



Appeal Decision

Site visit made on 2 July 2024

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2024

Appeal Ref: APP/Q5300/W/23/3332187

937 Green Lanes, London N21 2PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr George Karaolis, MHK Alpha Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/02511/FUL.
 - The development proposed was described as 'convert this run down vacant ex nursing home into 3 flats, Flat 1 - 3 Bedroom 3 bathroom on the ground floor. Flat 2 - 3 Bedroom 3 bathroom on the first floor. Flat 3 - 1 bedroom 1 bathroom in the loft. The proposed building work is to build a first floor extension to the rear and rebuild the loft space and roof has collapsed.'
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr George Karaolis, MHK Alpha Ltd against the Council of the London Borough of Enfield. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development in the banner heading above is taken from the planning application form. However, the appeal form gives a different description of 'change of use from nursing home (class C2) to residential (class C3), creating 3 x self contained units involving first floor rear extension, 2-storey side extension and reconstruction of damaged roof and rooflights to front, rear and side elevations'. This reflects the description stated on the Council's decision notice and I consider it to more fully and accurately describe the proposal than the description on the application form. I have therefore considered the appeal having regard to this amended description.
4. In the period since the appeal was submitted, the Government published a revised version of the National Planning Policy Framework ('the Framework'). The main parties were given the opportunity to comment on the relevance of the Framework to this appeal, and I have had regard to the representations made.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host building and area.

Reasons

6. The appeal relates to a semi-detached building which the parties indicate was formerly in use as a nursing/care home but which has been vacant for some time. It sits within a run of semi-detached buildings between the junctions of Green Lanes with Sherbrook Gardens and Green Dragon Lane. The run comprises two groups of buildings which differ in their original designs, but which share some similar elements such as hipped roof forms and curved bay windows. The pairs are also of broadly similar height and are arranged fairly regularly along the street. Despite some alterations, including at roof level, these features provide for an overall sense of coherence across the run. The wider streetscene is mixed with buildings of varied scale, architectural design and use including three-storey mansion blocks at River Bank and a commercial parade with flats above to the opposite side of the street, but I find as a result that the semi-detached buildings between Sherbrook Gardens and Green Dragon Lane are appreciated as a distinct group.
7. The appeal building already has a large flat-roof dormer to the rear, but the proposed alteration of the main roof from a hipped to a gabled end over the side extension would contrast with the hipped roof of the attached neighbour at 935 Green Lanes and would unbalance the pair in views from the street. I note that a Certificate of Lawfulness has been granted for a roof extension including a gable end and rear dormer at No 935¹. However, this had not been implemented at the time of my visit and despite the appellant's comments that the Certificate demonstrates a clear intent, I can have little certainty that the roof of No 935 would be altered such that unbalancing of the roof design of the pair would not occur. That said, while hipped roofs are the predominant form on this part of the street, there are gables to the side of 923 and 931 Green Lanes which unbalanced the roofs of the pairs that these buildings are part of. Whether or not these gables resulted from exercise of permitted development rights, they are part of the street scene and I find in this context that the proposed gable end and contrasting roof form across the pair of No 935 and 937 Green Lanes would not appear overly incongruous.
8. However, the proposal also includes a large crown roof to the extensions at the rear of the building. I acknowledge that there is a crown roof addition to the rear of the neighbour at 939-941 Green Lanes, but I saw that this is positioned centrally across the pair. It is therefore appreciated against the whole building and this moderates the impression of its bulk and mass relative to the host roof and buildings. In contrast, the extension before me would be set away from the boundary with No 935. The crown roof would consequently be appreciated as an addition to just the appeal building rather than the pair, resulting in a feature of much greater scale against the host property.
9. The sloping sections around the flat part of the crown roof would also be notably steeper than the typical angle of roofs to other buildings in the group between Sherbrook Gardens and Green Dragon Lane, including the appeal building and the roof at 939-941 Green Lanes. This would exacerbate the bulk and mass of the upper part of the roof addition. Moreover, the crown element would join with the building's rear dormer to form a merged section of flat roof which would span almost the entire width of the extended host roofslope and

¹ Application ref 23/03232/CEA

which would have a wide section that would project significantly deeper than the existing roof.

