



Appeal Decision

Site visit made on 22 June 2021

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/Q5300/D/20/3264073
73 The Chine, Southgate, London N21 2EE

- 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 Sathasivam Maheswaran against the decision of Enfield Council.
 - The application Ref 20/02604/FUL, dated 14 August 2020, was refused by notice dated 9 October 2020.
 - The development proposed is the construction of hard standing in connection with vehicular access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Policies from the London Plan (2016) referred to by the Council in refusing permission have been superseded by policies from the London Plan (2021) (the LP), which has been adopted since the appeal was submitted. I must base my decision on the development plan prevailing at the time of my determination. In light of this, the main parties have had the opportunity to provide submissions in writing on the relevance of the new LP to the case.
3. Whilst the appeal was submitted as a householder planning application, it was later clarified that it related to a full planning application. As a result, I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character or appearance of the Grange Park Conservation Area (the CA).

Reasons

5. The CA is predominantly formed by The Chine and Old Park Ridings, linear residential streets which lie parallel to each other. These are wide streets of substantial dwellings on which the presence of trees, hedgerow and garden vegetation results in a characteristic leafy and verdant quality. The area's substantial level of natural form is an important aspect of the CA. I have a statutory duty, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

6. The appeal property is a first floor apartment located within a detached dwelling within the CA. Its front garden area contains a surfaced path to the front door but it is otherwise laid to lawn and vegetation, with mature shrubs to the front around a dwarf wall forming an attractive feature. This natural form contributes positively to the appearance and significance of the CA.
7. The appeal proposes the use of the front garden area for the construction of an area of hardstanding for the parking of a vehicle, and the provision of an associated dropped kerb.
8. Whilst the scheme would retain areas of planting to both sides of the proposed hardstanding, it would unacceptably reduce the site's level of natural form, which I have found above to make a positive contribution to the significance of the CA. It would consequently fail to reflect the relevant defining characteristics of the CA. This finding is supported by the Grange Park Conservation Area Management Proposals (2015), which state that the paving over of front gardens for car parking is damaging to the character and appearance of the area, and that such schemes within the CA will normally be resisted where gardens contribute to its special character or appearance.
9. Thus, as the harm would arise from the loss of natural form at the site, the suggested provision of a gate to the access would not overcome this, because it relates to a different consideration.
10. I therefore conclude that the appeal proposal would result in less than substantial harm to the appearance of the CA. I note that the views of the parties largely align with my own in this regard.
11. As a result, it conflicts with Policies D3 and D4 of the LP, which require development to enhance local context and to deliver good design. Further conflict exists with Core Policies 30 and 31 of the Enfield Core Strategy (2010), which require development to have special regard to its context and to the impact on heritage assets. Additional conflict exists with Policies DMD 37, DMD 44 and DMD 46 of the Enfield Development Management Document (2014), which state that development should have appropriate regard for its surrounding area and should conserve or enhance the significance of heritage assets. Further conflict exists with the historic environment provisions of the National Planning Policy Framework (2019).

Other Matters

12. The appellant submits that the proposal would increase on-street parking availability. However, whilst the scheme would provide one parking space within the site, the provision of the dropped kerb would result in the loss of an on-street area suitable for the parking of approximately one car. As a result, I consider the proposal's net effect on on-street parking availability to be neutral.
13. Furthermore, there was a reasonable level of opportunities to park on the street on the day of my visit and, whilst that was only a snapshot in time, there is no substantive evidence before me to suggest that the availability of on-street parking in the area is generally poor. As a result, I attach only minimal weight to the submission that the proposal would result in a more efficient use of the front garden area.

14. Likewise, the appeal site lies outside the mapped flood zones and there is minimal evidence which might suggest that there are identified flooding issues in the area which the appeal scheme would help to address.
15. I acknowledge the submission of an interested party concerning potential vehicle theft, however there is minimal evidence to support the suggestion that a vehicle parked off the street is less likely to be stolen, or that this is an area where this is a particular issue.
16. Thus, I attach only minimal weight to the benefits suggested above.
17. I acknowledge that the proposal's design seeks to address concerns raised regarding previous schemes. Nevertheless, I must assess the appeal on its own merits and consequently the submission is of minimal relevance in my determination.
18. My attention has been drawn to other hardstanding schemes in the vicinity of the appeal site. I have limited details on the circumstances of these. Nevertheless, even if the other developments and circumstances were similar, they would not inevitably provide an example that should be followed even if harm results. Accordingly, the other developments do not alter my conclusions as to the unacceptability of the current scheme.
19. The Council partially relies on Policies T6 and T6.1 of the LP, which relate to car parking, in support of its stance. Nevertheless, substantive evidence to demonstrate conflict with these policies is not before me. Thus, they have only limited relevance to the main issue of the appeal.
20. I have had regard to other matters raised, including concerns about the proposal's effect on living conditions and biodiversity. However, as I am dismissing the appeal on the main issue for the reasons given herein, I have not pursued these matters further.

Conclusion

21. I have found the proposal to cause less than substantial harm in respect of the heritage asset. I am required to give this harm considerable importance and weight. I have identified no particular public benefits which weigh in favour of the proposal, and minimal other benefits.
22. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR