



Appeal Decision

Site visit made on 7 March 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 17 March 2023

Appeal Ref: APP/Q5300/W/22/3306326 127 Bell Lane, Enfield EN3 5PB

- 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 Havva Hassan against the decision of Enfield Council.
 - The application Ref 22/00659/FUL, dated 23 February 2022, was refused by notice dated 18 May 2022.
 - The development proposed is the sub-division of site and erection of a 3-storey dwelling at side comprising of 2x self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issue

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

Preliminary Matters

3. I have taken the description of development from the Council's decision notice, which is a more accurate description than that provided in the application form.

Reasons

4. The site is an end of terrace dwelling at the junction of Bell Lane and Albany Park Avenue. It has a rear dormer, front porch and single storey side projection. The area has a variety of dwellings but the frontage of the immediate terrace has a coherence in form and design. While slightly disrupted by features at the site, a sense of consistency remains due to the main shared front building line and symmetrical hipped roof at either end of the row.
5. The proposal seeks to replace the single storey side structure with a 3 storey property, which would incorporate a rear dormer and consist of two self-contained flats. It would be of similar dimensions to No. 127 Bell Lane, in a site which has the capacity to accommodate additional built form. In this regard, the proposal would not result in the site feeling overdeveloped as a result of the height or footprint of the proposed dwelling.
6. However, while the second storey of the proposal would be in line with No. 127, at street level it would project forward from the main front building line of the terrace. Although this would match the existing porch and remain set in from the front and side boundaries, the entirety of the ground floor of the additional property projecting beyond the remainder of the terrace would

unduly interrupt the overall pattern and form of development in the row, appearing visually jarring.

7. The proposal would create a gable end. While this would be sited alongside the gable end of No. 125A Bell Lane on the opposite side of the junction, it would nevertheless disrupt the uniformity of the immediate terrace. The symmetrical front design at roof level would be removed, creating an imbalance in this row of dwellings that would read as bulky and awkward. While a similar imbalance is present further along Bell Lane, this alone would not justify the visual harm of the proposal to the current coherence in design and roof form that remains a defining feature of the immediate group of dwellings.
8. The rear dormer element of the proposal would stretch the entire width of the property and sit alongside that at No. 127. Sizeable rear dormer extensions are a common feature of the vicinity. However, Policy DMD13 of the Enfield Development Management Document 2014 (the DMD) requires such extensions to be inset from the eaves, ridges and edges of the roof. On the basis of the submitted plans, while the proposal would be set in from the eaves of the dwelling it would be level with the ridge of the roof, such that despite the prevalence of dormers in the area, it would appear unduly dominant and remain contrary to the provisions of this policy.
9. While the proposal would also result in an upper level of built form running close to the boundary with Albany Park Avenue, this element alone would not result in undue visual harm to the area. It would be set in from the street at upper levels, with the ground floor in a similar position to the current boundary wall. It would also match the position of No. 125A Bell Lane relative to the junction, which forms part of the immediate character.
10. Nevertheless, for the reasons given above, I find that the proposal would result in significant harm to the character and appearance of the surrounding area. In this regard, it would fail to comply with Policy D4 of the London Plan 2021, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD6, DMD8 and DMD13 of the DMD insofar as they seek to ensure good and high quality design that takes account of the nature and pattern of development of the area, and roof extensions that do not appear dominant.

Other Matters

11. I have had regard to the other developments cited by the appellant. While the Brimsdown Road dwelling is a sizeable, gable ended dwelling with dormer at a corner junction, I noted that, unlike the proposal, it matched the main building line of the other properties in its immediate row. In addition, I observed the building at Hertford Road to be in an area of a greater variety of building designs and site layouts than the appeal site and in any event have not found that the proposal would lead to the site appearing overdeveloped as a result of its footprint and height. Each scheme is decided on its own site specific circumstances and reference to development carries little weight.
12. The appellant has stated the proposal would comply with the Nationally Described Space Standards and would provide ample garden space with recycling, refuse and cycle storage areas. This represents a lack of harm, which is neutral in the overall planning balance.

Conclusion

13. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR