



Appeal Decision

Site visit made on 22 December 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2023

Appeal Ref: APP/Q5300/W/22/3303478

136, Chase Road, Southgate, Enfield N14 4LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Ajantha Alagaratnam against the Council of the London Borough of Enfield.
 - The application Ref 22/01122/HOU, is dated 30 March 2022.
 - The development proposed is the construction of front and side boundary wall with railings and gates to a maximum height of 2 metres.
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Decision

1. The appeal is dismissed and planning permission for the construction of front and side boundary wall with railings and gates to a maximum height of 2 metres is refused.

Preliminary Matters

2. The description of the development given in the application form provides a detailed explanation about what is proposed and the reasons behind the proposal, and comments about other means of enclosure in the vicinity. The Council modified that original description so that it described more briefly the development for which permission was sought. For clarity, I have used the Council's modified description in the heading above and in the formal decision. This accurately and more concisely describes the proposal which, in any event, is evident from the detailed plans. While no further consultation has taken place in respect of this matter, I do not consider that the changes I have made to the description of the development prejudice the interests of any party.
3. The appeal results from the Council's failure to determine the planning application within the prescribed period. As a result, there is no formal decision on the application. However, the Council provided a statement setting out the reasons why the Council would have refused planning permission had it been empowered to do so. I have taken this, along with other evidence before me, to inform the main issues.
4. There is a discrepancy between the spelling of the appellant's name on the planning application form and that given in the appeal form and statement. I have used the name provided in the appellant's signed statement dated 20 July 2022 where the same spelling appears twice.

Main Issues

5. The main issues are the effect of the proposed development on:
- the character and appearance of the area; and
 - highway safety in respect of vehicular egress from the appeal property.

Reasons

Character and appearance

6. The appeal property is a two-storey semi-detached house situated along a busy main road in an established suburban residential area. The area comprises a pleasant mix of primarily semi-detached and detached houses which exhibit a variety of external finishes. The properties are generally set back a short distance from the highway resulting in there being small front gardens, many of which have been given over to hard-surfaced car parking spaces. A predominant feature is the low walls bounding the front gardens of houses. This contributes significantly to the pleasing overall open appearance of the area and lends a good degree of coherence to its character.
7. I saw on my site visit that taller boundary structures were in place at 144 and 146 Chase Road. These tall structures are noticeably in the minority. The Council indicates that their records do not show that planning permission has been granted for those structures at No 144. The proposed development would be similar to those structures, and, notwithstanding their planning status, this would add to the incongruity in appearance in the street. The height and prominence in the street of the proposed walls and railings would sit uncomfortably amongst the predominantly open frontages in the area.
8. The proposed development would introduce a tall, prominent, long and continuous visually intrusive boundary feature fronting Chase Road. It would appear out of place by virtue of these features and therefore cause harm to the character and appearance of the area. Whilst a very small number of other tall boundary structures exist in the locality, this does not equate to there being a lack of harm caused to the character and appearance of the area, and it does not justify the further harm that would arise from the development.
9. Accordingly, the development would conflict with Policy D3 of The London Plan (March 2021) ('The London Plan'), Core Policy 30 of the Enfield Plan Core Strategy 2010 – 2025 (November 2010) ('the Core Strategy'), and Policy DMD 37 of the Improving Enfield Development Management Document (November 2014) ('the DMD') which seek to ensure development respects local character and has appropriate regard to its context and surroundings.

Highway safety

10. Chase Road is a main road and bus route linking the nearby commercial centre of Southgate to the adjacent suburban residential streets and locations beyond the local area. The topography is undulating, and in the vicinity of the appeal site the road slopes relatively steeply downwards in the direction of Southgate. I saw that traffic speeds are high, notwithstanding the 30 mph restrictions in place, and that there was regular pedestrian activity along the footways. A primary school is located nearby, and there is a bus stop very close to the appeal site.

11. The proposed gate piers would be at a height and in a location that would obstruct the visibility afforded to car drivers leaving the proposed drive. Given the proximity to the appeal site of the bus stop and the nearby primary school it is reasonable to anticipate a high level of pedestrian activity locally. The inadequate visibility splays that would be provided to serve vehicles leaving the appeal site in either a forward or reverse gear would result in avoidable danger being created to pedestrians passing the site.
12. The proposed development would fail to maintain highway safety in respect of vehicular egress from the appeal property. Accordingly, it conflicts with Policy D3 of The London Plan, Core Policy 25 of the Core Strategy and Policy DMD 47 of the DMD because it fails to achieve a safe and secure environment for pedestrians and cyclists.

Other Matters

13. Personal benefits associated with creating secure off-street parking would arise from the proposed development. However, this would not mitigate or outweigh the harm that would arise from the proposal.

Conclusion

14. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR