



Appeal Decision

Site visit made on 4 December 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/Q5300/W/24/3342831

86 Clydesdale, Enfield EN3 4RN

- 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 Benny Hoffman of Fastgrand Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/00516/FUL.
 - The development proposed is the erection of a single dwellinghouse (2b3p).
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Decision

1. The appeal is dismissed.

Preliminary Matters and background

2. The decision notice and the appeal form describe the proposal as "Sub-division of site and erection of an end-of-terraced 2-storey, 2-bed dwelling house with cycle and refuse storage, parking space, landscaping and associated works. Alterations to existing roof and ground floor rear extension." While I have adopted the short description of the development from the application form in the banner heading above, this more accurately describes the proposal.
3. The planning application subject of the appeal follows the refusal of a previous application (ref 23/03358/FUL) which was subsequently dismissed on appeal (ref APP/Q5300/W/24/3339094). The scheme has been amended in order to address the earlier reasons for refusal.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the residential occupiers of 84a Clydesdale, with particular regard to outlook.

Reasons

5. No 86 is a 2-storey end of terrace dwelling. It is in a residential area characterised by substantially similar dwellings finished in render with tile roofs. Terraces are set back from the road on stepped building lines. In this regard, the 2-storey rear elevation of No 86 is broadly in line with the front building line of the neighbouring terrace that includes No 84a.
6. The proposed dwelling would be attached to No 86 and it would span the full width of the appeal site, finishing on the shared boundary with No 84a. As No 84a is only narrowly separated from the side boundary, the 2-storey bulk of the proposal would be in close proximity to the neighbouring dwelling.

7. In contrast to the earlier refused scheme, the dwelling would be set back from No 86. Even so, it would protrude forward from the front elevation of No 84a by around 4m, resulting in a significant extent of 2-storey built form along the shared boundary. No 84a is narrow and its front ground and first floor windows are small compared to those of neighbouring properties and they are close to the boundary with the appeal site. As such, the expanse of 2-storey wall jutting forward along the boundary would be visually obtrusive and overbearing, resulting in an oppressive sense of enclosure to the neighbours in their dwelling. Irrespective that it would not unacceptably reduce daylight and sunlight, the proposal would unacceptably diminish the outlook from No 84a which would be detrimental to the neighbours.
8. At the time of my visit, I saw that there are closely spaced, staggered properties elsewhere. On the opposite side of the road, the stepped back dwelling is double-fronted with large and wide windows to both sides at ground and first floor level. Therefore, it is not directly comparable to No 84a, which is narrow and it has only single, smaller windows at each of ground and first floor. While the proposal would be set back from No 86, its front elevation would feature a greater extent of glazing than does No 84a such that the impact of No 86 on the proposal would not be the same as the impact of the proposal on No 84a. Properties elsewhere which are not directly comparable to the appeal proposal or No 84a do not provide a justification for the scheme.
9. Therefore, the proposal would harm the living conditions of the neighbouring occupiers of No 84a, with particular regard to outlook and overbearing. It would conflict with the residential amenity aims of Policy CP30 of the Enfield Plan Core Strategy 2010-2025 Adopted November 2010, Policies DMD7, DMD8, DMD14 and DMD37 of the Enfield Development Management Document (DMD) Adopted November 2014 and Policy D3 of the London Plan March 2021. It would also conflict with the aims of the National Planning Policy Framework (the Framework) in relation to creating places that function well, with a high standard of amenity.

Other Considerations and Planning Balance

10. The evidence indicates that the Council's recent delivery of housing has been below 75% of the housing requirement over the previous three years. This is one of the particular circumstances which engages paragraph 11d) of the Framework, the presumption in favour of sustainable development.
11. In this case, the proposal would be significantly detrimental to the living conditions of the neighbouring occupiers. The policy conflict in this regard weighs significantly against the proposal. The accessibility of the location, and compliance with other development plan policies including in relation to character and appearance, parking, private outdoor space and drainage, are neutral matters that weigh neither for nor against the scheme.
12. In its favour, one new dwelling would make a negligible contribution to the supply of housing, even taking into account the Government's objective of significantly boosting the supply of homes. There would be limited, short-term economic benefits during construction and future occupiers would make a limited contribution to the local economy. Collectively, these matters attract limited weight, taking into account the scale of the proposal.

13. Consequently, on balance, the adverse effects of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.
14. I understand that the neighbouring occupier of No 84a did not object to the planning application. However, the absence of third party representations does not weigh in favour of the scheme.

Conclusion

15. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
16. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR