
Appeal Decision

Site visit made on 21 June 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 6th July 2017

Appeal Ref: APP/Q5300/W/17/3172231
60 Wellington Road, Enfield EN1 2PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms L Katsantonis against the Council of the London Borough of Enfield.
 - The application Ref 16/05358/HOU, is dated 16 November 2016.
 - The development proposed is proposed garden layout.
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Decision

1. The appeal is allowed and planning permission is granted for proposed garden layout at 60 Wellington Road, Enfield EN1 2PH in accordance with the terms of the application, Ref 16/05358/HOU, dated 16 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Other than as required by condition 3) the development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; Proposed Garden Layout – Drawing Number 2526/9.
 - 3) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority. All planting identified in the approved details of landscaping shall be carried out in the first planting season following completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard and soft landscaping works shall be carried out in accordance with the approved details.

Preliminary Matter

2. I saw that at the time of my visit some work had taken place and the layout of the front garden did not resemble that shown in the submitted plans as 'existing'. For the avoidance of any doubt, I have based my decision on the scheme shown in the submitted plans only.

Main Issue

3. The Council has not indicated what their decision would have been if they had been in a position to determine the application. However, based on the written evidence before me and my observations of the area, I consider that the main issue is whether the development would preserve or enhance the Bush Hill Park Conservation Area (BHPCA).

Reasons

4. The appeal relates to the front garden of 60 Wellington Road, which is a large detached dwelling located within the BHPCA. The Bush Hill Park Conservation Area Appraisal (CAA) highlights the importance of the character of Wellington Road to the significance of the area. This mainly derives from the informal streetscape and street greenery created by mature street trees, verges and planting in front gardens. This accords with my own observation that the street has a generally open, spacious and verdant character.
5. The Council has not provided a statement or pointed me in the direction of any relevant development plan policies. As such, I shall rely on the requirements of the National Planning Policy Framework (the Framework) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require special attention to be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas. This is also reflected in paragraph 131 of the Framework which states that in determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets should be taken into account.
6. The CAA highlights concerns in relation to the effect of proposals for off-street parking and the loss of street greenery in favour of hardstanding. The appellant has indicated that informal discussions with the Council highlighted concerns with this element of the proposal. While there are a variety of boundary treatments and surfacing materials in the vicinity of the site, there are a relatively large number of dwellings where either the entirety or majority of front gardens have been surfaced with hardstanding or gravel for off-street parking. From the appellant's statement, the Council has suggested some of these were carried out without permission and are beyond the scope of enforcement action. Nevertheless, these examples form part of the existing character of the street scene.
7. Notwithstanding the current appearance of the site, the proposal would lead to an increase in hardstanding and reduction in area of lawn as shown on the existing plans. I saw a number of cars parked on the site and there is currently little landscaping around the edge of the garden, particularly to the front, which results in something of a stark appearance.
8. Nonetheless, it is clearly not unusual to see front gardens and forecourts used for the parking of cars in the area and, in this context, the development would not appear incongruous. The submitted plans identify the provision of soft landscaping to the front and sides of the garden and to the front of the house in planters under the front windows. This would help to soften the appearance of the front garden and help maintain the character of the street scene through the provision of additional street greenery. Soft landscaping adjacent to the pavement would be particularly important in this regard. Whilst this would be unlikely to completely screen parked cars from view, it would nevertheless

create a softer and more sympathetic boundary treatment that would be more characteristic of the area. This can be required through a suitably worded planning condition.

9. The character of the dwelling itself would not be significantly affected by the development and there would be no loss of street trees or other defining characteristics of Wellington Road. The overall spacious and leafy quality of the street scene as a whole would not be affected to any material degree.
10. I am satisfied therefore that the landscaping proposed around the boundary of the site would serve to ensure that the development as a whole would have only a neutral effect on the BHPCA and thus it would serve to preserve its character and appearance. Accordingly, as there would be no harm to the significance of the conservation area, there would be no conflict with the requirements of paragraph 131 or 134 of the Framework.

Conditions

11. In addition to the standard condition which limits the lifespan of the planning permission, I have imposed conditions specifying the relevant drawings as this provides certainty.
12. In light of my findings above, it is necessary to impose a condition requiring the submission and approval of a hard and soft landscaping scheme and its implementation. This includes approval of the materials for use on the driveway in the interests of the character and appearance of the area. By necessity, this is a pre-commencement condition to ensure that the development is carried out in accordance with the approved details.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

INSPECTOR