

Appeal Decision

Site visit made on 16 January 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 18th January 2017

Appeal Ref: APP/Q5300/D/16/3161994

159 Hedge Lane, Southgate N13 5BZ

- 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 Ergun Binbay against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/03969/HOU was refused by notice dated 25 October 2016.
 - The development proposed is the erection of a first floor side and part rear extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is the effect on the character and appearance of the locality.

Reasons

3. Development Management Document (DMD), Policy DMD 14 2 indicates that extensions to the side will only be permitted where a distance from the back edge of the pavement on the return frontage to the flank wall is maintained. No specific distance is given but this is to be assessed having regard to a number of factors that include the character of the local area. The supporting text emphasises the prominence of corner properties with the separation from the pavement helping to ensure that side extensions are not overly dominant.
 4. The appeal concerns a two storey dwelling located at the end of a terrace facing onto Hedge Lane. In the vicinity of the appeal site this street is characterised by terraced properties. The host dwelling is at the corner of Hedge Lane and The Larches, with its side facing the latter road. There is a fairly generous gap above the single storey part at the side between the first floor flank and the street.
 5. This reflects similarly spacious relationships at other nearby corner plots. These include that on the other side of The Larches, as well as the two on the opposite part of Hedge Lane at the junction with Munster Gardens. These set backs give a pleasant sense of openness that is a positive factor in an otherwise relatively densely developed urban environment.
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6. The submitted drawings show that the flank of the first floor addition would be a metre from the boundary with The Larches. Such a relatively limited gap would unacceptably diminish the sense of openness at a prominent location, while unduly contrasting with the noticeably more spacious arrangements at other nearby corner plots. Moreover, the addition would have the same ridge line as the existing main roof, emphasising the bulk of the extended dwelling. There would also be no windows to the side of the addition, resulting in a fairly extensive, harsh and unrelieved expanse of solid wall facing The Larches at first floor level. These factors would result in the extension appearing overly dominant and intrusive.
7. In consequence, the development would harm the character and appearance of the locality while also being contrary to Policy DMD 14 2. There would be conflict with the aims of Core Strategy Core Policy 30 and DMD Policy DMD 37 to reinforce local distinctiveness and prevent development inappropriate to its context. There would also be a failure to achieve the high quality of design sought by London Plan Policies 7.4 and 7.6.
8. I am reinforced in my view regarding the adverse impact of the development by the importance placed on design in the National Planning Policy Framework (The Framework). It is a core principle of the Framework that planning should always seek to secure high quality design. Although occupiers of the enlarged dwelling may have good access in respect of matters such as public transport, the concept of sustainability is noticeably more holistic. Moreover, it is indicated in the Framework that good design is a key aspect of sustainable development and is indivisible from good planning, which would not be achieved in this instance.
9. The Council's reason for refusal refers to harm to visibility splays. In my experience this term is normally applied in relation to highway safety issues. Because there is no technical evidence to support the suggestion of any adverse effect in this respect and having regard to my consideration of this at the site visit, I see no reason to reject the appeal on this basis.
10. There would be no adverse effect on the living conditions of the occupiers of the adjacent dwellings, with the proposal also being acceptable in respect of other matters such as materials, trees and nature conservation. However, this would not justify accepting a development resulting in such a detrimental effect on the character and appearance of the locality. Taking account of all other matters raised, it is therefore determined that the appeal fails. In reaching this decision I have considered the representations of a local resident.

M Evans

INSPECTOR