



Appeal Decision

Site visit made on 14 August 2019

by Neil Smith BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2019

Appeal Ref: APP/Q5300/W/19/3230830

2 Downes Court, Winchmore Hill, London N21 3PS

- 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 Andros and Nicola Papacharalambous against the decision of the Council of the London Borough of Enfield.
 - The application Ref 18/04523/FUL, dated 22 November 2018, was refused by notice dated 17 January 2019.
 - The development proposed is for the demolition of existing garage and the proposed erection of a detached part 1, part 2-storey single family dwelling house with associated vehicular access and parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area; and (ii) the living conditions of the future occupiers of the appeal dwelling in respect of outlook.

Reasons

Character and appearance

3. The appeal site comprises part of a rear garden and existing garage and driveway of a semi-detached house on the corner of Downes Court and Woodland Way. The area around the site is characterised by detached and semi-detached properties, which generally have front gardens and larger rear gardens. Trees in the street and gardens give a leafy and open feel to the area. Woodland Way, next to the appeal site, is a short cu-de-sac where, at its head, are three detached houses.
4. The proposed new dwelling would be a modern part two and part single storey dwelling facing onto Woodland Way. The appellants state that the development has been specifically designed to provide an "interesting contrast" and to replicate the dwellings at No 133, 135 and 137 Woodland Way. It would be set back from the pavement edge by two metres and would also have a garden area to the rear corner of the plot. The front elevation would extend the full width of the plot. The dwelling would have a hipped roof incorporating roof lights.

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5. The proposed dwelling would occupy a large part of the existing residential plot. The two-storey frontage would be the full width of the plot and there would be small amenity areas to the front and rear of the dwelling. Whilst the appeal proposal would be set back from the pavement edge, the bulk of the appeal dwelling would be clearly visible from the street. It would also unacceptably break the building line in the area and hence would be an incompatible addition to the surrounding pattern of development. I therefore find that the proposed dwelling would appear as an incongruous feature by reason of its position, bulk, height and width.
 6. The proposal would not replicate the pattern of development at Nos 133, 135 and 137 Woodland Way which, as the Inspector in the previous appeal also found, are positioned within more open and spacious settings. I find that the proposal would appear as a cramped form of development in the context of Woodland Way and would therefore look materially out of place.
 7. I note that the proposal would use a similar pallet of materials to neighbouring buildings. I am also aware that the dwelling would meet the minimum amenity space standards. However, none of these other matters would alter or outweigh my findings above.
 8. The appellants have drawn my attention to a recently approved development at No 44 Compton Road, London N21 3NX. However, this development is not directly comparable to the appeal development in terms of its context and, in any event, I have determined this appeal on its individual planning merits. The existence of development at No 44 Compton Road does not lead me to reach a different view in terms of the adverse effect of the development on the character and appearance of the area.
 9. For the reasons outlined above, I conclude that the proposal would not accord with policies 7.4 and 7.6 of the adopted London Plan 2016 (London Plan); Policy CP4 and CP30 of the adopted Enfield Core Strategy (2010) (CS) and Policies DMD6, DMD7, DMD8, DMD37 of the adopted Enfield Development Management Document (2014) (the DMD) which, amongst other things, requires development to be of a high standard, of a scale and form appropriate to its surroundings and which respects the local character. I do not consider Policies 7.5 of the London Plan; Policy CP2 of the CS and Policy DMD 38 as relevant as they relate to matters including public realm, strategic housing delivery and detailed documentation matters.

Living conditions

10. The appeal proposal would have two bedrooms at the first floor which would be served by rooflights to the rear and by windows and roof lights to the front. The proposed dwelling would face in a south easterly direction with the windows and roof lights of an appropriate size to serve these rooms.
11. I noted from my site visit that the houses on the opposite side of Woodland Way would be a considerable distance away from the appeal dwelling. For these reasons, I find that there would be no harm to the living conditions of the future occupiers by reason of insufficient outlook. I conclude that the appeal proposal would therefore accord with the amenity requirements of Policies 3.5 and 7.6 of the London Plan; Policy CP4 of the CS and Policies DMD7, DMD8 and DMD37 of the DMD. I do not consider Policies 7.4 of the London Plan; Policy

CP30 of the CS and Policies DMD6 and DMD 38 as relevant as they relate to matters of character and appearance and detailed documentation matters.

Other considerations

12. The proposed development would positively assist in boosting the supply of housing in the area, although the contribution from one dwelling would nevertheless be relatively limited.
13. I note that a number of other interested parties who occupy dwellings surrounding the property have raised concerns about loss of outlook and/or privacy and light. I have carefully considered the position and scale of the proposed development and I do not consider that it would give rise to any significant impacts in this regard. However, neither this nor any of other matters raised outweigh or alter my overall conclusion on the main issues.

Conclusion

14. Whilst I have found that the proposal would not cause any harm to the living conditions of the future occupiers of the appeal dwelling, I have found that the development would cause very significant harm to the character and appearance of the area. Therefore, I conclude that the appeal should be dismissed.

Neil Smith

INSPECTOR