



Appeal Decision

Site visit made on 21 November 2024

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/Q5300/D/24/3347468

43 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 Ruairi O' Niocail against the decision of the Council of the London Borough of Enfield.
 - The application Ref.24/00254/HOU.
 - The development proposed is the "Demolition of toilet block replacement with new garden room extension. Two new windows on side elevation."
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the toilet block and replacement with a new garden room extension and two new windows on the side elevation at 43 Turkey Street, Enfield EN3 5TT, in accordance with the terms of planning application ref.24/00254/HOU dated 26 January 2024, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Site location plan, 03 Rev B, 04 Rev B, 05, 06, 07 Rev A, 08 Rev B, 09 Rev A, 13 Rev A, 23476-23-01, 23476-23-03, 26476-23-03 & WELL/FHH/01.
 - 3) Notwithstanding plan no.13 Rev A, there shall be no widening of the eastern pedestrian entrance of the appeal site to/from Gilbert Street.
 - 4) Notwithstanding the approved plans, no above ground works shall commence until drawings, including sections, to a scale of 1:20 or larger, detailing the proposed windows and doors hereby permitted (including cills, reveals, heads, materials, window furniture) have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be timber and installed in accordance with the approved details. This condition does not apply to the two rooflights proposed in the garden room extension.
 - 5) The development shall be carried out in strict accordance with the Arboricultural Report and Impact Assessment dated 5/12/23 by Moore Partners Ltd.

Main Issue

2. The appeal site is located within the Turkey Street Conservation Area "CA" and the host dwelling is a non-designated heritage asset. The main issue is the effect of the proposal on the character and appearance of the CA and host dwelling as a non-designated heritage asset.

Reasons

3. The appeal site is a two storey property with garden on three sides – to the north, to the east and to the south. It is semi-detached but it presents more akin to a detached dwelling given that its roof is double hipped with a central chimney and its semi-pair has a gable end roof. Conditional planning permission (dated 5 January 2024, ref.23/03697/HOU) exists for new double glazed timber windows. I noted on my site visit the front elevation windows had recently been replaced.
4. In determining this appeal, I have borne in mind the statutory duty to pay special attention to preserving and enhancing the character and appearance of the Conservation Area. The CA is a small, semi-rural enclave in suburban eastern Enfield based on a group of dwellings and a public house close to Turkey Brook. There is a hidden footpath along the brook, set between abundant grass and scrub.
5. There are some railway structures and some footbridges within CA which make an important contribution to its appearance. Some of the 18 or so houses cannot be seen from any road. I consider the significance of the CA is derived mainly from the brook and the abundant vegetation which forms a soft green setting for the houses and masks views out, giving the main path a sense of quiet enclosure and seclusion, shielded from the busy road.
6. No.43 Turkey Street sits back from the brook footpath behind a white picket fence and pedestrian gate. The majority of the walls are timber clad over low brick plinth walls. The dwelling has a plain hipped main roof and a central front door on the front elevation. It has a reverse pitch roof on an extension to the rear. It has a pleasing architectural style and is a good example of a vernacular building of the late 18th and early 19th century.
7. The rear elevation presents with a small single storey non-integrated toilet block with a two storey rear element facing it. The proposal involves the demolition of this toilet block and the construction of a single storey extension with mono-pitch roof in order to extend the small kitchen/provide a garden room. The single storey extension would have a double door on its eastern flank. Two new windows would be inserted into the flank wall elevation to serve the kitchen. In the rear elevation of the two storey rear element there would be a new door from the utility room. Land levels at the rear would be lowered and a retaining wall inserted into the rear garden.
8. The proposed rear extension would be about 5.7m wide, 2-2.8 m in depth and about 3.3m high on a low plinth wall and largely timber-framed. It would not be a disproportionate addition to the dwelling given its proposed scale and mass. It would be a simple design and in keeping with a typical garden room at the rear of a dwelling.

9. Subject to the materials to be used in the fenestration/doors, it would not harm the character or appearance of the non-designated heritage asset. Plain casement windows are proposed for the new room. As these would be prominent in appearance, I consider there would be harm to the non-designated heritage asset if they had PVCu or non-timber frames. Such frames would appear unduly incongruous. The use of timber frames would avoid clashing with the traditional building and would be in keeping with the historic use of timber for the window frames in this locally listed building. They would maintain coherence. The same consideration applies to the proposed doors to the new extension, the new door from the utility room out to the garden and the two new windows to be inserted into the flank elevation of the house. For those reasons I have imposed a planning condition requiring new doors and fenestration to be timber-framed.
10. The two proposed flank windows would be at a higher base level than the existing flank window. However, the difference in height would not be too pronounced and would not appear unduly incongruous given that the two proposed windows are legibly associated with the extension – signalled by the reverse pitch roof.
11. Overall, I consider that the proposal (with conditions attached) would have a neutral impact on the heritage interest of the non-designated heritage asset.
12. Turning to impacts on the CA, whilst public views of the proposed development are currently limited by fencing and vegetation, this may not always be the case in the future. Furthermore, it is important that the CA and the buildings within it are not diminished by inappropriate and harmful schemes which are seen from private as well as public views. Notwithstanding that, I consider that subject to the conditions I have imposed, the significance of the Turkey Street CA would be preserved by the proposal.

Conditions

13. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. Also for the sake of certainty there is a condition which prevents the eastern pedestrian access from being widened. In order to protect existing trees, I have imposed a condition requiring the Arboricultural Report and Impact Assessment dated 5/12/23 by Moore Partners Ltd to be adhered to. I have explained above why condition 4 is needed in order to protect the heritage aspects of the building.
14. I have noted that the site may be at risk from surface water flooding, however, the approved plans detail a number of measures which I consider would be sufficient to avoid unacceptable surface water flooding and, as condition 2 is imposed, the approved plans must be complied with. The appellant has provided a Flood Zone 3 Assessment which indicates that the datum would be the same as the existing built form which is considerably higher than Turkey Brook and some distance from the flood zone. Given the plans, the modesty of the proposals and the details supplied, I am satisfied that no flooding or drainage conditions on the planning permission are necessary.

Conclusion

15. Having taken into account all representations made for and against the proposal, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas K.C.

INSPECTOR