10. There would be some views of the development from Green Lanes and the rear of the building would be clearly appreciable from surrounding properties as well as the access road and tennis club to the rear of the site. In these views, I find that the considerable scale of the cumulative additions to the roof would be oversized and dominant. The substantial bulk and mass of the roof level would give the building a very top-heavy appearance and would further distort the symmetry and rhythm of the semi-detached pair of the appeal building and No 935, causing them to stand out against other buildings on this part of the street.
11. In addition, the intersection of the crown roof cutting into the dormer would be visually awkward, and I find that the marked contrast in the steep angles of the crown roof slopes against the profile of the main roof would also be jarring. These uneasy aspects of the design would compound the unsympathetic and conspicuous nature of the proposal.
12. Having regard to the positioning of the extensions, the angle of the roof slopes and the relationship of the crown roof section with the dormer, I find that the development would be clearly distinguished from that at 939-941 Green Lanes. The appellant has also drawn my attention to examples of other flat crown roofs in the wider vicinity. I do not know the circumstances that led to these features, but from what I was able to see and the limited details in the appellant's evidence, it is not clear that any are directly comparable to the appeal scheme in all respects, including the relationship with the dormer and attached neighbour. They are also part of different street scenes.
13. Although a side gable and crown roof form would not be unique in the locality, I find for these reasons that the development taken as a whole would significantly and harmfully unbalance the proportions of both the host building and the semi-detached pair that it is part of and the proposal would detract notably from their architectural integrity. Notwithstanding the varied architectural styles and existence of other gable ends and crown roofs in the wider area, the resulting development would in my assessment be a discordant and unduly prominent feature that would be detrimental to the character and appearance of its surroundings.
14. I appreciate that the appeal building is currently in visibly poor condition but I find for these reasons that the proposal would cause significant harm to the character and appearance of the host building and area and I conclude that it would conflict with Policy D3 of the London Plan 2021, Core Policy 30 of the Core Strategy 2010 and Policies DMD 8, DMD 13 and DMD 37 of the Development Management Document 2014. Together and amongst other things, these policies broadly require high quality development of appropriate scale, bulk and massing that responds to and enhances local distinctiveness including roof extensions that do not adversely affect the character, appearance or quality of their area.

Planning Balance

15. There is no dispute between the main parties that the Council is unable to demonstrate a sufficient supply of housing as would be required by the Framework. Nor that results of the Housing Delivery Test show past housing

delivery of less than 75% of requirements. Paragraph 11 d) of the Framework is therefore relevant and indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

16. The appeal proposes three dwellings on a reasonably accessible and previously developed site which is currently vacant and in a state of disrepair, bringing it back into productive use. The development would include two three-bedroom dwellings which are identified as being in greatest need in the Borough, as well as a one-bedroom dwelling for which there is also a need.
17. In light of the shortfalls in housing supply, both past and future, and clear objectives within the Framework and development plan including to make efficient use of land, to boost significantly the supply of housing and to address the needs of different groups for housing, these are important benefits to which I afford great weight. The proposal also includes cycle storage which would support use of sustainable travel modes in accordance with Framework objectives to support the transition to a low carbon future. That said, there would be only a very small contribution to the supply and mix of housing, limiting the extent of these benefits. While the appellant suggests that refusal would mean the scheme would need to be re-evaluated in terms of the size and number of dwellings and may be uneconomic, there is also no substantive evidence before me to show that the site would remain vacant and could not be brought back into a good state of repair and beneficial use in the absence of the specific appeal proposal. Social and economic benefits associated with the construction and occupation of the development including supply chain benefits would also be very small given its scale.
18. Moreover, the Framework balances the objectives above against requirements seeking development that is sympathetic to local character and highlighting the importance of well-designed places. The proposal would be contrary to these requirements, and I find that the scale of the proposal together with the unsympathetic design would cause significant harm to the character and appearance of the host building and area. I give significant weight to this harm.
19. In my judgment, the adverse impacts of the proposal would significantly and demonstrably outweigh the modest benefits when assessed against the policies in the Framework taken as a whole. The proposal would not therefore benefit from the presumption in favour of sustainable development within the Framework. Nor are there material considerations which, applying section 38(6) of the Planning and Compulsory Purchase Act 2004, would be sufficient to justify a decision otherwise than in accordance with the development plan.

Conclusion

20. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations including the Framework do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR