



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: 19th August 2024

Appeal Ref: APP/Q5300/W/24/3339314

56 High Street, Southgate, Enfield N14 6EB

- 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 C Mouyiaris of Maplehill Properties Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 22/02798/FUL.
 - The development proposed was originally described as "A Full Planning Application for the refurbishment and extension works to an existing dilapidated two storey mix-use building consisting of 2 x commercial units at ground floor level and 2 x residential units to the upper floor level, with the creation of an accommodation within a proposed roof level to create a total of 5 x residential units to the upper floors and 2 x commercial units at ground level, and the creation of 2 x self-contained residential units to the rear of the site."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal site is in the Southgate Green Conservation Area (CA), I have had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act).

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the CA.

Reasons

4. The Conservation Area Character Appraisal¹ (the CCA) indicates that the CA's significance is linked to the rapid expansion of the area, transforming Southgate Green from a small rural village in the early 20th Century to the centre of an extensive residential suburb. Nevertheless, the area has managed to superficially retain its village character. The CCA identifies that key characteristics of the CA include the time depth evident in the buildings which illustrate the village's historic development.
5. The appeal site is adjacent to The Woolpack public house, which is a Landmark Building as identified by the CCA. The CCA explains that The Woolpack is a late 19th Century public house, which is somewhat out of scale with its surroundings

¹ Southgate Green Conservation Area Enfield, Character Appraisal, London Borough of Enfield, The Paul Drury Partnership

but splendidly detailed. The modest scale of the buildings within the appeal site contrast with the scale of The Woolpack. As such, the juxtaposition provides an important setting for the Landmark Building.

6. The appeal site includes three terraced buildings, 56-60 High Street (Nos 56, 58 and 60), which have Victorian shopfronts with modern alterations. I note that none of these buildings are identified as non-designated heritage assets. The buildings have a catslide roof, which is a prominent feature due to the gap between No 56 and The Woolpack. Although catslide roofs are not common within the CA, the roof form is an example of how the buildings have been altered to meet local needs during a period of rapid, organic growth. As such, it makes a positive contribution to the character of the CA.
7. The Victorian shopfronts could also make a positive contribution to the CA as they reflect its historic appearance. Nonetheless, these buildings are in a state of disrepair and include several modern alterations which detract from their historic appearance. Moreover, there are modern buildings to the rear of the appeal site which are not characteristic of the wider CA. Therefore, despite numerous positive features, in its current state, the appeal site is making a slight negative contribution toward the character and appearance of the CA.
8. The proposal includes significant extensions to both the roof and rear of Nos 56, 58 and 60. The proposed roof form includes consecutive setbacks and a crown roof to reduce the massing of the proposed extensions. Moreover, the scale of the proposed roof extension has been reduced from previous iterations of the design. The CCA identifies that tightly-packed terraces of varying height and style are a key characteristic of the CA.
9. Nevertheless, the increased scale and massing of the extended buildings would erode the visual juxtaposition between the appeal site and The Woolpack. Whilst the area behind the terraced properties has a higher tolerance for change, given it is largely screened from public views, the scale of the extensions would appear similar to the extended section of the Woolpack. These aspects of the proposal would disrupt the legibility of the area. As such, the extensions would have a harmful effect on a Landmark Building within the CA and would not be sympathetic to the historic pattern of development in the area.
10. In addition, the proposal would lead to the loss of the catslide roof, which would be replaced by a crown roof. This would create the necessary headroom for living accommodation in the roof space. Nonetheless, the proposed roof form would appear contrived when viewed alongside neighbouring properties. Furthermore, the loss of the historic roof form would harm the character and appearance of the CA.
11. The proposed roof would also include four rooflights within the front elevation. Whilst they would be of a conservation design and may not be appreciable from the street, they would be viewable from nearby properties. Regardless of their design, rooflights are not a common feature within the CA. The inclusion of several rooflights across one terraced block would cause further harm to the appearance of the CA as they are not in keeping with its historic appearance.
12. Other than the number of rooflights, the proposed detailing would be sympathetic to the existing buildings fronting the High Street and the proposal would seek to refurbish and retain existing features. The retention of the

parapet and chimney stacks would help the proposal assimilate with the appearance of surrounding development. Also, the infill of the land immediately adjacent to The Woolpack would reestablish the historic pattern of development. Furthermore, a condition could be attached to any planning permission to ensure that the materials used in the proposed development would be appropriate for the CA. These aspects would enhance the character and appearance of the CA.

