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## Appeal Decision

Site visit made on 7 June 2022 by S Witherley CIHCM MRTPI

### Decision by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2022

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### Appeal Ref: APP/Q5300/W/22/3292801

#### 74 Aldermans Hill, London N13 4PP

- 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 N Penfold on behalf of Tigris Holdings Ltd against the decision of the Council of the London Borough of Enfield.
  - The application Ref 21/02413/FUL, dated 21 June 2021, was refused by notice dated 17 August 2021.
  - The development proposed on the application form is: single storey rear extension, rear dormers and alterations to outbuilding in connection with use as an independent office (Class E).
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### Decision

1. The appeal is allowed, and planning permission is granted for the single storey rear extension, rear dormers and alterations to outbuilding in connection with use as an independent office (class E), at 74 Aldermans Hill, London, N13 4PP, in accordance with the terms of the application, Ref 21/02413/FUL, dated 21 June 2021, subject to the conditions in the attached schedule.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issue

3. The effect of the proposal on the character and appearance of the appeal building, the frontage building and the surrounding area, and whether it would preserve or enhance the Lakes Estate Conservation Area (CA) in which it sits.

### Reasons

4. The appeal site comprises a one and a half storey traditional brick-built building within a mews street. It features a steep pitched roof with a dormer window that overlooks the service yard and rear elevation of a three-storey terraced building, described by the Council as the frontage building. The elevation overlooking the mews street features a traditional brick elevation with large door opening.
5. The mews street runs between Lakeside Road and Old Park Road and provides rear access to a number of ancillary buildings that are, or once were, associated with servicing the main commercial units located in the ground floors of the attractive three storey terraced buildings that fronts Aldermans Hill.

6. It sits within the CA which covers a dense residential area between Palmers Green and Southgate Green that is generally characterised by closely spaced Edwardian semi-detached houses with some terraces. The Conservation Area Character Appraisal 2015 (CACA) advises that the special architectural and historic character of the CA derives primarily from the homogenous, collective value of its high-quality Edwardian housing.
7. The CACA identifies a high proportion of properties within the CA as making a positive contribution to its character and appearance, including properties located along Aldermans Hill and I would agree. However, it states that the mews street is very degraded, and this has a negative effect on the character of the area.
8. Buildings along this section of the mews vary in size, scale, and form, with a number of them appearing to be in various states of repair/disrepair. This includes the appeal site which appears dilapidated and disused. Whilst there appears to have been some recent development in the area, for example at No. 72 and opposite the appeal site, the area appears to be in the same *unsatisfactory* condition as referenced in the CACA. It is this ad-hoc pattern of development that now forms part of the character and appearance of the mews street.
9. The CACA also notes that the appeal site is the only one of the original service buildings to survive in this section of mews in anything like its original form. Nevertheless, given its dilapidated and disused state, it makes little contribution to the character and appearance of the mews street. As such, the appeal building when viewed in the context of this part of the mews street, does not contribute to the significance of this part of the CA or the CA as whole.
10. The Council consider the appeal site to be a non-designated heritage asset, however, it has not found its way into the register of locally listed buildings which was updated in 2018. Furthermore, no substantive evidence has been provided as to why the appeal site would be considered of greater architectural or heritage importance than the frontage buildings which are considered to be buildings that make a positive contribution to the CA and yet are not included in the Councils local list.
11. The proposal seeks a single storey extension with rear dormers and alterations to the outbuilding in connection with its use as an independent office. From the mews street, the proposal would appear similar in scale with its original form retained. Changes to the front elevation, including the blocking up of the large door opening and the insertion of smaller windows and an entrance doorway, these changes would be seen in the context of other neighbouring buildings which have an array of different sized windows and doors upon the elevation that overlooks the mews street.
12. The proposed two dormers upon the rear roof plane would replace a single dormer and, given that these would be located at the rear, visibility from the street would be limited. Furthermore, the insertion of the proposed dormer windows would be similar in design and form to those seen on the front elevation of the neighbouring property at No. 80, which are highly visible in public views. Moreover, whilst the resulting development would see a number of design changes, the overall form of the original front building would be retained. Thereby preserving it in a manner appropriate to its significance, a

fundamental requirement of Policy DMD 44 of the Development Management Document 2014 (DMD).

