



Appeal Decision

Site visit made on 23 July 2024

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2024

Appeal Ref: APP/Q5300/W/23/3333260

133 Lancaster Road, Enfield EN2 0JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Ardit against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/02418/FUL.
 - The development described is retrospective application for raise of floor level at the front and the erection of canopy to serve as front esplanade.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
3. The application form confirms that the development has been completed and I was able to see this during my site visit. I have dealt with the appeal accordingly.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and the surrounding area.

Reasons

5. This part of Lancaster Road consists of predominantly two-storey buildings in a mix of commercial and residential uses. The residential dwellings generally benefit from a small front garden with low boundary wall, while the commercial properties have a small forecourt. There is a clear building line on both sides of street with buildings set back consistently from the road.
6. The appeal relates to a two-storey mid terrace property in use as a coffee shop on the ground floor and residential above. It is fairly typical of other buildings in the street scene with its front building line and spacing to the road. Prior to the appeal development taking place the frontage yard area was open and formed a part of the generally consistent character and appearance of the area.

7. In terms of the appeal scheme, it is a semi-enclosed structure with boarding to the front and sides, pillars to the front corners and a shallow sloping roof with polycarbonate sheeting.
8. The canopy occupies the entire width and depth of the forecourt, projecting well beyond the established building line. The structure, by virtue of its size, height, bulk and position, visually dominates the host building such that only a limited amount of the ground floor façade is apparent. The external materials appear to take little reference from the existing building or other more attractive and characteristic structures in the area. In relation to the host building the addition appears as an overly large and discordant addition that unduly dominates the front of the coffee shop.
9. Despite the semi-enclosed nature of the structure it is, nevertheless, highly prominent, particularly in the context of the open frontages that line Lancaster Road. The form and shape of the structure draws the eye along this, what would otherwise be a generally consistent, frontage line and appears as a visually incongruous and dominating feature within the street scene.
10. The appellant has drawn my attention to, what are argued are, similar extensions in the street. However, there are clear material differences between the proposal and these examples. The “front extensions” of two residential properties on Lancaster Road do not project forward of the established building line in the terrace and appear more akin to bay window replacements than extensions given their very shallow depth. The other example relates to an image of a property on Lancaster Road that appeared to be under construction at the time of the appellant’s submission. During my site visit I saw that work has been completed, however, there is no front extension, and the property follows the existing building line. The appellant also refers to a variety of shop canopies on Lancaster Road and many of these are more traditional canopies and/or retractable blinds. As far as I can see, none project the entire depth of the forecourt, sit atop a front courtyard and have the harmful appearance of the appeal proposal. Therefore, the appeal canopy does not relate to or represent the existing appearance of development in the area.
11. The appellant has also referred to examples of front extensions in the wider area. Once again, there are clear material differences between the proposal and these examples. 8 Farmlands¹, 158 Holtwhites Hill², 148 Lonsdale Drive³, 84 Gladbeck Way⁴ relate to householder consents for porches and small front extensions to residential properties. At 122 Lavender Hill⁵, the front extension is much shallower than that of the appeal proposal. The property is also located on a corner site and does not form part of a strong building line. Consequently, I attach limited weight to the examples that the appellant has brought to my attention.
12. For the above reasons, I conclude that the proposed development harms the character and appearance of the hosting building and the surrounding area. Accordingly, this conflicts with Core Policy 30 of The Enfield Core Strategy (2010) and Policy DMD37 of Improving Enfield: Development Management

¹ 23/00985/HOU

² 22/02311/HOU

³ 21/03955/HOU

⁴ 18/03252/FUL

⁵ 20/03245/FUL

Document (2014) (the DMD) which require, amongst other things, development to have regard to its context and achieve high quality design.

13. The reason for refusal referred to Policy DMD6 of the DMD. However, this policy relates to residential character and density so is not directly relevant to the issues in this appeal. The Council has also referred to Policy D4 of the London Plan. This policy focuses on design analysis and scrutiny and is, therefore, not determinative in relation to this main issue in this appeal.

Other Matters

14. The canopy adds fairly significant additional floorspace to the premises, and I can appreciate that it is helpful to support the business activities on this site, and in turn the local economy. The Framework supports development that promotes economic growth and productivity. However, there is also strong support in the Framework to ensure that development is sympathetic to local character.
15. Despite the economic benefits that the canopy provides, it would not, in my judgement, outweigh the undue and fairly substantial harm I have identified to the host building and area.

Conclusion

16. Given the level of harm and related policy conflict that I have found, the appeal proposal, conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

U P Han

INSPECTOR