



Appeal Decision

Site visit made on 5 January 2022

by J Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2022

Appeal Ref: APP/Q5300/C/21/3275065 124 Old Park Ridings, London N21 2EP

- 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 West One Development Finance Limited against an enforcement notice issued by the Council of the London Borough of Enfield.
- The enforcement notice was issued on 16 April 2021.
- The breach of planning control as alleged in the notice is, without planning permission, the unauthorised erection of an external lift shaft on the roof of the Premises.
- The requirements of the notice are:
 1. Remove the external lift shaft (outlined in blue on the plan for identification purposes).
 2. Make good the roof of the building in order to comply with the approved plans granted planning permission under reference 16/05960/FUL.
 3. Remove all resulting materials from the Premises.
- The period for compliance with the requirements is 2 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed and planning permission is granted in the terms set out below in the Formal Decision.

The appeal on ground (a)

Main Issue

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

Reasons

2. The appeal site lies within an area characterised by detached and semi-detached two and three storey houses. The surrounding properties exhibit a variety of roof forms, with hips, mansards and gable roofs all apparent. There is also diversity in the palette of materials with red bricks, render and varying forms of fenestration prevalent. There are nevertheless some features which are predominant throughout, most notably tall chimney stacks which extend above the roofline.
3. The appeal site comprises a three storey block of flats fronting onto Old Park Ridings. At the time of my site visit the building appeared to be substantially complete, albeit construction hoardings surrounded the site. The external design of the building is predominately in facing brick with a grey tiled roof

designed in a mansard shape. It reflects the adjacent building which is similarly a recent construction.

4. The development comprises the external protrusion of an internal lift shaft. It extends above the roofline of the building and is constructed with a grey, rendered finish. I was able to see from my site visit that the development is not significantly visible within the street scene. It is obscured from several vantage points by the adjacent buildings and the roof of the building itself. Moreover, it occupies only a small proportion of the overall roof.
5. In addition, it is set back from the front elevation by around 6m and set in from the closest side elevation by around 5.6m. Furthermore, its height is limited, extending around 0.7m above the ridge height. Indeed, the additional height of the lift shaft does not increase the overall height of the building above the adjacent property, 126 Old Park Ridings. As a result, from those vantage points where it is visible, the development does not appear unduly dominant or discordant nor is it particularly prominent or disproportionate to the host building.
6. I conclude, therefore, that the development will not have a harmful effect on the character and appearance of the area. Consequently, the development will accord with Policy CP30 of the Enfield Core Strategy 2010 which states that all development in the public realm must be high quality and design led. It will also accord with Policies DMD6, DMD8 and DMD37 of the Enfield Development Management Document 2014 (DMD) which state that the scale and form of new development should be appropriate; that development should be of an appropriate scale, bulk and massing; and that development which is inappropriate to its context should be refused. Finally, it will accord with Policy DMD13 of the DMD which sets out that roof extensions must be of appropriate size and location, and be inset from the eaves, ridge and edges of the roof. It also states that roof extensions should be in keeping with the property and not be dominant when viewed in the surrounding area.

Conclusions

7. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should succeed on ground (a). I shall grant planning permission for the development as described in the notice.

Formal Decision

8. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of an external lift shaft on the roof of the Premises at 124 Old Park Ridings, London N21 2EP as shown on the plan attached to the notice.

J Whitfield

INSPECTOR