



Appeal Decision

Site visit made on 7 November 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/Q5300/W/22/3300019

5 St Georges Road, London N13 4AT

- 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 Sudhir Sharma against the decision of Enfield Council.
 - The application Ref 22/00325/FUL, dated 11 February 2022, was refused by notice dated 12 April 2022.
 - The development proposed is described as a pergola to provide screening and covering to the existing outbuilding patio.
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Decision

1. The appeal is allowed and planning permission is granted for a pergola to provide screening and covering to the existing outbuilding patio; in accordance with the terms of the application Ref 22/00325/FUL, dated 11 February 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be maintained in perpetuity and in accordance with the approved drawings listed below, unless further planning permission is sought from the Local Planning Authority:
 - 'Proposed Outbuilding and Patio Plan,' Dwg No. PR01.00, Dated 27/01/2022;
 - 'Proposed Outbuilding and Patio Section A-A & Elevation,' Dwg No. PR02.00, Dated 27/01/2022;
 - 'Proposed Roof Plan and Side Elevation,' Dwg No. PR03.00, Dated 11/02/2022;
 - Photo of timber lattice screening
 - Photo of metal screening
 - 2) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building

Preliminary Matter

2. On my site visit, part of a pergola had been erected to the front of the outbuilding which included a timber frame and polycarbonate roof. However, the frame that has been erected did not match the positioning of the studwork in the proposed plans, for example the front elevation as constructed has the roof of the pergola extending past the right side post much further than as depicted in the proposed elevation plan. Despite this, it is not for me under a S78 Appeal to make a judgement that what has been constructed is in accordance with the proposed plans. I have been requested to make my

judgement on the plans as submitted as part of this appeal and which are the same plans as the Council has also made an assessment upon. As such my decision is based upon the submitted plans and not what has been constructed.

3. The proposed plans indicate that the frame will be infilled with screening panels, however the detail of these panels is not given. Two photographs accompany the appeal, one with a more traditional lattice pattern made of timber and the other a more decorative pattern made of metal. Whilst it is unclear which type of screen has been applied for, I have made my determination based upon the application of both of these screens to the outbuilding.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the outbuilding and the surrounding locality.

Reasons

5. The appeal site is located along St Georges Road, which forms one of a number of streets in the local area that contains formally laid out speculative housing which appears to date from the early-mid twentieth century. Dwellings along this road are a mixture of detached, semi-detached and terraced dwellings, many of which have relatively long and narrow gardens. Gardens are well vegetated with there being evidence of a variety of outbuildings, from small garden sheds to larger buildings that take a larger proportion of the garden.
6. In undertaking extensions to existing buildings, the Enfield Core Strategy (2010) (CS) Policy CP30 seeks to ensure that all development is high quality and design-led, having special regard to their context. The Enfield Development Management Development Plan Document (DPD) Policies DMD8 and DMD37 are design led policies which seeks that new development responds positively to the context in terms of bulk, scale and massing and that the development is suitable to its intended function. DPD Policy DMD12 is specific to outbuildings and seeks that they are appropriate in terms of their size, scale and siting, ancillary to the use of a residential dwelling, and be of an appropriate height and bulk, amongst others.
7. The garden of the appeal site is laid to grass with an outbuilding to the rear boundary which takes much of the width of the existing plot, however leaves ample garden space remaining. I agree with the Council that the proposal would increase the amount of built form, however the apertures in the screening are not fully enclosed and allows light through the structure and therefore I do not consider the screening would give an enclosed appearance. The size and positioning of the pergola is not so large that it would be overbearing or excessive when applied to the existing outbuilding or when compared to the size or positioning of other examples of garden buildings within the locality. There would be a sufficient distance remaining from the existing dwelling to the outbuilding, with the outbuilding still retaining an ancillary form and function within the garden area.
8. In conclusion of this matter, the proposed scheme would present an appropriate architectural approach which is subservient in size, positioning and siting and would be in keeping with the site and its context. Consequently, the pergola would be an appropriate addition to the outbuilding that would not cause detriment to the character and appearance of the existing outbuilding or

the greater locality. The scheme would therefore be compliant with CS Policy CS30, and DMP Policies DMD8, DMD12 and DMD37 as described previously.

Other Matters

9. I note comments from an interested party with regards to the flimsy design of the structure that has been erected. As described above, this approval relates to the scheme as depicted in the plans and the Council in their officer report did not question the use of materials as part of their reason for refusal which was more related to the enclosure and prominence of the structure. Whilst I agree that the use of polycarbonate for the roof is an inferior material, it is a typical material found on outbuildings as opposed to a main dwelling and would not in itself be enough to seek the dismissal of this appeal.

Conclusion and Conditions

10. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed in this letter.
11. In terms of the placement of conditions, I have assessed these in accordance with the Planning Practice Guidance (PPG). The standard time limit condition, approved plans and a matching materials condition is considered necessary and for the avoidance of doubt, and to ensure the satisfactory appearance of the proposed scheme.

J Somers
INSPECTOR