



Appeal Decision

Site visit made on 7 June 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2023.

Appeal Ref: APP/Q5300/W/22/3312818

21 Turkey Street, Enfield EN3 5TT

- 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 M Seker against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/01168/FUL, dated 4 April 2022, was refused by notice dated 26 September 2022.
 - The development proposed is for the subdivision of site and erection of a 2-bedroom bungalow house with private amenity space and associated car and cycle parking.
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Decision

1. The appeal is dismissed.

Procedural matters

2. While the appellant has described the proposal as in the above heading, the Council has additionally referred to the relocation of a vehicle crossover. From my inspection of the plans, I consider that the Council's description more fully reflects the development sought. I have assessed the proposal on that basis.
3. The site falls within the Turkey Street Conservation Area (CA). Accordingly, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

Main issues

4. The main issues are the effect of the proposed development firstly, on the character and appearance of the local area bearing in mind the statutory test set out above; and secondly, whether the proposal would provide satisfactory living conditions for future occupiers with regard to private amenity space.

Reasons

Character and appearance

5. The appeal property is a 2-storey, semi-detached dwelling within the CA, which covers a small area and is predominantly residential in character. No 21 forms part of a row of 2-storey properties along the same side of Turkey Street that are similar in age and style and that also back onto Turkey Brook. This group of buildings is identified in the Turkey Street Conservation Area Character Appraisal (the Character Appraisal) as important contributors to the character of the CA. The Character Appraisal also notes that Turkey Brook, its

footbridges, and the path that runs alongside it provide a centrepiece to the CA. No 21 is not identified in the Character Appraisal as a locally listed building nor does the document show the site to form part of a key view within the CA.

6. The proposal is to erect a detached single storey dwelling within the side garden of No 21 with the site sub-divided between the new and existing building. The dilapidated garage that occupies part of the site would be demolished and removed to make way for the new development, as would the timber fence that marks the boundary of the site.
7. Due to its modest scale and height, the new dwelling would contrast markedly with the taller and more substantial buildings that address Turkey Street, with which the proposal would be seen. In views from the road, the overall visual effect would be unconvincing because the proposed dwelling would appear unusually diminutive among the existing 2-storey built form that characterises this part of the CA.
8. The new addition would also occupy a significant part of the site with a front elevation close to the adjacent footway, a flank wall near to the side boundary and a small garden at the rear. With limited space on 3 sides, the proposal would appear to occupy a restricted plot with a layout would be perceived as unduly cramped. By introducing a new dwelling in this way, the proposal would relate uneasily with the generally more spacious pattern of existing development, in which buildings are set back from the road and spaced further apart. For these reasons, the appeal scheme would appear as a visually disruptive and uncharacteristic intrusion into a side garden. This strong impression would be evident on the approach to the site along Turkey Street.
9. While the existing garage is a significant built form on the site and is partly visible from the road, it fits more comfortably into the streetscape because it is an ancillary outbuilding that is typically found in a residential garden rather than a freestanding dwelling. I agree that the unkempt condition of the site and the building and boundary fence contribute little positively to the character and appearance of the local area. However, there are ways to improve the appearance of the site other than in the manner proposed. The proposed materials would match those of No 21 and there would be adequate space within the site for bin stores and for car and cycle parking. However, having viewed the site from numerous vantage points, I have little doubt that the proposal would be a visually disruptive and uncharacteristic addition to the local area. It would fail to preserve the character and appearance of the CA.
10. On the first main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. As such, it conflicts with Core Policies 30 and 31 of The Enfield Local Plan Core Strategy 2010-2025 (CS), Policies DMD 6, DMD 37 and DMD 44 of the Council's Development Management Document (DMD) and Policies HC1 and D4 of The London Plan (LP). These policies aim to ensure that new development achieves high quality design and is compatible within its context.
11. The appeal scheme is also at odds with the policies of the National Planning Policy Framework (the Framework). These policies state that development should add to the overall quality of the area, be sympathetic to local character and safeguard heritage assets.

Living conditions

12. The external space left around the new dwelling with the additional built form and the new parking arrangements in place would be limited. As a result, the opportunity to provide private amenity space (PAS) to serve future occupiers would be restricted to a small, confined area of land at the back of the dwelling and to narrow strips at the front and side. This fragmented arrangement would significantly limit the value of the proposed PAS as attractive and useable space for day-to-day activities such as sitting out or drying clothes. To my mind, the quality and usability of the proposed PAS, which are key design considerations in new residential schemes, would be very limited.
13. On the second main issue, I therefore conclude that the proposal would not provide satisfactory living conditions for its future occupiers. Accordingly, it conflicts with LP Policy D6 and DMD Policies DMD 8, DMD 9 and DMD 37 insofar as they require new development to provide good quality PAS.

Public benefits

14. The harm caused to the character and appearance of the local area would be localised and so the effect on the CA would be less than substantial. Even so, the Framework states that great weight should be given to the conservation of such assets, which I have done. The Framework also notes that the harm should be weighed against the public benefits of the scheme. Once complete, the proposal would add to the supply and choice of housing, which has policy support. However, the contribution of a single dwelling would make a modest contribution to housing land supply. It would also contribute to the local economy through the sale of construction materials. However, these benefits do not outweigh the significant harm that I have identified.

Other matters

15. The appellant states that the proposal follows 'secure by design' principles and that the completed dwelling will include thermal insulation measures to ensure its energy efficiency. I note that the existing garage is not used. However, these matters do not outweigh the identified harm.
16. The Council appears to raise no objection to the relocation of the vehicle crossover in front of the site. I, too, find this element of the appeal scheme acceptable. However, the purpose of the new dropped kerb would be to serve the new development, which is objectionable. Its effect would be to remove the existing vehicle crossover that provides access to the site. Consequently, I have not issued a split decision that grants planning permission solely for it.

Conclusion

17. The proposed development would conflict with the development plan, as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR.