



Appeal Decision

Site visit made on 10 September 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2019

Appeal Ref: APP/Q5300/D/19/3231724 108 First Avenue, Enfield EN1 1BP

- 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 Paul Maile against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/00404/HOU, dated 30 January 2019, was refused by notice dated 5 April 2019.
 - The development is described as 'proposed outbuilding and demolition of existing outbuilding'.
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Decision

1. The appeal is allowed and planning permission is granted for an outbuilding and the demolition of existing outbuilding at 108 First Avenue, Enfield EN1 1BP in accordance with the terms of the application Ref 19/00404/HOU, dated 30 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DPL.01, DPL.02, DPL.03, DPL.04, DPL.05, DPL.06, DPL.07, DPL.08, DPL.09, DPL.10, DPL.11, DPL.12 & DPL.13.
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 108 First Avenue, Enfield EN1 1BP.

Main Issue

2. The main issue is the effect of the outbuilding on the character and appearance of the area.

Reasons

3. Many of the properties on this part of First Avenue which have large gardens incorporate garages and other outbuildings at the end of their gardens adjacent to East Crescent. The appeal site hosts two garages and the northernmost garage would be unaffected by the appeal proposal.
4. The proposed outbuilding would have a slightly higher eaves and ridge level than the building which it would replace.

5. However, because the appeal proposal would not be any higher than the other garage on the site and as it would not be significantly higher than the existing garage which it would replace, its height would be appropriate in relation to the nature of existing development.
6. The proposed outbuilding would be greater in length than the garage which it would replace, extending further into the garden than the retained garage, breaking the staggered building line of the garages spanning the neighbouring 110 First Avenue and the appeal site.
7. However, this is not considered significant because the increase in length would not be especially apparent from East Crescent due to the screening effect of the existing garage and tall rear boundary treatment to adjoining rear gardens.
8. The increased length of the appeal proposal comparative to the garage which it would replace would be apparent from the end of the rear garden at the neighbouring No 106. However, it would not have an overly imposing visual presence because it would be situated adjacent to the bottom of the garden and because it would be viewed against the existing cluster of garages when looking north.
9. Consequently, the size and scale of the appeal proposal would be in keeping with the character and appearance of the area. It would therefore comply with Policy CP30 of The Enfield Plan Core Strategy (2010) and Policies DMD 12 and DMD 37 of the Enfield Council Development Management Document (2014) (ECDMD) which amongst other things seek good quality design that is appropriate to the character of an area.

Conditions

10. As well as the standard time limit condition, I have imposed a condition in the interests of certainty concerning the approved plans. I have also added a condition requiring that the use of the building remains ancillary to the host dwelling as requested by the Council with Policy DMD 12 of the ECDMD providing justification.

Conclusion

11. For the reasons above, I conclude that the appeal should be allowed.

T J Burnham

INSPECTOR