13. The removal of the modern development to the rear of the site, the retention of the brick wall, and the construction of the L-shaped building would assimilate with nearby development. As such, it would preserve the character and appearance of the CA.
14. Despite the appeal site currently making a negative contribution to the CA and the positive aspects of the proposal, on balance, the proposal would have a harmful effect due to scale and massing of the proposed extensions. Given the modest scale of development, when compared to the size of the CA as a whole, I conclude that less than substantial harm would be caused to the significance of the CA.
15. Irrespective of the potential harm to the CA amounting to less than substantial harm, great weight is given to its conservation, in accordance with Paragraph 205 of the National Planning Policy Framework (the Framework).
16. As per Paragraph 208 of the Framework, I must weigh this harm against the public benefits. The proposal would lead to a net increase in dwellings on a brownfield site, in an area where there is an increasing demand for housing, there is an undersupply of housing land and a historic under delivery of housing. The proposal is an example of where small and medium sized sites can make an important contribution to meeting the housing requirement of an area. This also aligns with the Government's intention to increase the supply of housing on previously developed land. The proposed dwellings would be in an accessible location, close to several services and facilities. There would also be an improved mix of housing, including flats which are in high demand in the area and a 'wheelchair' accessible family dwelling. The proposal would also lead to an increase in commercial space in a town centre location and includes a comprehensive landscaping scheme.
17. Given the need for additional dwellings in the area and the provision of additional commercial space in an appropriate location, I ascribe substantial weight to the public benefits of the proposal. Nonetheless, due to the great weight given to the conservation of the CA and the visual impact of the proposal on the High Street in a prominent location, I ascribe very significant weight to the harm caused by the proposal. In this instance, the public benefits do not outweigh the harm.
18. I conclude that the proposal would not preserve or enhance the character or appearance of the CA. The appeal proposal would therefore be contrary to Policies CP30 and CP31 of the Enfield Plan Core Strategy 2010-2025, November 2010; Policies DMD6, DMD8, DMD13, DMD37 and DMD44 of the Development Management Document, November 2014; and Policies D3 and HC1 of The London Plan, The Spatial Development Strategy for Greater London, March 2021. These policies indicate that proposals will be permitted where the scale and form of development is appropriate to the existing pattern of development; and that applications for development which fail to conserve and enhance the

special interest of a heritage asset will be refused; amongst other matters. The proposal would also be contrary to Paragraph 135 of the Framework, which indicates that decisions should ensure that developments are sympathetic to local character and history.

Other Matters

19. The appeal site is in proximity to the Grade II listed 15 and 17 High Street. Section 66 of the 1990 Act requires me to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest it possesses. The significance of the listed building includes its traditional architecture dating back to circa 1800 and its setting along High Street of a mixture of wholly residential properties or commercial properties with residential accommodation above.
20. The proposal would lead to the extension of both the existing commercial and residential aspects of the appeal site. Although it would be of an increased scale and massing, the proposed development would retain and refurbish some of the historic features and would reflect the historic use of the appeal site. Therefore, the appeal proposal would preserve the listed building, its setting, and any features of special or historic interest that it possesses.
21. The appeal site adjoins the boundary of Meadway Conservation Area (MCA). The MCA is defined by a consistent style of buildings and the area is identifiable by its self-contained layout and green spaces. Although the appeal site is immediately adjacent to the MCA, it contributes little to its setting, due to the hard boundaries and change of style between the areas. The proposal would not alter this relationship and would therefore preserve the setting of the MCA.
22. The reason for refusal states that the proposal is contrary to The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). This advice relates to proposals that are within the setting of heritage assets. The Council do not allege that the proposal is harmful to the setting of any heritage asset. Therefore, it is unclear why this was included within the reason for refusal.

Planning Balance

23. The Council cannot demonstrate a five-year supply of deliverable housing land and has underdelivered in relation to the Housing Delivery Test. Therefore, footnote 8 of the Framework establishes that the policies which are most important for determining the application are out-of-date. In this instance Paragraph 11(d)i) is engaged and it advises granting permission unless the application of policies in the Framework provides a clear reason for refusing the development proposed. Footnote 7 clarifies that these policies would include designated heritage assets. As above, the proposal would cause harm to the CA. Therefore, the provision of paragraph 11(d)ii) is not engaged.

Conclusion

24. 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