
Appeal Decision

Site visit made on 16 August 2016

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 October 2016

Appeal Ref: APP/Q5300/D/16/3149657

1 Games Road, Enfield EN4 9HN

- 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 Seyfi Bulent Bedirgil against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/00413/HOU, dated 30 January 2016, was refused by notice dated 26 April 2016.
 - The development proposed is demolition of the existing garage and rear single storey extension and erection of a two storey rear extension and detached garage with external works.
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Decision

1. The appeal is dismissed insofar as it relates to the proposed two storey rear extension. The appeal is allowed insofar as it relates to the detached garage with external works and planning permission is granted for detached garage with external works at 1 Games Road, Enfield EN4 9HN in accordance with the terms of the application, Ref 16/00413/HOU, dated 30 January 2016, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1GR-01A, 1GR-02A, 1GR-03A, 1GR-04A, 1GR-05A, 1GR-06A, 1GR-07A, 1GR-08A, 1GR-09A, 1GR-10A, 1GR-EG-BP1, 1GR-EG-BP2, 1GR-EG-01, 1GR-EG-02, 1GR-EG-03, 1GR-EG-04, 1GR-EG-05, 1GR-EG-06, 1GR-EG-07, 1GR-EG-08, 1GR-EG-09 so far as relevant to that part of the development hereby permitted.
 - 2) The materials to be used in the construction of the external surfaces of the detached garage hereby permitted shall match those used in the existing dwelling.

Procedural Matter

2. At the time of my site visit, the development had commenced through the demolition of the existing garage and rear single storey extension as well as work on the foundations for the two storey rear extension and detached garage. I have dealt with the appeal on that basis.
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Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and on the setting of the Trent Park Conservation Area and the Monken Hadley Conservation Area.

Reasons

4. The appeal site is located at the western end of a row of closely spaced detached dwellings which are located along Chalk Lane and Games Road. The dwellings are of a simple but attractive suburban character of varying design. The appeal dwelling is of a different alignment to its neighbours as the main elevation faces onto Games Road rather than Chalk Lane. It is proposed to erect a two storey flat roofed extension on the north west elevation of the dwelling as well as a detached garage in the garden and associated external works.
5. The proposed extension would be lower than the eaves of the main pitched roof of the dwelling and would therefore appear as subservient to the host building. However, due to the flat roofed design of the two-storey extension it would appear as an angular and incongruous addition to the pitched roof dwelling. It would occupy nearly all of the north west elevation of the dwelling and due to the bulk and massing of the proposal would diminish the architectural character of the host dwelling. Due to its height the extension would be readily visible from Games Road and nearby properties and would be a prominent and unsympathetic addition which would detract from the appearance of the host dwelling and the surrounding area.
6. The boundary of the appeal site is adjacent to the Trent Park Conservation Area (TPCA) to the north and the Monken Hadley Conservation Area (MHCA) to the west and south. Both of the Conservation Areas (CAs) have a green and leafy character, including significant areas of woodland and open space. The winding lanes and other routes between these areas are a feature of the CAs which enable the character of the CAs to be appreciated by passers-by. These are features which contribute to the CAs significance as designated heritage assets.
7. The TPCA Character Appraisal states that there is little of special interest in the sub-area which contains the appeal site, but highlights the rural character of Chalk Lane and the open space of the sports ground. The MHCA Character Appraisal identifies a number of features of interest in the area, including the handsome building of 2-8 Games Road opposite the appeal site. The row of detached dwellings, which include the appeal site, form an attractive and understated suburban setting to the boundary of the CAs. It was also apparent at my site visit that Games Road forms an attractive link between the CAs, and in particular provides a route between the open space of the sports ground in the TPCA and footpaths leading through the mature Hadley Woods in the MHCA.
8. The proposed extension would be readily visible in views from Games Road and from properties within the CAs. For the reasons stated previously, in particular its height, bulk and contrasting flat roofed design, the extension would be at odds with views of the host dwelling and would detract from the setting of the CAs.

9. The appellant has emphasised that the recent development of Bolingsbroke Close to the north of the appeal site includes flat roofed buildings. However, it was apparent at my site visit that Bolingsbroke Close is a significant self-contained development of a more traditional architectural style. The design of Bolingsbroke Close does not therefore provide a contextual justification for the use of a flat roofed design for an extension to the appeal property.
10. The appellant queries the powers of the Council in relation to the MHCA which is within the area of the London Borough of Barnet. However, whilst the appeal proposal is within the area of the London Borough of Enfield, the effect of the proposal on the surrounding area has to be considered - including areas within neighbouring Councils. The MHCA is a designated heritage asset, and the effects on this have to be assessed on the basis of policies in the development plan and the National Planning Policy Framework (the Framework)
11. Consequently I conclude that the proposed two storey extension would cause material harm to the character and appearance of the host property and the setting of the CAs. Whilst the harm to the CA's would be less than substantial, no public benefits have been identified of such weight that would outweigh the identified harm. The proposed extension would therefore conflict with Policies 7.4 and 7.8 of the London Plan 2015 (LP) which state that development should be of a high quality design which conserves the significance of heritage assets.
12. The proposed extension would also conflict with Core Policies 30 and 31 of the Enfield Council Core Strategy 2010 (CS) which state that development should have special regard to its context and have regard to the special character of heritage assets. The proposal would also conflict with policies DMD 14, 37 and 44 of the Enfield Council Development Management Document 2014 (DMD) which state that development should have regard to the character of the local area including the setting of heritage assets. The proposed extension would also be contrary to the aims of the Framework in relation to securing high quality design as well as conserving and enhancing the historic environment.
13. The proposed detached garage is located away from the boundary of the site with Games Road and would not be readily visible from the surrounding area. It would be viewed as an ancillary building to the main dwellinghouse and as such would be acceptable in terms of its effect on the character and appearance of the host dwelling and the CAs. I also note that the Council considered the detached garage acceptable. The proposed external works, including paving and utility areas, would also not detract from the character of the appeal site or the CAs.
14. I conclude that the detached garage and external works are therefore in conformity with Policies 7.4 and 7.8 of the LP in relation to design and the effect on heritage assets. These elements of the proposal would also comply with Core Policies 30 and 31 of the CS and Policies DMD 14, 37 and 44 of the DMD in regard to the context of development, local character and the setting of heritage assets. They would comply with the Framework in relation to securing high quality design as well as conserving and enhancing the historic environment. They would also comply with the advice of the TPCA Character Appraisal in relation to alterations to properties.

Other Matters

15. I have also taken into account other concerns raised locally, including loss of light, privacy, overdevelopment and the effect on the green character of the area. However, these do not add to my reasons for dismissing the appeal in relation to the two storey extension. Due to the limited scale of the garage and external works I conclude that these matters are not sufficient to withhold planning permission for this element of the proposal. Furthermore, there is no substantive evidence that the proposal would affect ecology or increase the risk of flooding in the area.

Conditions

16. The Council has agreed to conditions in relation to the use of materials and the specification of approved plans. They also state that they intend to submit details of further conditions they regard as necessary; however, no such details have been received. Notwithstanding this, I consider that there is no requirement for further conditions beyond those agreed by the Council.
17. The standard time limit condition is not required as it was apparent on my site visit that development has commenced. To provide certainty in terms of the planning permission granted, a condition is required to ensure that the development is carried out in accordance with the approved plans. In addition, to ensure a satisfactory appearance, a condition requiring matching materials to be used in the construction of the external surfaces of the development is necessary.

Conclusion

18. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the detached garage with external works and dismissed insofar as it relates to the two storey rear extension.

David Cross

INSPECTOR