



Appeal Decision

Site visit made on 3 December 2024 by N Manley BA (Hons) MSc

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th February 2025

Appeal Ref: APP/Q5300/Z/24/3351567

Verge at Waterfall Road, Enfield N11 1NL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Marketing Force Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/0201/ADV.
 - The advertisement proposed is a static, non-illuminated advertisement.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The address of the appeal site has been amended in subsequent documents. I have adopted the address used in the Appeal Form.
4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety. Neither the Council nor any other party has raised any objection to the proposed advertisement from a public safety perspective in relation to blocking pedestrian movement or adversely impacting vehicular movement. From the evidence before me, and my observations on site, I see no reason to disagree.

Main Issue

5. The main issue is the effect of the proposal on the amenity of the area.

Reasons for the Recommendation

6. The Planning Practice Guidance (PPG) sets out that in practice 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy Framework (the Framework) sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

7. The appeal site is a grass verge situated northeast of Betstyle Circus roundabout and on the southeastern side of Waterfall Road, a busy highway. Although a petrol station is visible from the appeal site and there is a nearby shopping parade, the immediate area is predominantly characterised by multi-storey, purpose-built residential apartments. Opposite the site is a similar open grass verge with a single tree, while a copse of trees on Betstyle Circus Roundabout is visible in the distance. These green verges enhance the street scene and contribute positively to the area's amenity.
8. The height and scale of the proposed advertisement would be disproportionate to the size of the verge at the appeal site, making it appear oversized. As a result, it would form an overly conspicuous, alien and dominant visual feature that the verge could not comfortably accommodate, causing harm to the street scene and the area's amenity.
9. While it has been argued that the small scale of the proposed advertisement, relative to the large nearby apartment buildings, would allow it to be visually accommodated, the proposal is significantly larger than similar advertisements visible on nearby verges. From the evidence provided and my own observations on my site visit, these advertisements are far smaller in size and scale than the proposal before me, and therefore they do not have the same impact as the proposed advertisement.
10. While I acknowledge that the proposal is only a single advertisement, this does not mitigate the harm caused by the proposal's overall size and scale. Additionally, it is noted that the advertisement would not generate noise and, therefore, would not harm amenity in that regard. However, the absence of harm is a neutral factor and does not overcome the identified harm to amenity arising from the advertisement's visual impact.
11. Equally, whilst the presence of a nearby hedge would limit the view of the advertisement from some of the nearby flats, this would not provide any mitigation to the harm to the amenity of the area from the proposal which would be visible from the street scene.
12. The appellant has referenced several similar advertisements in the vicinity, including some located within the jurisdiction of other local planning authorities. However, I do not have the full details of the circumstances that led to these proposals being accepted and so cannot be sure they represent a direct parallel to the appeal proposal, including in respect of size and scale, the individual site context and development plans and policies. In any case, I have determined the appeal on its own merits and very limited weight can be afforded to these examples.
13. I therefore conclude that, due to its overall size and scale, the proposed advertisement would lead to a visually dominant and incongruous feature at the site which would harm the amenity of the area. I have taken into account policies D4 and D8 of the London Plan (adopted 2021), policy CP30 of the Enfield Core Strategy (adopted 2010), Policies DMD37 and DMD41 of the Enfield Development Management Document (adopted 2014) and the Framework. Amongst other things, these seek to protect amenity and ensure advertisements are of good design, relate to the local context of an area and be of an appropriate size in relation to the

street scene and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Other Matters

14. I acknowledge that the appellant has sought to address the comments made by the Council at the pre-application stage, and this is commendable. I also appreciate that it is no doubt frustrating to the appellant that the Council's formal decision was different to that which they had expected. Nevertheless, the Council are not bound by informal planning advice. It would not be a reason to allow the appeal, which I have considered on its planning merits.
15. As advertisements are subject to control only in the interests of public safety and amenity, the content, and the fact it would be subject to the control of the Council's highway department and the appellant's own standards, is not a consideration in this appeal. Similarly, the perceived benefits put forward by the appellant in terms of business support and regeneration are not relevant in the consideration of public safety and amenity,
16. That the appeal site is not located within any designated scenic, historic, architectural or cultural features is a neutral matter which does not weigh for or against the proposal.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR