



Appeal Decision

Site visit made on 25 March 2025

by **Thomas Courtney BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/Q5300/W/24/3351499

1A Sutherland Road, Edmonton, Enfield N9 7QE

- 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 Serhat Can against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/01215/FUL.
 - The development proposed is the conversion of ground floor to a 1 x 2-bedroom self-contained flat and construction of first floor extension to provide 1 x 1 bedroom self-contained flat, roof alteration, reduction of rear extension and creation of rear private garden space, bin facilities, cycle parking and associated internal alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. On the basis that the latest revisions have no material implications for the outcome of this appeal, it has not been considered necessary to request any related observations from the main parties.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of the neighbouring occupiers at No 189 Hertford Road with particular regards outlook and light; and
 - whether the development would provide adequate living conditions for the future occupiers of the first floor flat with regards to the internal layout and provision of external amenity space.

Reasons

Character and appearance

4. The appeal site is located near the junction of Sutherland Road and Hertford Road. It comprises a single storey L-shaped building located to the rear of Nos 187 and 189 Hertford Road. It is a modestly scaled building with a simple pitched roof. The surrounding area is mostly characterised by two-storey terraced housing. Hertford Road is a busy street typified by a mix of residential and commercial

uses. Many of the properties along Hertford Road feature two-storey outriggers and long single storey rear extensions that are often incidental to the commercial uses along the road.

5. The existing building does not appear out of place in the surrounding context. It is relatively typical of the urban form to the rear of high streets. It is similar in scale to other single storey buildings and extensions to the rear of corner properties sited at junctions between Hertford Road and Denny Road, Lowden Road, Henderson Road and North Road.
6. The appellant states that the proposed development would adhere to the scale and density of the area and would have a positive visual impact. However, it would appear bulky given its two-storey height and considerable length. The roof form would appear particularly awkward where it would clumsily combine a hipped roof and a gable end roof.
7. Furthermore, the differing window sizes on the front elevation would lack coherence and would result in an unattractive façade. Similarly, the proposed western side elevation would lack fenestration and would be dominated by brick. It would thus have a bland appearance and appear prominently when viewed by pedestrians and vehicles travelling eastwards on Sutherland Road.
8. Because of its position directly adjacent to the pavement, the bulk and overall scale of the proposed building would be imposing. Its awkwardly convoluted roof form and disagreeable façades would be incongruous. Although the appellant states that the materials would be sympathetic, the development would be read as a discordant addition to the streetscene.
9. For these reasons, the proposal would harm the character and appearance of the area. It would conflict with Policy CP30 of Enfield Council's Core Strategy, Policies DMD6, DMD8, DMD11, DMD14, DMD37 of the Development Management Document (DMD), and Policies D3 and D4 of the London Plan insofar as they seek to ensure proposals are well-designed, appropriately scaled and respect the character of surrounding context.

Living conditions of neighbours

10. The roof ridge would reach 6.52 metres, which is considerable. The proposed rear wall would also extend across nearly the whole side boundary of No 189's rear outdoor space. The appellant suggests that the height of the development would be appropriate and that the first-floor setbacks and hipped roof would break any visual dominance. However, given its proximity to the garden and rear elevation of No 189, the height and bulk of the proposal would drastically alter the rear outlook of the neighbouring occupiers.
11. The modest first floor setback and hipped roof design would fail to sufficiently mitigate the excessive scale of the development. It would constitute a dominant structure that would have an unacceptable overbearing impact.
12. Furthermore, because of the building's position to the south and west of No 189, the proposed increase in height would reduce the amount of daylight and sunlight reaching the rear garden and rooms within No 189's rear outrigger, especially during the afternoon and evening.

13. Given this, the proposal would have an adverse effect on the living conditions of the neighbouring occupiers at 189 Hertford Road with regards to a loss of outlook and light. This would result in substantial harm. It would therefore conflict with Policy CP30 of the Core Strategy and Policies DMD8, DMD10 and DMD37 of the DMD insofar as they seek to ensure proposals preserve amenity in terms of light and outlook.

Living conditions of future occupiers

14. The future residents of the first floor flat would not have access to any external amenity space. I note that there are parks within walking distance of the site. The use and enjoyment of private outdoor space, however, cannot be compared to the use of a public park. A public open space does not offer the privacy of one's own home and cannot be used for domestic purposes such as drying clothes or outside dining.
15. What's more, the proposed first floor flat would fail to provide dual aspect accommodation. This would limit outlook and reduce access to natural light, harming the living conditions of future occupants.
16. For these reasons, the proposal would not provide adequate living conditions for the future occupiers of the first floor flat with regards to a lack of external amenity space and a poor single-aspect internal layout. It would thus conflict with Policy CP4 of the Core Strategy, Policies DMD8 and DMD9 of the DMD, Policy D6 of the London Plan, and the guidance contained within the Housing Supplementary Planning Guidance of the London Plan insofar as they seek to ensure proposals for new housing are dual aspect and provide adequate private outdoor space.

Other Considerations

17. The appellant states that there is a shortfall in housing land supply in Enfield. I have no reason to disagree with this observation and the Council has not provided any evidence to demonstrate otherwise. The provision of two residential units would make a modest contribution to housing supply. I have therefore attached limited weight to this consideration.
18. Furthermore, the proposed flats would be located close to shops, facilities and public transport links. The incorporation of energy efficiency measures and the installation of renewable technology would also be benefits of the scheme. These factors therefore weigh in favour of the proposal.
19. The appellant states that the development would allow the removal of a rotten roof and would incorporate a green roof. Works to fix the rotten roof could be carried out regardless of the outcome of this appeal. The provision of a green roof is a benefit however, due to its small scale, it only attracts minimal weight.

Planning Balance

20. The proposal would harm the character and appearance of the area because of its scale and design. It would also harm the living conditions of neighbouring occupiers and the amount of outdoor amenity space for future residents would be inadequate. It would therefore not accord with the development plan as a whole and this a matter that counts significantly against allowing the appeal.

21. However, the Government's objective is to significantly boost the supply of homes. Other provisions of the Framework give support to the development of brownfield land in accessible locations and observe that small sites can make an important contribution to meeting the housing requirement. The evidence before me suggests there is an insufficient provision of housing in the borough. Because of this, paragraph 11 (d) of the Framework is engaged.
22. The policies in the Framework seek to both deliver a sufficient supply of homes and achieve well-designed places. In this case, the proposed building would be poorly designed, would harm the appearance of the streetscene and the character of the local context. It would adversely impact the living conditions of neighbouring occupiers and fail to provide adequate living conditions to the future occupants. The benefits associated with the proposal's contribution to housing supply in this location would be limited. I find that the importance of good design and satisfactory living conditions trumps the provision of extra windfall housing units.
23. Therefore, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
24. The appeal site is within the zone of influence of the Epping Forest Special Area of Conservation (SAC). I have a duty under the Conservation of Habitats and Species Regulations 2017 to assess any impact the proposed development would have upon the SAC. However, as I am dismissing the appeal for the reasons given above, I do not need to conduct any further assessment in relation to Epping Forest SAC.

Conclusion

25. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
26. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR