



Appeal Decision

Site visit made on 15 September 2022 **by Mrs Chris**

Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2022.

Appeal Ref: APP/W5780/D/22/3297594

76 Northern Avenue, London N9 9QX

- 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 Mrs Carlet White-Griffiths against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/00051/HOU dated 7 January 2022, was refused by notice dated 7 March 2022.
 - The development proposed is described as two storey side extension.
-

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decisions issued on 12 October 2022 and 17 October 2022.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of area; and (ii) trees.

Reasons

Character and Appearance

3. The site is within a predominantly residential area characterised typically by semi-detached properties. The appeal site has a single storey extension to the side of the property which would be demolished and replaced by a two-storey extension which would extend the full length of the property at ground floor with a set back at first floor.
4. Policy DMD14 of the Enfield Development Management Document (2014) (the DMD) seeks to ensure side extensions do not result in a continuous façade or 'terracing effect' by requiring a 1m gap to be retained between the property and the boundary.

5. Notwithstanding this due to the orientation of the neighbouring property No. 78 Northern Avenue which is not aligned with the frontage of the appeal site the development would retain the prevailing semi-detached character of the area, avoiding a continuous façade or 'terracing effect'.
6. The proposed development is modest in scale, not incongruous in the streetscene and does not dominate the appeal property.
7. I conclude that the proposed development would not harm the character and appearance of area. There is no conflict with Policy CP30 of the Enfield Plan

<https://www.gov.uk/planning-inspectorate>

Appeal Decision APP/W5780/D/22/3297594

Core Strategy 2010-2025 (2010) (the Core Strategy), Policies DMD8, DMD14 and DMD37 of the DMD and Policies D4 and D8 within the London Plan (2021) which amongst other things seeks to create a strong sense of place, achieve good design appropriate to the local context.

8. There is no conflict with the Framework which seeks to secure good design which adds to the overall quality of the area.

Trees

9. Trees and shrubs are close to the appeal site boundary. Trees adjacent the shared side boundary of the appeal site which bounds the rear private amenity space have been lopped. These trees offer little in terms of amenity value.
10. Notwithstanding this, mature trees are located within the front garden of No.78 Northern Avenue, these trees provide amenity value within the streetscene. Whilst I have not been provided with any details that the trees are covered by a tree preservation order, Policy DMD80 of the DMD seeks amongst other things to protect and retain trees of amenity value.
11. The Appellant has not provided substantive evidence to demonstrate that the proposed development would not affect the trees on the adjacent land which are close to the proposed development. On this basis I am not persuaded that the proposed development would not harm the adjacent trees.
12. There is conflict with Policy DMD80 of the DMD and Policy G7 of the London Plan which seek amongst other things to protect trees of amenity value. There is conflict with the Framework which seeks to protect the natural environment.
13. The second reason for refusal contends that there would be conflict with Policy CP31 of the Core Strategy. This policy relates to built and landscape heritage and seeks to protect the distinctive characteristics of the Borough arising from its historical development it does not relate to the development before me.

Conclusion

14. I have found that the proposed development would not harm the character and appearance of the area, however this does not outweigh the harm I have identified in terms of the trees adjacent the site.
15. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR