



Appeal Decision

Site Visit made on 6 July 2021

by Mr James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 20 July 2021

Appeal Ref: APP/Q5300/W/21/3269087

44 The Orchard, Southgate N21 2DH

- 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 R Kadiu against the decision of London Borough of Enfield.
 - The application Ref 20/01543/FUL, dated 18 May 2020, was refused by notice dated 10 February 2021.
 - The development proposed is described as redevelopment of site by the demolition of existing dwelling house and erection of 3 terraced dwelling houses with accommodation in the roof space including provision of car parking, refuse, cycle storage and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the planning application, the 2016 iteration of the London Plan has been superseded. Policy 3.5 of the 2016 plan was cited in the Council's reason for refusal, however this has been replaced by Policy D4 of the 2021 version¹ (which has also been cited in the Council's decision notice). Both parties have had the opportunity to comment on the changes. I have therefore determined this appeal with regard to the most up to date development plan.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is currently occupied by a 2-storey detached dwelling. The dwelling is slightly elevated from the road and sits within a substantial plot, with large areas of garden to the front and rear. The property is separated from the nearest neighbouring properties by substantial gaps on both sides. The northern boundary of the site borders the rear garden of No 21 Bush Hill, and the southern boundary borders No 42 The Orchard. Much like the appeal property, both of these are large detached dwellings which are sited within spacious plots.
5. The surrounding area is predominantly residential in nature. At the northern end of The Orchard, particularly on the western side of the road where the appeal site is located, individual plots are noticeably bigger than elsewhere

¹ The London Plan, The Spatial Development Strategy for Greater London, March 2021 (The London Plan 2021)

along the road and are occupied by large detached dwellings (as described above). As a result, this section of The Orchard has a relatively open and verdant quality compared to the rest of the road, which contributes positively to the character of the area. Further south, properties are a mixture of detached and semi-detached dwellings. Whilst generally these are also set within spacious plots, separation distances are noticeably smaller.

6. The proposed development would involve the demolition of a single dwelling, and the erection of 3 terraced houses in its place. The new dwellings would essentially extend across the full width of the plot, leaving a separation distance of approximately 1m at either side boundary. This would be a significant step change in the level of built form on the plot and would considerably reduce the separation distances which currently contribute to the verdant quality of this section of the road.
7. Given that this end of the road is typified by larger curtilages with substantial garden space, the introduction of 3 new dwellings within a single plot would appear cramped and incongruous with its closest neighbouring properties. This would be harmful to the street scene. Similarly, on the basis that the dwellings at this end of the road are primarily large detached houses, particularly on the western side of the road, the introduction of 3 narrower terraced dwellings would also be discordant with the prevailing pattern of development around the appeal site, which would again harm the character of the area.
8. Although there are examples of terraced dwellings within the wider area, there are no terraced properties along The Orchard itself. The nearest example is on the southern side of Bush Hill. Whilst not far from the appeal site, this terrace is located next to plots which are much narrower, where separation distances between neighbouring properties are significantly smaller. These factors allow the terraced dwellings to integrate more effectively with the street scene, without appearing incongruous with their neighbouring properties.
9. I acknowledge that the proposed terrace would be set back from the road, with the new dwellings sitting behind the front building line of No 42 in a staggered formation towards No 21 Bush Hill. In this respect, the proposed development would follow the grain of development by conforming to the front building line along this side of the road. In terms of design and materials, I am also satisfied that the external finish would be of high-quality, which would be in-keeping with the varied style of property frontages along the road. Nonetheless, these are neutral factors and not benefits of the scheme, and do not outweigh the harm that that would be caused to the wider street scene as identified above.
10. For these reasons, the proposed development would harm the character and appearance of the area, and would therefore conflict with policies DMD6, DMD7, DMD8 and DMD37 of the Council's Development Management Document (2014) (DMD), Policy CP30 of the Enfield Plan Core Strategy 2010 – 2025 (2010) and Policy D4 of the London Plan 2021. Together, these policies require new development to respect local character and surrounding patterns of development, through appropriate design, density, scale and mass. The proposed development would also conflict with the overarching design objectives of the National Planning Policy Framework (2019).

Other Matters

11. I note the officer's recommendation to committee was for approval. However, for the reasons I have outlined above, I disagree with the conclusions drawn regarding the impact of the proposed development on the character and appearance of the area.
12. Whilst I acknowledge the contribution that the proposed development would make to the Council's housing supply, such benefit does not outweigh the harm that would be caused to the character and appearance of the surrounding area in this instance.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

James Blackwell

INSPECTOR