



Appeal Decision

Site visit made on 11 October 2022

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2022

Appeal Ref: APP/Q5300/W/22/3300953

Rear of 269-271 Green Lanes, London N13 4XE

- 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 H Pantelides of Megalux Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref 22/01004/FUL, dated 21 March 2022, was refused by notice dated 13 May 2022.
 - The development proposed is erection of 3 storey building comprising of 6 self-contained flats with associated parking, refuse store, cycle store and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is formed of land to the rear of Nos 269 and 271 Green Lanes. The site is accessed from Green Lanes via a route between Nos 269 and 271 and the site is hard surfaced. Bridge Drive adjoins the site to the rear and provides access to the nearby Morrisons supermarket and its car parks as well as the Travis Perkins builders merchants. Bridge Drive also provides access to the rear of some neighbouring units on Green Lanes. Bridge Drive does not currently provide vehicular or pedestrian access to the appeal site.
4. The Green Lanes frontage including Nos 269 and 271 is predominantly characterised by a range of commercial uses including car sales and office/business use. The opposite side of Green Lanes has a similar pattern of development, including some residential uses.
5. Bridge Drive is accessed from a mini roundabout junction on Broomfield Lane. The junction is flanked by a block of residential apartments on one side and the palisade fencing of the builders merchants' yard to the other. Morrisons signage adjacent to the roundabout directs customers towards the supermarket and car park. On exiting the roundabout on to Bridge Drive, the character changes noticeably from a mixed residential/commercial area to predominantly commercial. The buildings fronting Green Lanes are separated physically from Bridge Drive by quite a considerable distance, and there is also a visual separation created by high boundary treatments along much of the boundary. Bridge Drive serves a functional purpose to mainly provide access to the

supermarket, builders merchants, and to the rear service yards of some of the properties fronting Green Lanes. This is reflected in its general sense of enclosure and lack of built form.

6. The building would sit in very close proximity to Bridge Drive but has been designed to effectively turn its back on this road, with all servicing and access provided on the opposite elevation facing the units on Green Lanes. Whilst the upper floors would feature balconies overlooking Bridge Drive and deliver a visual sense of connection, this connection would be largely eroded at ground floor level through the presence of timber fencing to the rear boundary. Moreover, the lack of access would provide a physical barrier, thus exacerbating the sense of disconnection. Siting the proposed building in such close proximity to Bridge Drive and disconnecting it visually and physically would result in a development that would appear at odds with its surroundings and the wider character of the area. The proposal would not establish or maintain a strong sense of place using the arrangement of the street to create an attractive, accessible, welcoming or distinctive place to live.
7. In terms of the development's relationship with Green Lanes, fleeting glances of the building frontage would be partially visible from Green Lanes through the gap between Nos 269 and 271. However, its overall effect on the character and appearance of Green Lanes itself would be insignificant. On entry into the site between Nos 269 and 271, the 'courtyard' communal area to the front of the building would be legibly laid out with car and cycle parking, refuse storage, landscaping and a clear route to the building entrance. This area would be set back and separated from the main road by the buildings fronting Green Lanes, thus limiting its potential contribution to the public realm. All ground floor units facing the courtyard area would be residential, thereby reducing potential for an active frontage. However, when viewed in isolation, this area would be reasonably well laid out, well separated from the existing buildings fronting Green Lanes, and with adequate provision for servicing. In terms of the development's relationship with Green Lanes, the lack of public realm or active frontage would not have an adverse effect on the character of the area.
8. I acknowledge the reference in both parties' submissions to potential future development in Bridge Drive. However, in the absence of any evidence regarding the certainty of this development, I have given this matter no weight in my decision.
9. I also acknowledge there may be certain land ownership issues preventing access to the appeal site, either vehicular or pedestrian, from Bridge Drive. I note this may also affect the delivery of the planning permission granted at 265-267 Green Lanes (Ref: 18/04261/FUL), which would be accessed via Bridge Drive. However, any weight I could attach to these matters would not outweigh the harm previously identified.
10. For the above reasons, I conclude that the proposed development would result in overall harm to the character and appearance of the area by way of its relationship with Bridge Drive, which would be in conflict with Policy CP30 of The Enfield Plan Core Strategy 2010-2025 (Adopted November 2010), Policies DMD6, DMD8 and DMD37 of the Enfield Council Development Management Document (DMD) (Adopted November 2014), Policies D3, D4, D5 and D8 of the London Plan (March 2021). Together these policies seek, among other objectives, for developments to achieve high standards of accessible and

inclusive design, to ensure well designed public realm, to ensure the scale and form of development is appropriate to its setting, and to enhance local context through the layout, orientation, scale, appearance and shape. The decision notice also makes reference to Policy D1 of the London Plan (March 2021). However, this relates principally to the preparation of development plan policies, and as such I do not find it to be relevant to the appeal proposal.

Other Matters

11. The Local Planning Authority has confirmed it has failed to meet the Housing Delivery Test set out in Footnote 8 of the National Planning Policy Framework (the 'Framework'). In such circumstances, and with specific regard to this site, Paragraph 11 d) of the Framework directs that the relevant Development Plan policies which are most important for determining the application must be considered out-of-date, and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
12. The Framework emphasises the Government's objective to significantly boost the supply of housing. Although this development would contribute to the objective, it would make only a modest contribution of 6 units. On this basis, I attach only limited weight to the benefits it would provide.
13. The Framework also expects development to be of a good design and sets out that this is a key aspect of sustainable development. It therefore seeks to ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture and layout and are sympathetic to local character and the surrounding built environment; and create places that are inclusive and accessible. Even taking account of the Council's housing land supply position, I find this conflict to carry significant weight.
14. For the above reasons, the adverse impacts of allowing this appeal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposals would not comprise sustainable development and, accordingly, the presumption in favour outlined by Paragraph 11 of the Framework would not apply in this case.

Conclusion

15. For the above reasons, taking account of the Development Plan and the Framework taken as a whole, and all other matters raised, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR