
Appeal Decision

Site visit made on 20 September 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2022

Appeal Ref: APP/Q5300/W/21/3288873

12 A Queen Anne's Terrace, Bush Hill Park, Enfield EN1 2TP

- 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 Osman Ismail (Lycium Properties) against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/03579/FUL, dated 4 October 2021, was refused by notice dated 1 December 2021.
 - The development proposed is extension to the rear dormer window.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal has altered from the application form to the decision notice. That on the application form however adequately describes the proposal and I have considered it on this basis. I have not been able to identify the date of the application from the application form, so that included in the banner heading above is taken from the appeal form.

Application for costs

3. An application for costs was made by Mr Osman Ismail (Lycium Properties) against the Council of the London Borough of Enfield. This application is the subject of a separate Decision.

Reasons

4. The evidence indicates that the proposal relates to the extension of an existing rear dormer window. However, at the time of my site visit, the 'existing' dormer identified within the evidence proposed for extension was not in place. Instead, a larger dormer window was in place that did not correspond with the proposed plans. This raises serious doubt as to whether the proposal before me could even be implemented. Despite raising the matter with the appellant, no clarification or commentary has been provided.

Conclusion

5. This matter is undesirable in general terms, but especially so given that the appeal site lies within the Bush Hill Park Conservation Area (The Conservation Area).

6. I have serious doubts as to whether the proposal could be implemented in light of the situation at the site. Further, I am not able to properly assess whether the proposal would preserve or enhance the character or appearance of The Conservation Area, as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. Nor could I reasonably draw any conclusions against the relevant policies or advice of the Enfield Development Management Document (2014), The Enfield Plan Core Strategy (2010), The London Plan (2021) or the Framework¹.
8. The appeal should therefore be dismissed.

T J Burnham

INSPECTOR

¹ National Planning Policy Framework 2021.