature of Gladbeck Way the properties in the estate are often located at various angles to each other and there is no regular street pattern. This creates an arrangement of buildings and spaces leading to many rear elevations of the houses being readily visible from the highway. This is the case with the appeal property which is in clear view from the space between 126 and 128 Gladbeck Way, and from the garage parking court adjacent to the appeal site. The development appears as a large, wide, visually dominant and incongruous feature which breaks the predominant and generally regular pitched-roof pattern of the estate.
7. The development does not reflect the roofscapes and general characteristics prevalent in the design of dwellings in the vicinity of the appeal site. The dormer is inset a short distance from the eaves and edges of the roof. However, it is not set down from the roof ridge and the short insets do not mitigate the effect of the scale, mass and overall bulk of the development on the character and appearance of the host property or the surrounding area. I therefore find that it is not a well-designed or sympathetic addition to the appeal property and fails to have regard to its context and surroundings.
8. The development is harmful to the character and appearance of the area. Accordingly, it conflicts with Policy D3 of The London Plan (March 2021), Core Policy 30 of the Enfield Plan Core Strategy 2010– 2025 (November 2010), and Policies DMD13 and DMD37 of the Improving Enfield Development Management Document (November 2014) (the DMD) which, in summary, collectively require high quality design and seek to ensure development respects local character and has appropriate regard to its context and surroundings. The proposal would also fail to accord with the National Planning Policy Framework (the Framework) which requires the same outcomes.

Other Matters

9. My attention has been drawn to the personal circumstances of the appellant's family, particularly the need to create a sensory room for one of their children, a matter supported in evidence from an Occupational Therapist. The development allows other space in the house to be used as a sensory room. In considering this appeal I have had due regard to the public sector equality duty (PSED) set out under s149 of the Equality Act 2010 which identifies relevant protected characteristics, including age and disability.
10. However, the protection of public interests through the implementation of planning policy is in accordance with the law and necessary in a democratic society. In this case, it has not been shown that the development would be the only option to achieve the appellant's aims in respect of creating a sensory room. I have nothing before me to show or explain whether consideration has been given to other options to provide a sensory room without causing the harm I have identified to the character and appearance of the host building and area. Accordingly, I attach limited weight to this matter.
11. The PSED considerations do not outweigh the significant harm caused by the appeal scheme, and this would be permanent. After careful consideration of these particular matters, I am satisfied that the impact of dismissing this appeal is proportionate and justified.
12. Policy DMD8 of the DMD relates only to new residential development and is not a relevant development plan policy in the determination of this appeal.

Conclusion

13. For the reasons given above, the proposal would conflict with the development plan, when read as a whole. I have had regard to the matters raised by the appeal, in particular the personal circumstances of the appellant's family. However, material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

David English

INSPECTOR