13. To the rear, the proposed single storey extension with flat roof, lantern insert, and large aluminium frame doors would cover a large area of the existing open service yard. Nevertheless, its scale and extended footprint would appear in keeping with other developments seen throughout this part of the mews, indeed some cover the entire area between the service building and the frontage building. Furthermore, it would not appear to extend beyond the footprint of the neighbouring development at No. 72, which was recently granted approval by the Council <sup>1</sup>. It would not therefore appear overbearing, cramped or out of character with other developments seen throughout this section of mews.
  14. The proposal goes some way to bringing back some consistency and improvement into the mews by retaining the original form and pitched roof of the original front building. The footprint of the resulting development would be consistent with the neighbouring development line at the rear of No. 72 and again this would be seen as introducing some cohesion back into the area. Furthermore, it would be seen in the context with other neighbouring extensions which the Council has recently approved, including the development at No. 72. I therefore consider the effect of the proposal on the nearby CA would be a neutral one.
1. Given the proposal's overall design, scale and form, I conclude that the proposal would not harm the character and appearance of the appeal building, the frontage building and the surrounding area. As such it would have a neutral effect on the CA thereby preserving the character and appearance of the CA. As such it accords with Policies DMD 37, DMD 39 and DMD 44 of the Development Management Document (2014) (DMD) and Policies CP30 and CP31 of Enfield Plan Core Strategy (2010-2025) (2010), and the aims of the CACA, which collectively seek amongst other things that all development is to be of the highest design, that capitalises on opportunities for improving an area, makes efficient use of the site, and responds to and preserves the established local character and context.
  2. In addition, it would accord with Policies D4 and HC1 of The London Plan (2021) which seeks development to respond to the existing character of a place and be of high quality and is sympathetic to CA's significance and appreciation within their surroundings. The development would also avoid conflict with the National Planning Policy Frameworks historic environment conservation requirements.

### **Other Matters**

3. The Council has not raised any concerns in respect of the setting of the nearby listed buildings, Grade II\* listed Broomfield House and Grade II listed Broomfield House Park, and nearby locally listed buildings. It has stated the appeal building has a limited bearing on these designated and non-designated heritage assets. From what I have read and from what I saw at the time of my site visit, I see no reason to consider otherwise.

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<sup>1</sup> Planning Reference 18/04575/FUL

### **Conditions**

4. I have considered the conditions suggested by the Council and have attached those which meet the relevant tests, as set out at paragraph 55 of the National Planning Policy Framework, making changes to the wording, where necessary, in the interests of precision and clarity. The Council has sought a number of pre-commencement conditions. Advice in the Planning Practice Guidance is clear that such conditions should only be used where there is a clear justification and that the timing for the submission of details is fundamental to the decision. Having considered the suggested conditions, none of the details appear to be genuinely necessary 'prior to commencement' and, where conditions are necessary, I have amended the suggested wording to require the submission of details at an appropriate stage.
5. The standard time limit condition is necessary to ensure that the development is built in accordance with the submitted plans for certainty. To safeguard the appearance of the area, it is necessary that samples of the external materials, be submitted for approval. Further conditions relating to the hours of operation and the use of the development are also necessary in order to protect the living conditions of neighbouring occupiers
6. The Council also suggested conditions to secure the details of the waste storage and recycling facilities along with cycle parking. It is considered reasonable and necessary to attach conditions securing the siting of the refuse storage area within the appeal site along with the siting of the cycle parking details in the interest of amenity. Details relating to the refuse collection would be in accordance with the Councils refuse collection service and not considered necessary.

### **Conclusion**

7. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Witherley*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

8. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

*J Hunter*

INSPECTOR

### **Schedule of Conditions**

1. This development must be begun within three years from the date of this permission.
2. The development hereby permitted shall be implemented in accordance with the following approved plans and documents:
  - AT813 – 200 site plan and location plan,
  - AT813 – 201 existing plans and elevations,
  - AT813 – 202 proposed plans and elevations.
3. The premises shall be used solely for those uses that fall within Use Class E (Shops, Professional or Financial Services and Business (office, research and development and light industrial process) of the Town and Country Planning (Use Classes) Order 2020 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
4. Prior to first occupation of the unit hereby approved, details of proposed opening hours for the business and working at the premises, shall be submitted to and approved in writing by the Local Planning Authority and thereafter operated within those agreed hours.
5. Prior to first occupation of the unit hereby approved, details of the siting for the refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for waste storage facilities.
6. Prior to first occupation of the unit hereby approved, details of the siting, number and design of the cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.