

Appeal Decision

Site visit made on 15 November 2016

by Mr J P Sargent BA(Hons) MA MRTPI

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

Decision date: 6 December 2016

Appeal Ref: APP/Q5300/C/16/3149341

1708 Great Cambridge Road, Enfield EN1 4TB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (the Act) as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Chandra Coomaraswamy against an enforcement notice issued by the Council of the London Borough of Enfield.
 - The notice was issued on 31 March 2016.
 - The breach of planning control as alleged in the notice is a front porch and overhang to the front of the Premises.
 - The requirements of the notice are
 - 5.1. Remove the front porch and overhang (outlined in blue on the plan attached to the Notice for identification purposes)
 - 5.2 Remove all resulting materials from the Premises.
 - Or
 - 5.3 Reduce the front porch and overhang to comply with the provisions within Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning Act (General Permitted Development) Order 2015.
 - 5.4 Remove all resulting materials from the Premises.
 - The period for compliance with the requirements is 2 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Act as amended. The application for planning permission deemed to have been made under section 177(5) of the Act as amended is also to be considered.
-

Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act as amended for the development already carried out, namely the erection of a front porch and overhang to the front of the Premises at 1708 Great Cambridge Road, Enfield EN1 4TB referred to in the notice.

Main Issue

2. The main issue in this case is the effect of the works on the character and appearance of the area.

Reasons

3. On the east side of Great Cambridge Road, set back behind a service road, is a long row of semi-detached dwellings. When originally built these houses were of a number of similar but slightly different designs, and the variation created by this has been further exacerbated over time by minor alterations, the formation of porches, the treatment of external elevations and so on. Indeed, because of these changes often even dwellings that form a pair do not now match precisely.
-

4. The appeal property, together with its adjoining neighbour, sits in the midst of this row behind a relatively deep front garden. While the houses to the south are a comparable distance from the road the dwellings to the north stand slightly closer.
5. The original front door to the Appellant's property is set back behind a projecting 2-storey bay. The Council accepts a porch can be added here as 'permitted development' but what has been built exceeds that allowance. The porch itself extends some 2.1m from the front door and is relatively wide, while its size is further increased by an additional overhanging element.
6. There are no other porches or front extensions of a similar projection on this row of dwellings. However, while the row displays an overall rhythm due to the consistent and regular form and spacing of semi-detached houses, the variations resulting from the original designs and the subsequent alterations mean there is scope for smaller scale, finer grained change without it necessarily appearing discordant or incongruous.
7. The structure subject of this appeal is some way back from the road and I consider its roofing materials and brickwork match those of the original building. Moreover, its scale and position mean it appears subservient on this property while, given its size, its simple design and roof form are not jarring or inappropriate. Therefore, I consider it to be a sympathetic addition to the dwelling. Furthermore, when seen from both the north and the south its distance from the pavement means it does not project excessively into the streetscape but rather is seen against the neighbouring houses.
8. Therefore, taking these factors together I consider the works are not discordant or unduly prominent within the street scene or on the property, and they do not dominate the dwelling's front garden or harm the character and appearance of the area unacceptably.
9. In coming to this view I have noted the Appellant's extensive comments about how this case was handled by the local planning authority. However those procedural points have had no bearing on my reasoning as I have considered the works on their planning merits. While he has said the porch is needed to allow disabled access that could well have been achieved in other ways. Furthermore, although the works may facilitate his use of the house for training purposes, I have no certainty that use will continue into the future. As such, these matters have not been decisive.
10. Finally, I am aware of no planning conditions that need to be imposed on this development.

Conclusions

11. Accordingly I conclude the works do not detract unacceptably from the character or appearance of the area and so they are not contrary to Core Policy 30 in *The Enfield Plan Core Strategy*, Policy DMD37 in the Council's *Development Management Document* or the *National Planning Policy Framework*. The appeal therefore succeeds under ground (a) and planning permission is granted for the application deemed to have been made under section 177(5) of the Act as amended.

J P Sargent

INSPECTOR