



Appeal Decision

Site visit made on 18 November 2025

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/Q5300/W/25/3371559

Land Adjacent to 12A & 14 Linden Close, Southgate, Enfield N14 4DP

- 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 Karim Haidari against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/01581/FUL.
 - The development proposed is the erection of 2-storey detached dwelling house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area, (ii) the living conditions of neighbouring occupiers, with regard to outlook and privacy, and (iii) whether the proposed development would provide satisfactory accommodation for its future occupants, with regard to private amenity space provision.

Reasons

Character and appearance

3. The appeal site is situated in a corner location on a cul-de-sac which is comprised of two storey properties that are set back behind front garden and parking areas. The generally low front boundary treatments, together with planting in gardens as well as the presence of grassed areas, provide for a pleasant, verdant residential character.
4. The proposed dwelling would occupy the majority of the appeal site, with only limited external areas to the front and rear. The side elevation of the proposal would extend close to the edge of the vehicular carriageway, in a prominent corner location. Although the proposal would reflect the height of the nearby built form, its excessive depth that would project past the rear of the neighbouring building to the east, would result in it having an overly bulky scale.
5. The design of the proposed dwelling would include a gable feature which exists locally in an area that exhibits a range of built forms. It would also use complementary external materials. However, given its scale, the proposal would have a cramped appearance that would not be sympathetic to the prevailing pattern of development.

6. I therefore conclude that the proposed development would have an unacceptable adverse effect on the character and appearance of the area. As such, it would be contrary to Core Policy 30 of The Enfield Plan Core Strategy 2010-2025 (Core Strategy), Policies DMD 6, DMD 8 and DMD 37 of the Enfield Development Management Document (Enfield DMD) and Policies D3 and D4 of The London Plan, which seek, amongst other matters, high quality design that has special regard to their context. It would also be contrary to Paragraph 135 of the National Planning Policy Framework (Framework) which seeks development that is sympathetic to local character.

Living conditions – neighbouring occupiers

7. The proposed dwelling would be separated from No. 12A Linden Close by a distance of around 1.5m. Despite this separation, it would also have a projection that would extend beyond the rear of the neighbouring property at No. 12A by around 3.4m. This rearward projection, in combination with the two-storey scale of the proposed dwelling, which would have a higher eaves height than the neighbouring building, would have an unduly overbearing impact on the neighbouring occupants, including on the neighbouring rear outdoor amenity area. The neighbouring property continuing to have an outlook over its own garden area would not overcome this harm.
8. Privacy concerns have also been raised, as the proposed route to access the cycle store would pass a bedroom window to Flat 12A. Any overlooking would however be in passing, short in duration and which the Council has identified is to a room being served by a secondary bedroom window. This would not therefore be detrimental to the neighbouring occupant's privacy. The orientation of the proposed dwelling relative to neighbouring properties would also ensure no harmful effects arise in relation to overshadowing.
9. Nevertheless, I conclude that the proposed development would have an unacceptable adverse impact on the living conditions of neighbouring occupiers with regards to outlook. As such, it would be contrary to Policies DMD 8 and DMD 37 of the Enfield DMD and Policies D3 and D4 of The London Plan, which seek, amongst other matters, to ensure that there is no impact on the amenities of neighbouring properties. It would also be contrary to Paragraph 135 of the Framework, which seeks a high standard of amenity for existing and future users.

Living conditions – future occupiers

10. The proposed dwelling would provide a rear amenity space of around 9sqm which would be significantly below the minimum 23sqm for this size of dwelling that Policy DMD 9 of the Enfield DMD requires. The proposed amenity space would meet some of the needs of future occupiers, such as the storage of cycles. However, the small size of this space would fail to meet the full range of uses that such amenity areas provide, such as a space to sit out in and socialising. The space available for such activities would reduce even further if some of it was used for refuse storage.
11. I therefore conclude that the proposed development would fail to provide satisfactory accommodation for its future occupants, with regard to private amenity space provision. Although the development would meet the minimum private outdoor space requirements set out in the Housing Supplementary Planning Guidance, it would be contrary to Policies DMD 6, DMD 8, DMD 9 and DMD 37 of

the Enfield DMD and Policies D3, D4 and D6 of The London Plan, which seek, amongst other matters, good quality and an adequately sized private amenity space. It would also conflict with Paragraph 135 of the Framework, which seeks a high standard of amenity for existing and future users.

12. Reference is made in the refusal notice to London Plan Policy D5 and Core Policy 30 of the Core Strategy, but these are not directly relevant to living condition matters.

Other Matter

13. The proposed development would comply with internal space standards. The acceptability of the proposal in this and other regards are however neutral matters and not ones which weigh in its favour.

Planning Balance and Conclusion

14. The Council is unable to demonstrate a 5-year deliverable supply of housing, and the evidence before me indicates the supply equates to 3.1 years. The relevant policies of the development plan are therefore deemed to be out of date and, in light of Paragraph 11 d) ii) of the Framework, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
15. The proposal would harm the character and appearance of the area, the living conditions of neighbouring occupiers and fail to provide satisfactory accommodation for future occupiers. This harm would be long lasting and would be contrary to the objectives of the Framework. I ascribe this substantial weight.
16. The proposal would provide a net additional dwelling on a site that has a unkept appearance. It would be a windfall housing contribution, but as the proposed development would provide a single net additional dwelling, it would make a contextually small contribution to the housing supply, and I attribute limited weight to this benefit of the appeal scheme.
17. With this in mind, the adverse impacts of granting planning permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to directing development to sustainable locations and making effective use of land, amongst other factors. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.
18. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR