
Appeal Decision

Site visit made on 25 January 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 09 February 2021.

Appeal Ref: APP/Q5300/W/20/3262852

17 Elmwood Avenue, Southgate N13 4HG

- 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 Susan Shaw against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/02368/FUL, dated 28 July 2020, was refused by notice dated 15 October 2020.
 - The development proposed is the erection of an outbuilding for ancillary purposes.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The proposed development includes the erection of an outbuilding within the rear garden of a terraced property which is located within a primarily residential area. At the rear there is a paved terrace which is elevated above the landscaped part of the garden. By reason of its footprint, the proposed outbuilding would occupy a significant proportion of the landscaped garden area.
4. From what was observed during the site visit, there are outbuildings within the rear gardens of the surrounding properties. These structures are generally modest in scale and sited adjacent to the rear boundaries. Although the private amenity areas are enclosed by mainly wooden fences, individually and collectively the rear gardens surrounding the property have a verdant and open character and appearance.
5. The proposed outbuilding would be sited away from the rear boundary but close to the side boundaries. An exception to the general pattern of the siting of outbuilding is within the rear garden of 15A Elmwood Avenue which was erected pursuant to a planning permission granted by the Council (Ref 15/04454/FUL). This outbuilding is modest in size but, unlike the appeal scheme, it is sited close to the rear elevation of No. 15A.
6. The proposed height of the outbuilding would not, when compared to other structures within rear gardens, be excessive. Further, because of the

difference in levels the appeal scheme would be seen as a separate built form of development from the property's single storey rear addition.

7. However, I share the Council's concerns that because of its size, bulk and siting the appeal scheme would appear an incongruous and cramped form of built development within the property's rear garden. The proposed outbuilding would have an adverse impact upon the open and verdant character and appearance of both the property's rear landscaped garden and those of the surrounding private amenity areas. It may be possible by condition to seek planting to provide additional visual screening for the appeal scheme but, after a standard 5-year period for maintenance, there can be no certainty such vegetation would be retained.
8. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would conflict with Policy CP30 of Enfield's Core Strategy 2010-2025 and Policies DMD 12 and DMD 37 of Enfield's Development Management Document (DMD). Amongst other matters, these policies require outbuildings to be of an appropriate height and bulk so as not to adversely impact on the character of the local area and for proposals to improve the quality of the built environment. DMD Policy DMD 8 is not of direct relevance to the appeal scheme because it concerns new residential development rather than the erection of domestic outbuildings.

Other Matters

9. Concerns have been raised by the occupier of the No. 17A that the proposed outbuilding would be an overbearing form of development when viewed from the rear windows which are at first floor level. However, because of the difference in levels and the separation distance between these windows and the proposed outbuilding unacceptable harm would not be caused to the outlook of the occupier of this neighbouring property.
10. Reference has been made by the appellant to the purpose for which the proposed outbuilding is required and the trend for home working, particularly due to the current Covid-19 pandemic. The appellant has also identified that the size of the proposed development is required for the purposes it is intended to be used. Although these matters have been given moderate weight in the determination of this appeal, they do not outweigh the unacceptable harm which has been identified. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR