



Appeal Decision

Site visit made on 24 January 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th February 2022

Appeal Ref: APP/Q5300/W/21/3278842

100 Lancaster Road, Enfield, EN2 0JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Aksoy against the decision of London Borough of Enfield.
 - The application Ref 21/01598/FUL, dated 26 April 2021, was refused by notice dated 21 June 2021.
 - The development proposed is described as "Retrospective planning application for a fixed enclosed development for the ground floor shop."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The structure the subject of the appeal has been altered principally through the removal of the planters forming a wall to two sides of the structure, and the decking enclosed within it. As these are shown on the submitted plans I have determined this appeal on the basis that they could be restored if the appeal were allowed.

Main Issue

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

Reasons

4. The structure is prominently sited at the junction of two streets. It is of principally timber construction with a roof made from polycarbonate sheeting. As a result, it has a lightweight and temporary appearance not in keeping with the predominantly brick and render exterior of the host property, or of the wider street scene, and is an incongruous feature in its setting.
5. Further measures could be taken to improve the appearance of the structure, including painting it, and the restoration of the enclosing planters would result in a more solid appearance to the structure overall. However, this would not be sufficient to overcome the harm by reason of the structure's unsympathetic appearance in the street scene.
6. The appellant has drawn my attention to other enclosed structures elsewhere in the borough. I do not have detailed information about these structures, including whether any of them have been granted planning permission. However, the structures at Nos 281 and 187 Hertford Road appear to enclose the forecourts of these premises. The structure at 510 Hertford Road is set

back from the pavement edge behind a row of trees. From the evidence submitted, the structure on Winchmore Hill Road appears to be in a car park, while the Baker Street structure appears to be freestanding and not sited near the highway. Each therefore differs from the appeal proposal and, other than establishing that such enclosed structures do exist elsewhere, they carry limited weight in the determination of this appeal.

7. My attention has also been drawn to an overhanging canopy to the rear of the property on the opposite side of Armfield Road, but this is a less prominent and much smaller canopy that only covers a service area rather than extending over an area of pavement. It therefore carries limited weight in my determination.
8. The structure is therefore harmful to the character and appearance of the area. It conflicts with Policies D3 and D4 of the London Plan 2021, Core Policy 30 of the Enfield Core Strategy 2010 and Policies DMD 37 and DMD 39 of the Enfield Development Management Document 2014 (the DMD). Collectively these policies require that development be of high quality design appropriate to its context and positively address the public realm.

Other Matters

9. The Council has referred to Policy DMD 25 of the DMD in its reason for refusal. This policy relates to locations for new retail, leisure and office development, none of which are proposed in this case. It is not therefore determinative in my consideration of this appeal.

Conclusion

10. There are no material considerations to indicate that this appeal should be determined otherwise than in accordance with the development plan. Accordingly, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR