



Appeal Decision

Site visit made on 19 June 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/Q5300/W/25/3360986

51 The Ridgeway, Enfield EN2 8PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Andrew Gelister against the decision of the Council of the London Borough of Enfield.
- The application Ref is 24/03268/VAR.
- The application sought planning permission for redevelopment of site by the erection of a 2-storey block of 6 self contained flats with accommodation in basement level and roof space, associated surface car parking, cycle spaces, refuse storage and private/ communal garden space without complying with a condition attached to planning permission Ref 23/02495/FUL dated 25/06/2024.
- The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan 259.05A, 259.09A, 259.11A, 259.13A, 259.15A, 259.17/1A, 259.17/2A, 259.19/1A, 259.19/2A, 259.24, 259.25, 259.21A, Drainage Strategy - March 2024, Daylight and Sunlight Report - March 2024, Planning Statement - July 2023, Cover Letter - July 2023, Arboricultural Impact Assessment - September 2023, Energy and Sustainability Statement - July 2023, Highway Impact Assessment - August 2023,
- The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has requested that I consider changes which were not before the Council when it took its decision. These relate to the provision of a parapet, changes to the brickwork design and elevational treatment and Computer-Generated Imagery 3D Views (CGIs). Changes also include additional windows to the second storey, an enlargement of ground-floor windows and changes to the balcony's balustrade.
3. There are also discrepancies between the floor plans and elevations, specifically the First-floor plan 259.11B and Proposed South Elevation 259.19/2C dated January 2025. One specifies a 1.8 metre high obscured glass screen to the rear balconies, whilst the other shows railings with a person who has clear views over and beyond.
4. I have considered the proposed changes, taking into consideration the tests of Holborn Studios Ltd¹. In the absence of evidence that they have been subject to full consideration and consultation by the Council, I consider it would be prejudicial to interested parties to accept them. I have therefore determined the appeal on the basis of the plans listed on the Council's decision notice.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

Background and Main Issue

5. Planning permission was granted for the redevelopment of the site to provide, amongst other matters, a two-storey block containing 6 self-contained flats. The appeal seeks permission to vary condition 2 to introduce a flat roof instead of the approved pitched roof.
6. There is no dispute with regard to the principle of development or quantum of accommodation. As such, the main issue is the effect that varying the condition would have on the character and appearance of the surrounding area.

Reasons

7. The appeal site (No 51) is located in a predominantly residential area which comprises a mix of detached and semi-detached properties in the form of houses and flats which vary in height. Its immediate neighbours (Nos 49A and 53) are predominantly two-storey dwellings. Properties are generally set back behind gardens or off-street parking.
8. I saw there was a variation in roof design to properties on The Ridgeway. Despite this, the predominant character of the roofs was either hipped or gables. This limited dominance provided regularity to the rhythm of roofs and an openness at roof level. The exception to this, in the immediate context, was Sefton Court, 47 The Ridgeway (Sefton Court), which I shall discuss further in my decision.
9. Whilst the overall height of the proposed development would be lower than either the existing property and the approved scheme, the incorporation of a flat roof would nevertheless increase the height of each flank elevation to the shared boundary with its respective neighbour. This additional height would therefore erode the openness between each property, which would otherwise be retained with the approved roof design.
10. The proposed change would also create a vertical emphasis to the central element of the second floor, resulting in it being flush with the floor below, rather than the two projecting gable features with a valley between. The infilling of the central area would therefore erode the subservient second floor, previously approved.
11. I note that the appellant does not dispute that there would be an increase in bulk and mass at the second floor. However, in my mind, the reduction in overall height does not counterbalance the increase in height to the flank elevations or the increase in bulk to the front. Even if there is variation in architectural style to properties on The Ridgeway, the addition of a flat roof in this context would be discordant with the existing pattern of development, which would result in an unsuccessful juxtaposition with Nos 49A and 53.
12. The appellant has drawn my attention to a number of properties in support of their appeal. I note that the officer's report with regard to No 41 refers to the roof incorporating a large crown. As the roof to the appeal scheme would be flat, this example is not comparable to the appeal before me.
13. Sefton Court appears to be a purpose-built block of flats, laid out in a mix of two and three storeys, with a flat roof. It has a predominantly two-storey property to one side (No 49) and a predominantly three-storey development to the other (No 45). Whilst the variance in heights is perceivable when viewed on The Ridgeway, there is an obvious separation between its three-storey element and No 49. This creates an

openness between the two buildings which can be clearly experienced within the street. The separation between Sefton Court and No 45 is, however, significantly smaller. At this point, Sefton Court is two-storey and is experienced alongside the three-storey flank elevation of No 45. The combination of the different heights and building designs accentuates the openness at the second floor, which is discernible from the street. I find myself in agreement with the appellant that the design of Sefton Court may not represent high-quality; however, its flat roof and its scale are, in my mind, nevertheless successfully integrated into the character of its immediate context and the wider streetscape.

14. The appellant has also drawn my attention to other flat-roofed buildings in support of their appeal. 37 The Ridgeway is on the corner of The Ridgeway and Culloden Road and, in my mind, its context is different to the appeal property in that it has a degree of space around the building commensurate with its height and bulk. 14 and 16 The Ridgeway are set further back from the road than is the case before me and located alongside buildings of similar proportions. The context of these examples is therefore sufficiently different to be comparable. With regard to the flats at the junction between The Ridgeway & Dunraven Drive/Avalon Close and Hansart Way, these are not readily visible within the immediate context of the appeal site to be considered comparable.
15. For the above reasons, I conclude that varying the condition would result in a visually intrusive form of development within the street scene, harmful to the character and appearance of the surrounding area. Accordingly, the proposal would be contrary to Policy D4 of the London Plan (2021), which seeks development to deliver good design. There would also be conflict with chapter 12 of the National Planning Policy Framework (the Framework), insofar as it requires developments to be well-designed and sympathetic to the local character.

Other considerations

16. I note that within planning application Ref 21/01914/FUL, the officer report states that Enfield Council's housing delivery is substantially below its housing requirements, with only 56% of its identified housing need delivered over the three years to 2020. However, the proposal would not result in a net increase in housing numbers over and above the existing permission, and so the test set out within paragraph 11d(ii) of the Framework need not be applied. In any event, I have found conflict with the London Plan and Framework insofar as it relates to design, character and appearance.

Other Matters

17. I acknowledge the attempts from the appellant to address the concerns raised by the Council through an amended design; however, for the reasons given above, these cannot be accepted under this appeal. Therefore, the Council's concerns have not been overcome.
18. The use of the site for residential purposes for up to 6 self-contained flats, its proximity to nearby amenities and its Public Transport Accessibility Level are not in dispute. I therefore give neutral weight to these matters in my assessment.

Conclusion

19. The proposal conflicts with the development plan, and there are no other considerations which indicate that a decision should be taken other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

L Clark

INSPECTOR