Planning Inspectorate

Appeal Decision

Site visit made on 13 October 2026 by T Morris BA (Hons) MSc MRTPI

Decision by Zoë Franks, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 17th November 2026

Appeal Ref: APP/Q5300/C/25/3367006
Car Park, Aldermans Hill, London N13 4PP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Edison Bozhiqi against an enforcement notice issued by the Council of the London Borough of Enfield.
- The notice was issued on 23 May 2025.
- The breach of planning control as alleged in the notice is Without planning permission: the unauthorised erection of a canopy.
- The requirements of the notice are to: 5.1. Remove the canopy in its entirety from the land and 5.2. Remove all resultant debris and materials following compliance with step 5.1 above.
- The period for compliance with the requirements is: One month.
- The appeal is proceeding on the grounds set out in sections 174(2)(a) and (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Decision

1. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

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 Matter

3. On 17 August 2026 the Government published a revised National Planning Policy Framework (the Framework). The main parties were invited to comment on the revised Framework in relation to the development and any comments received have been considered in the determination of the appeal.

Ground (a) and the deemed planning application

4. The main issue in the determination of the appeal on ground (a) is the effect of the development on the character and appearance of the Lakes Estate Conservation Area (CA).

5. The CA covers a residential area located between Palmers Green and Southgate Green in London. Constructed in the early twentieth century, it is notable as one of the earliest and most exclusive residential areas in Southgate. The architectural and historic significance of the CA is mostly derived from its large and cohesive

group of high-quality Edwardian housing, which was influenced by the picturesque, vernacular revival and Arts and Crafts styles.

6. The appeal site is located on a small mews street behind the parade of shops on Aldermans Hill in the CA. The block to the rear of 52 to 60 Aldermans Hill near to where the canopy is located contains plain service buildings dating from c1908. Like the houses found elsewhere in the CA, the mews buildings are mostly formed of brick and have little alterations. As such, they are simple, modest buildings which allow for the high-quality housing and the parade of shops nearby to appear more prominent in the area. In that regard, the discreet and neutral presence of the buildings on the mews street also contributes positively to the character and appearance of the CA.

7. Despite its position adjacent to an existing outbuilding, the canopy's green, plastic/vinyl roof covering and silver metal frame stands out against the generally simple and modest brick buildings along the mews street. Consequently, the canopy is an obtrusive feature which adds a form of visual clutter to the locality. Even considering its setback from Aldermans Hill, the canopy sits well above the boundary fence to the neighbouring properties and thus draws the eye from both the mews street and from the surrounding gardens. The trees nearby do not entirely screen the canopy from view, and in any case, these might not be in leaf all year around.

8. Therefore, the canopy is an incongruous feature which erodes the prominence of the high-quality housing and the parade of shops nearby when experienced from the mews street and from the back gardens of nearby properties. Indeed, it is the kind of ad hoc alteration which can degrade the appearance of the mews street and can have a negative effect on the character of the area, as is highlighted in the Lakes Estate Conservation Area Character Appraisal (2010). Furthermore, I see little reason why the canopy is needed to define the space or that the parking area would be underutilised without it.

9. I have had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. For the reasons I have already explained, the development fails to preserve or enhance the character or appearance of the CA. This has resulted in harm to the significance of the CA, albeit I accept that it is primarily focussed on the appeal site and its immediate surroundings, and thus the harm is localised and minor in scale. Nevertheless, I give considerable importance and weight to this harm as is required by policy HE6(3) of the Framework.

11. In accordance with the requirements of policy HE6(4) of the Framework, where a development harms the significance of designated heritage assets, the effect on the assets and their significance should be weighed against any public benefits resulting from the development.

12. The appellant has not provided any information which sets out the public benefits of the development. The absence of harm to the occupiers of neighbouring properties in terms of overshadowing, overlooking and outlook are neutral factors which do not amount to public benefits or weigh in favour of the appeal. Consequently, there are insufficient public benefits to outweigh the harm to the significance of the

designated heritage assets, which is a matter that I give considerable importance and weight in accordance with the requirements of the Framework.

13. I therefore conclude that the development fails to preserve or enhance the character or appearance of the CA. Consequently, it conflicts with policies D3 of The London Plan (2021), policy CP30 of The Enfield Plan Core Strategy (2010) and policies DMD37 and DMD39 of The Enfield Development Management Document (2014). Amongst other matters, these policies require that developments are of a high quality and enhance local context, respond positively to local distinctiveness and historic patterns of development, and respect the character of the surrounding area.

Other Considerations

14. Policy S4 of the Framework states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. However, I have already found that the public benefits in this instance would not outweigh the harm to the significance of the designated heritage asset. By the same token, the benefits in this case are substantially outweighed by the adverse effects when considered against the decision-making policies of the Framework which include those relating to the conservation of heritage assets.

Conclusion on Ground (a) and the deemed planning application

15. I conclude that the appeal scheme is contrary to the development plan overall. There are no material considerations including the provisions of the Framework which justify granting planning permission for the development which is contrary to the development plan. Consequently, I recommend that the appeal on ground (a) should fail and that the deemed planning application should be refused.

Ground (f)

16. Although they have not ticked the box on the appeal form to indicate that an appeal is made on ground (f), the appellant's grounds of appeal nevertheless refers to an appeal on this ground. In that regard, an appeal on ground (f) is made on the basis that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice. The purpose of the notice is to remedy the breach of planning control.

17. The appellant has provided no substantive reasons to support an appeal on ground (f) in their grounds of appeal. The steps required by the notice simply require the removal of the canopy and the removal of all resulting debris and materials. This is no more than is necessary in order to remedy the breach of planning control. Accordingly, the steps required by the notice are reasonable. Consequently, I conclude that the appeal on ground (f) should fail.

Conclusion and Recommendation

18. For the above reasons, I recommend that the appeal on ground (a) should fail and that the deemed planning application should be refused. I also recommend that the appeal on ground (f) should fail.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed as set out in my decision above.

Zoë Franks

INSPECTOR