
Appeal Decision

Site visit made on 10 November 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2020

Appeal Ref: APP/Q5300/D/20/3251566

7 Cranleigh Gardens, Southgate, London N21 1DR

- 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 Ms J Philippou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/00256/HOU, dated 22 January 2020, was refused by notice dated 20 March 2020.
 - The development proposed is described as: 'front boundary wall/rail and gate'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For clarity and precision, I have inserted 'London' into the address in the banner heading above, as it is listed on the appeal form.

Main Issues

3. The main issues of this appeal are the effect of the proposed development on:
 - i. the character and appearance of the appeal site and surrounding area; and,
 - ii. highway safety, with regard to the free flow and safety of vehicular traffic, particularly from the proposed gate.

Reasons

Character and appearance

4. The host property is a semi-detached dwelling occupying a corner plot location. The site is located in a prominent position in the street scene as it forms part of 7no. semi-detached dwellings¹ around a staggered junction at Cranleigh Gardens and Onslow Gardens. The siting and boundary treatments of the dwellings on these plots is a prominent and distinctive feature throughout this section of the street, which I find positively contributes to the character of the area.
5. The proposal seeks to erect a brick wall with metal railings above, reaching an overall height of approximately 1.5m. On this section of the road the front boundary treatments generally comprise small or low brick walls. In the context of this immediate setting, the height, length and prominence of the

¹ No's 4, 5 and 7 Cranleigh Gardens and No's 4, 7, 8, 10 Onslow Gardens

proposed development would form a large, obtrusive and incongruous feature in the street scene which would be at odds with the prevailing character.

6. The appellant has made reference to a variety of boundary treatments in the locality. Whilst noting the presence of these boundary treatments, relatively little detail has been provided regarding the planning backgrounds to these schemes. Without such information a full and detailed comparison between these developments and the case before me cannot be easily drawn, except insofar as I was able to observe and assess the sites at my visit. In any event, the fact that other development may exist, is not a reason, on its own, to allow otherwise unacceptable development. Consequently, I find that this development has little implication for the specific impact of the appeal scheme.
7. For all of these reasons, the proposed development would have a significant harmful effect upon the character and appearance of the appeal site and the surrounding area, and therefore conflicts with Policies 7.4 and 7.6 of the London Plan 2016 (LonP); Policy CP 30 of the Council's Core Strategy 2010 (CS); Policies DMD 8 and DMD 37 of the Council's Development Management Document 2014 (DMD).

Highway safety

8. The Council's concerns relate primarily to the proposed gate and the distance that would be available for motorists to park whilst waiting for the gate to open. The appellant has alluded to the gates being automatic, but I have little details before me. In any event, even if the gates were or were not motorised, I find it would have little consequence on the ability of motorists to be able to park off the carriage way, whilst waiting for/or opening the gates.
9. I accept that the traffic flow on this residential estate is not likely to be excessive and that there is good visibility around the staggered junction. Additionally, I note the assertion from the appellant that if the motorist was nervous about accessing the site, they could park the vehicle whilst opening the gate and then completing the manoeuvre. In this instance, I consider that it is highly likely that motorists would park the vehicle in front of the gate before or whilst the gate is opening. Given the existing dimensions from the highway to the site, this would result in part of the vehicle overhanging the carriage way.
10. For the reasons given above, I conclude that the proposed development would significantly harm highway safety, with regard to the free flow and safety of vehicular traffic. This would be contrary to the highway safety aims of LonP Policy 6.13, CS Policy CP 24, DMD Policies DMD 46 and DMD 47.

Other Matter

11. I have also noted the appellant's suggestion regarding the possibility of erecting a 1m high boundary treatment and gate through permitted development should the appeal fail. However, as the merits of such a proposal is not before this appeal, I am not convinced that there is a greater than a theoretical possibility that the development might take place. Consequently, my conclusions on the main issues remain unaltered. I have considered this appeal proposal on its own particular merits and concluded that it would cause harm for the reasons set out above.

Conclusion

12. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR