
Appeal Decision

Site visit made on 28 February 2017

by Andrew R Hammond MSc MA CEng MIET MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2017

Appeal Ref: APP/Y5420/C/16/3156101

The Land and Building known as 399a Lordship Lane, London N17 7QY

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Mahamud Ali against an enforcement notice issued by the Council of the London Borough of Haringey.
 - The enforcement notice, numbered UNW/2015/00753, was issued on 6 July 2016.
 - The breach of planning control as alleged in the notice is the unauthorised erection of a canopy structure to the rear of the premises.
 - The requirements of the notice are
 - i) Demolish the canopy structure
 - ii) Remove from the land all debris and materials from the site resulting from compliance with requirement i).
 - The period for compliance with the requirements is one month after the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Main Issue

1. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

2. The appellant operates a car repair business on land to the rear of 399a Lordship Lane, accessed from a private driveway off Walpole Road. Whilst it was apparent at the site visit that a canopy structure had been erected in two parts over the majority the land, that part nearest the driveway had been removed leaving a number of supports in place.
3. The appellant's reasons for erecting the canopy, a translucent plastic roof supported by vertical props, were given as being in order to continue operations in inclement weather.
4. Whilst the premises along the private driveway display a variety of structures, canopies and enclosures in various states of repair and means of construction, the background to these and their planning status is unknown.

5. The appeal structure appears to have been constructed in an ad hoc manner from an assortment of poor quality materials, giving a rather ramshackle and visually dominant impression which fails to compliment the character of the local area contrary to Haringey Unitary Development Plan Saved Policy UD3.
6. The appellant's reasons for erecting the canopy are noted. However, they do not outweigh the harm to the character of the area and the conflict with development plan policy.
7. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

Andrew Hammond

Inspector