
Appeal Decision

Site visit made on 20 September 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2022

Appeal Ref: APP/Q5300/W/22/3291678

12 Queen Anne's Place, Bush Hill Park, Enfield EN1 2PT

- 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 Ms Saba Arif (Dentozen Ltd) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/04099/FUL, dated 30 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is three air conditioning units.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original description on the application form contains wording that is not a description of development. It has therefore been amended in the banner heading above and I have considered the appeal on this basis.
3. Three air conditioning units were in place on the north-west facing side elevation at the time of my visit. These appeared to broadly accord with the plans that are before me, but for the avoidance of doubt my consideration has been made on the basis of the plans.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Bush Hill Park Conservation Area (the Conservation Area).

Reasons

5. The appeal site falls within the Conservation Area, the significance of which in this part sits with the form, scale, materials and detailing of its buildings. The appeal site forms the end building on a commercial terrace, which despite varied retail frontages still incorporates attractive materials and detailing that contribute positively to the character and appearance of the Conservation Area.
6. The air conditioning units are set at a mid-height on the elevation. Whilst they are somewhat screened by trees and foliage when approaching the site from the north-west along Queen Anne's Place and are set back from the frontage, they are clearly visible when passing closer to the building. They are also clearly visible from Abbey Road to the north. They are therefore highly visible from public areas.

7. The air conditioning units are unattractive and stark in their appearance, sitting on brackets incorporating associated modern cabling and switches. They detract from the appearance of what would otherwise be a largely blank side elevation of traditional brickwork which would frame the more attractive frontage well.
8. They therefore detract from the character and appearance of the Conservation Area. Subsequently, they detract from the heritage significance of the Conservation Area which lies in part with the form, scale, materials and detailing of its buildings.
9. The harm to the significance of the Conservation Area would be less than substantial. Paragraph 196 of the Framework¹ requires such harm to be weighed against any public benefits of the proposal.
10. The public benefits to the proposal could include the ability to better moderate the internal temperature within the building. However, the harm would be apparent to many within the local area given the prominence of the air conditioning units within public views.
11. Further, the positive weight that I can afford to those benefits is limited given that there is nothing to confirm that the air condition units could not be located in a more discreet position. The public benefits of the proposal do not therefore outweigh the harm to the significance of the Conservation Area.
12. The proposal would therefore conflict with policies DMD 37, DMD 38 and DMD 44 of the Enfield Development Management Document (2014) policies CP30 and CP31 of The Enfield Plan Core Strategy (2010) and policies D4 and HC1 of the London Plan (2021). Amongst other things these policies require development that at a minimum preserves the significance of heritage assets and which is appropriate to its context and surroundings.

Other Matters

13. There is various signage within the commercial parade and I noted the presence of box like structures which appeared to be roller shutter housing. However, they are all associated closely with the varied commercial frontages and do not provide justification for the proposal.
14. It is suggested that a condition could be utilised to alleviate any harm associated with the proposals by requiring the units to be boxed in. However, I cannot be certain that such would alleviate the harm and such boxing, depending on its appearance could also cause harm. It would not therefore be reasonable to condition such a matter.

Conclusion and planning balance

15. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR

¹ National Planning Policy Framework 2021.