



Appeal Decision

Site visit made on 25 April 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2023

Appeal Ref: APP/Q5300/W/22/3310532

34 Beech Hill Avenue, Enfield EN4 0LU

- 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 Jacob Joshua against the Council of the London Borough of Enfield.
 - The application Ref 22/02568/HOU, is dated 20 July 2022.
 - The development proposed is described as the erection of a front boundary wall with metal railings and electric gates, metal railing to side boundaries, side entrance gates to the alleyway, extended paving blocks to create a carriageway drive and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front boundary wall with metal railings and electric gates, metal railing to side boundaries, side entrance gates to the alleyway, extended paving blocks to create a carriageway drive and landscaping at 34 Beech Hill Avenue, Enfield EN4 0LU in accordance with the terms of the application, Ref 22/02568/HOU, dated 20 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1728-P-001; Boundary Wall - Proposed and Boundary Wall 2 - Proposed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

3. The proposed development comprises the erection of a boundary along the curtilage of the appeal property with Beech Hill Avenue. This boundary would comprise a brick wall at a lower level with metal railings hung between brick pillars with metal sliding gates. The boundary has been erected in part but has yet to be completed and, as such, remains a proposed development. Planning permission was previously granted for a means of enclosure of a similar design but of a lower height. The Council indicates that the height difference is around 0.4 metres.

4. The property is situated within a residential area comprising large detached dwellings sited on spacious plots and set back from the footways to the rear of landscaped front gardens. The verges and street trees also contribute to the verdant and spacious character and appearance of the streetscene. However, there are a variety of front boundaries along Beech Hill Avenue, including dwellings which have brick walls at the lower level with metal railings above hung between brick piers. There are variations in the heights of the brick piers, including some piers being between circa 2.4 and 2.8 metres high. The height of the piers also varies because of the topography of the road.
5. By reason of the variation in the design and height of the means of enclosure fronting the road, the verges with street trees and the siting of the dwellings to the rear of large landscaped front gardens, the appeal scheme would not be a particularly conspicuous or incongruous form of development within the streetscene. It would be seen against the context of other similarly designed boundaries which form part of the character and appearance of the streetscene. Further, there would be views through the proposed metal railings and gates which would contribute to retaining a sense of spaciousness.
6. For the reasons given, it is concluded that the proposed development would not unacceptably harm the character and appearance of the streetscene and, as such, it would not conflict with Policy CP30 of Enfield's Core Strategy and Policy DMD 37 of the Enfield Development Management Document (DMD). Amongst other matters, these policies seek high quality design having regard to their context. DMD Policy DMD 8 references new residential development rather than householder proposals such as means of enclosure.

Other Matters

7. The Council has raised a concern that the proposed development would reduce visibility for vehicles exiting the gates and, as such, there would be a danger to other highway users. However, because the proposed gates would be set well back from the carriageway to the rear of the verge and footway, there would be appropriate and adequate visibility for any driver of a vehicle travelling along the road to see another vehicle exiting through the proposed gates when open. The same would apply for the driver of the vehicle exiting the open gates being able to see vehicles or cycles travelling along the carriageway.
8. As with other entrances sited adjacent to the footway, there would be the potential for the driver of any vehicle exiting the property to have reduced visibility for pedestrians. However, the combination of the likely speed of any vehicle, the available visibility for the driver and the ability of people walking along the footway to see a vehicle exiting through the open gates would not give rise to an unacceptable level of danger for pedestrians.

Conditions

9. The Council has not suggested any conditions in the event this appeal succeeds. However, in addition to the standard implementation condition, for reasons of clarity a condition is required to identify the approved drawings. Accordingly, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR