



Appeal Decision

Site visit made on 25 July 2017

by M Aqbal BA (Hons) DipTP MRTPI

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

Decision date: 14 August 2017

Appeal Ref: APP/Q5300/D/17/3174020
2 Henrietta Gardens, London N21 3BF

- 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 and Mrs Bennett against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05965/HOU, dated 23 December 2016, was refused by notice dated 22 February 2017.
 - The development proposed is erection of a single-storey extension through the addition of a flat topped mansard roof with dormer windows to the front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of Henrietta Gardens and the surrounding area having regard to the Winchmore Hill Green Conservation Area (CA).

Reasons

3. The appeal site is located within the CA adjacent to its south-eastern boundary. The CA is centred on 'The Green' and surrounding area, which mainly comprises Victorian, Edwardian and interwar suburban development.
4. 2 Henrietta Gardens (No 2) is part of a more recent development, which occupies a strip of land to the south east of The Green, between Compton Terrace along Hoppers Road and the railway embankment, which forms the eastern boundary to this development. The wider development, which No 2 forms part of, comprises a terrace of 5 two and three storey dwellings in an inverted 'L' configuration, which is principally orientated towards a landscaping buffer adjacent to the railway embankment.
5. No 2 is located to the rear of the main terrace block. The side elevation of this terrace, which includes the principal elevation of No 2, faces the gated access to the development, located off Compton Road. Given the containment and relative distance from the highway the appeal site is discreetly located. Irrespective of this, the side elevation of the terrace is clearly visible from the public highway.
6. The terraced element of the Henrietta Gardens development is contemporary in its design, which is reflected in the materials, fenestration and architectural

detailing. The contemporary design is also evident in the generally rectilinear form of the side elevation, with the exception of the pitched gable end, which acts as a focal point to the elevation. The principal elevation of No 2 and the remainder of this elevation have a subservient but complementary flat roof design. The relationship of the flat roofs and the pitched gable along with the use of buff brick give the side elevation a very defined, distinct and balanced profile, when viewed from the access along Compton Road.

7. It is also apparent from the design of the side elevation and the treatment of the approach to the development, which includes high quality soft and hard landscaping, that the side elevation has been carefully conceived in terms of its relationship to the public highway, which has resulted in the creation of an attractive vista when viewed from Compton Road. Overall, the appeal site and the wider development are settled within their surroundings and contribute positively in terms of their high quality design towards the character and appearance of the area and the heritage significance of the CA.
8. The proposed development would conflict with the original design of the development. The mansard roof would increase the scale and mass of the existing dwelling and result in the creation of a third floor, which would erode its subservient design in relation to the wider terrace. It would also result in a contrasting roof form in terms of its profile relative to the existing flat roofs and pitched gable, which would not be in keeping with the contemporary design and form of the existing dwelling and the terrace block. In terms of appearance particularly when viewed from Compton Road, the mansard roof would also introduce a large tiled façade with dormers, which would appear incongruous in relation to the existing relatively uncluttered buff brick side elevation.
9. The appellants' assert that the existing flat roof design of No 2 is not in keeping with the prevalent pitched and mansard roof forms nearby and that the proposed mansard roof would be an improvement in terms of design. I acknowledge that flat roofs are not prevalent in the vicinity of the appeal site. However, the flat roof of No 2 has been specifically designed to give it a subsidiary appearance in relation to the principal elevation of the terrace and to complement the overall design. Therefore, the flat roof design is acceptable in the context of the appeal site and the mansard roof would not be an improvement, for the reasons given above.
10. The appellants' have also referred me to 1 Henrietta Gardens (No 1), which is a detached dwelling located adjacent to the access to the appeal site. This incorporates a crown roof with dormers of a similar design to the proposed mansard roof. However, whilst No 1 is also part of the Henrietta Gardens development, it is detached from the main part of the development and positioned along the Compton Road/Hoppers Road frontage where it has been designed to reflect the traditional architecture and form of dwellings along Compton Terrace. This dwelling also has an unusual hexagonal footprint, which necessitates a crown roof design. The appeal site and the terrace block it forms part of, is of a bespoke contemporary design and the introduction of a mansard roof would not be in keeping with this. As such, the crown roof at No 1 and others on nearby buildings do not lend support to the proposal.
11. For the reasons set out above, the proposed development would relate poorly to the existing development and would consequently cause harm to the character and appearance of the surrounding area. Therefore, the proposed

development conflicts with Policy DMD13 of the Council's Development Management Document (DMD), which requires roof extensions to be in keeping with and not disrupt the character or balance of the property, which it forms part of. The proposed development would also conflict with the design aims of Policies DMD37 and DMD44 of the DMD, Policy CP30 of the Enfield Plan Core Strategy (CS) and Policies 7.4 and 7.6 of the London Plan (LP), which amongst other matters seek to ensure that all new development is of high quality having regard to its context and the public realm.

12. The Council does not consider the proposal to be harmful on the character and appearance of the CA. Notwithstanding this, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a duty upon me as the decision-maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
13. I have concluded that the proposal would harm the character and appearance of the surrounding area. For the same reasons I find that the proposal would also fail to preserve or enhance the character and appearance of the CA and as such the significance of the heritage asset would be harmed. Paragraph 132 of the National Planning Policy Framework states that great weight should be given to an asset's conservation.
14. The harm the proposal would cause to the significance of the CA would be less than substantial given the scale of the proposed extension in relation to the CA as a whole. Paragraph 134 of the Framework states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal. However, I do not find any public benefit arising from the proposal, which would outweigh the harm I have identified.
15. Accordingly, I find that the development would conflict with Policy DMD 44 of the DMD, which states that development which fails to conserve and enhance the special interest, significance or setting of a heritage asset will be refused, and Policy 7.8 of the LP, which also sets out requirements to safeguard heritage assets.
16. The Council's reason's for refusal also refers to Policy CP32 of the CS. However, this policy relates to minimising pollution. As I am not aware of any pollution issues arising from the proposed development, I conclude that the proposed development does not conflict with this particular policy.
17. I am aware that the appellants' in submitting the current proposals have responded to a previously refused scheme. I also note that there is some local support for the proposed development. However, these matters do not outweigh the harm I have identified arising from the proposed development.

Conclusion

18. For the reasons set out above, I dismiss this appeal.

M Aqbal

INSPECTOR