



Appeal Decision

Site visit made on 4 October 2017

by Ian McHugh DipTP MRTPI

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

Decision date: 17 October 2017

Appeal Ref: APP/Q5300/D/17/3179679 78a Woodland Way, London, N21 3QA

- 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 Hitesh Patel against the decision of the Council of the London Borough of Enfield.
 - The application Ref 17/01401/HOU, dated 28 March 2017, was refused by notice dated 22 May 2017.
 - The development proposed is the retention of a front boundary wall, piers and railings.
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Decision

1. The appeal is allowed and planning permission is granted for a front boundary wall, piers and railings at 78a Woodland Way, London, N21 3QA, in accordance with the terms of the application Ref 17/01401/HOU, dated 28 March 2017, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: 1:1250 scale Location Plan; 1:500 scale Site Plan; and Drawing Number – 6083.

Procedural Matter

2. The boundary wall and railings have already been constructed. I have therefore dealt with the appeal in accordance with Section 73A of the Town and Country Planning Act 1990 for development that has already been carried out.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the streetscene.

Reasons

4. The appeal property is a newly built detached dwelling, which is situated in a suburban residential area. The surrounding area is characterised by detached and semi-detached dwellings that are set back from the road. A number of frontages have been hard-surfaced and are used for vehicle parking. Some of the frontages are open to the highway, whilst others are partially enclosed by boundary walls and vegetation. The majority of front walls are low in height, which contributes to the spacious appearance of the streetscene.
5. The appeal proposal is for a brick wall with railings on top, which is positioned along the site frontage. Two openings at either end provide an entrance and exit for vehicles. The tops of the brick piers (the tallest part of the structure)

are some 1.65m and 1.56m in height above the level of the pavement. The Council contends that the wall is incongruous and harmful to the streetscene because of its height.

6. Policy 7.4 of the London Plan; Policy CP30 of the Council's Core Strategy; and Policies DMD6 and DMD37 of the Council's adopted Development Management Document generally seek to ensure that new development is of high quality design and that it has regard to the character of the area in which it is located. These policies are consistent with the provisions of the National Planning Policy Framework (the Framework), which has similar requirements (paragraphs 17 and 58).
7. Although the wall/railings structure is taller than most of the other means of front enclosures along Woodland Way, it is still a relatively low structure. In my opinion, it is not unattractive and it is built of brickwork that matches the dwelling. The open railings and the two substantial gaps, which allow for vehicular access and egress, also serve to reduce the overall mass and visual impact of the development. Consequently, it does not appear incongruous or unduly harmful to the appearance of the streetscene or to the character of the area.
8. Accordingly, I find that the proposal does not conflict with the provisions of the Development Plan or with the Framework, as referred to above.

Conditions

9. The Council has suggested conditions in the event of the appeal being allowed. These have been considered in the light of the advice contained within the Planning Practice Guidance. A condition requiring the development to be carried out in accordance with the approved plans is imposed, for the avoidance of doubt and in the interests of proper planning. As the development has already been carried out, no other conditions are necessary.

Conclusion

10. For the reasons given above, it is concluded that the appeal should be allowed.

Ian McHugh

INSPECTOR