



Appeal Decision

Site visit made on 9 July 2024

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 26 July 2024

Appeal Ref: APP/Q5300/W/24/3338139

33A Doncaster Road, London N9 7RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hasmat Habibi against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/02785/FUL.
 - The development proposed was originally described as "Erection of a new two storey single household dwelling on a gap site adjacent to 35 and 33 Doncaster Road and currently vacant with a garage structure."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises a small gap between two end-of-terrace properties, 33 and 35 Doncaster Road (Nos 33 and 35). The appeal site is opposite a school and is in proximity to several shops. However, the area is predominantly residential. This section of the road is defined by small blocks of terraced houses. This contributes to the high-density, urban character of the area. Although there are several different external finishes, the properties in this row of houses generally appear as mirror images of one another. This provides a pleasing consistency to the pattern of development.
4. The appeal proposal includes the demolition of the single-storey garage which is in filling the gap between Nos 33 and 35. The proposed dwelling would follow the existing building line, established by neighbouring properties, and would be similar in height and scale, and include similar external finishes. However, the appeal site is much narrower than neighbouring plots of land. Therefore, the proposed dwelling would have a greater vertical emphasis and appear cramped when viewed alongside neighbouring properties.
5. The roof of No 35 has been altered to form a gable roof which is level with the side elevation of a dormer projecting from the rear pitch of its roof. This alteration has disrupted the consistent pattern of development. Whilst the appeal property would include a hipped roof, the pitch would be much steeper than the pitch of No 33's roof. As such, it would not appear as a mirror image, unlike other properties along this section of the road. Furthermore, the infilling

of the gap between terraced blocks with a narrow two-storey dwelling would further disrupt the prevailing pattern of development.

6. Neighbouring properties include bay windows which are rectangular in shape and are all of a similar design. The proposed dwelling includes a large, irregularly shaped section protruding from the elevation, whilst the windows would not wrap around this section it would appear similar to a bay window. Given the width of the protruding section, compared to the width of the property, it would be a dominant feature. Moreover, the irregularly shaped design of the protruding section and glazing above the eaves would make it appear incongruous within the street scene.
7. The proposed dwelling would include a significant amount of glazing when compared to neighbouring properties. At the ground-floor level the top of the windows would align with No 33 and 35's windows. Nonetheless, at the first-floor level the windows would extend closer to the eaves. The extent of the glazing and the position of the windows would be at odds with the appearance of properties along this section of the road.
8. I conclude that the proposal would have a harmful effect on the character and appearance of the area. The proposal would be contrary to Policies D3 and D4 of the London Plan, March 2021 (LP); Policy CP30 of the Enfield Plan Core Strategy 2010-2025, November 2010 (CS); and Policies DMD6, DMD8 and DMD37 of the Development Management Document, 2014 (DMD). These policies indicate that developments should respond to the existing character; and proposals will be permitted where its form is appropriate to the existing pattern of development; amongst other matters. The proposal would also be contrary to paragraphs 135 and 139 of the National Planning Policy Framework (the Framework) which advise that decisions should ensure that developments are sympathetic to local character and development that is not well designed should be refused.

Other Matters

9. I acknowledge the generally supportive pre-application advice provided by the Council for a dwelling similar to the appeal proposal. However, this does not alter my assessment on the harm caused by the appeal proposal to the character and appearance of the area.

Planning Balance

10. As above, the proposal would have a harmful effect on the character and appearance of the area. The proposal would be contrary to LP Policies D3 and D4, CS Policy CP30 and DMD Policies DMD6, DMD8 and DMD37 and no policies cited overcome the conflict with these policies. The proposal would therefore not accord with the development plan as a whole.
11. The Council has underperformed in relation to the Housing Delivery Test. Given the extent of the under delivery the presumption in favour of sustainable development, as identified by paragraph 11 of the Framework, applies. For decision making this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework's policies taken as a whole.
12. Benefits of the scheme include the provision of a dwelling, that would provide acceptable levels of internal and external space, would be in proximity to a

range of services and facilities, as well as having good access to public transport. I am mindful that small and medium sites can significantly boost housing delivery. Furthermore, the proposed dwelling could be energy efficient and benefit from the use of low carbon energy. There would also be economic benefits linked to the construction of the dwelling and through increased spend associated with the increased population in the area. Given the scale of the proposal I ascribe moderate weight to the benefits.

13. The proposed dwelling not being in a conservation area or in proximity to a listed building, as well as not having a harmful effect on the living conditions of neighbouring occupants would be neutral factors.
14. The Framework indicates that the creation of beautiful buildings is fundamental to what the planning process should achieve and that planning decisions should ensure that developments are sympathetic to the local character. Given the importance the Framework places on design, I ascribe significant weight to the harm caused by the proposal.
15. As such, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

16. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR