

Appeal Decision

Site visit made on 6 January 2026 by J Kirkaldy BSc (Hons) PGDip MRTPI

Decision by M Clowes BA (hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2026

Appeal Ref: APP/Q5300/D/25/3376341

1A Station Road, Enfield, London, N21 3SB

- 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 Mrs Eleni Tsarna against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/02617/HOU.
 - The development proposed is the use of roof terrace and rear facing patio doors on the first-floor level.
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Decision

1. The appeal is dismissed.

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 Matters

3. The description of development in the banner heading above is taken from the planning application form, as there is no evidence before me to demonstrate that the appellant agreed to that contained on the Council's decision notice.
4. The appellant requested for the site visit to be postponed but this information was not made available to me prior to my visit. The appellant was present on the day of the visit and allowed me access to the appeal site. I am satisfied that no prejudice has occurred and that I saw everything I needed to, to inform my recommendation.
5. The planning application form indicates that the proposed development has already commenced and been completed. At the time of my visit, although a wooden frame was in place, it had not been completed with decking to form a level surface. Whilst there were low level boundary treatments to either side, these differ from the glazed balustrading shown on the submitted plans. It is clear from the appellant's submission that they wish to create a terrace that is shorter in depth and a different configuration to the uncompleted decking, along with balustrading. For clarity, I have dealt with the appeal on the basis that it is proposing new development.

Main Issues

6. The main issues are the effect of the proposal on i) the character and appearance of the host dwelling and surrounding area and ii) the living conditions of the

occupiers at No 3a Station Road with particular regard to privacy, and noise and disturbance.

Reasons for the Recommendation

Character and Appearance

7. The appeal site occupies a corner plot on the junction of Broadway Mews and Station Road. It comprises an end of terrace, two-storey dwelling located within a residential area. Although it differs in appearance to other properties within the terrace due to minor alterations, it nonetheless maintains a close visual relationship to them, due to its overall form, large two-storey bay window and turret-style hipped roof. In this regard, it contributes positively to the character of the street scene. Despite the proximity of Broadway Mews, the character and rear elevation of the host dwelling is viewed in the context of the terrace and tight grain of development to which it belongs. Alterations and extensions have resulted in a more varied pattern to the rear elevations of the terrace. However, extensions are generally limited to ground floor or roof level.
8. The proposed roof terrace would be prominently located, elevated at first-floor level, such that it would be visible from Broadway Mews and nearby properties. Although the appellant suggests in their statement that the terrace would be enclosed in part by ornamental metal railings, it is unclear where they would be located. The planning application form and the plans depict and refer to a glazed balustrade. Even if I could accept that glazed balustrading is a familiar feature of residential areas, its staggered arrangement, various heights and light coloured and reflective finish would draw the eye to a negative degree. This would be exacerbated by the presence of any domestic paraphernalia such as outdoor seating that could accumulate on the terrace. The proposed totality of development to form the roof terrace would result in a dominant and incongruous addition within the established terrace form, where enclosed elevated structures and terraces are notably absent.
9. My attention has been drawn to a suggested unscreened roof terrace at No 19 Station Road. The presence of a first-floor door does not automatically mean that the outside roof space has, or is, being used as a terrace. Moreover, I have no details of the planning history to know whether planning permission was sought and approved. Even if I could accept that it was an outdoor terrace, its presence does not justify permitting new harmful development.
10. I acknowledge that balconies and staircases exist on rear elevations of the properties on Green Lanes. However, they are viewed in the context of a different range of buildings, are generally smaller than the terrace proposed and are contained by metal railings painted in a dark muted shade. They do not therefore, have the same visual effect that would be exerted by the proposed development. Whilst I observed a larger roof terrace closer to the appeal site, I am not aware of its planning history. In any event, I have considered the current proposal based on its individual merits and its specific context. These examples do not alter my findings.
11. The proposal would cause unacceptable harm to the character and appearance of the host dwelling and surrounding area. It would conflict with Policies DMD 8 and DMD 37 of the Enfield Council Development Management Document (2014)

(EDMD), Policy D3 of the London Plan (2021) (LP) and Chapter 12 of the National Planning Policy Framework (the Framework), which seeks development of a high-quality design that is appropriate to its context and surroundings.

12. The Council's decision notice also refers to Policy 30 of the Enfield Council Core Strategy (2010) (ECS) which relates to quality of the built and open environment. As this is strategic in nature it is unnecessary to conclude against it, given my findings in respect of Policies 8 and 37 set out above.

Living Conditions

13. A minor material amendment has been granted at the site to *'install 2 x patio doors with juliette balconies to first floor rear elevation'*¹. At the time of my site visit, although doors appeared to have been installed, they had not been fitted with any railings to form a Juliette balcony. Views from these doors/balconies would only offer oblique views of neighbouring gardens from within the associated room and as such are not comparable to an external terrace.
14. The proposed 1.7m obscure glazed screen would offer some degree of privacy protection to the rear bedroom window. It is clear that without a screen between the properties, there would be direct and harmful overlooking from the first-floor terrace into the adjacent bedroom window of No 3a, and vice versa. Notwithstanding that a degree of mutual overlooking is to be expected in urban areas, the proposed terrace would increase the perception of overlooking of the rear garden of No 3a from a new vantage point. This is due to its position forward of the existing rear elevation and that the 1.7m screen would only serve the section of terrace closest to No 3a. This would result in a loss of privacy for the neighbouring residents over and above the existing situation with views from existing windows within the site.
15. The proposed roof terrace would be large enough to accommodate several people allowing them to sit and gather for extended periods, particularly during the longer daylight hours of the spring and summer months. The activities on the terrace would be similar in nature to that typically associated with a garden. However, its elevated position, considerable size and proximity to the first-floor bedroom window of No 3a, would result in a significantly greater level of disruption than that experienced from a conventional ground level garden. As such, the proposal would generate an unacceptable degree of noise and disturbance that would not be mitigated by the proposed screen and thus, would be harmful to the living conditions of neighbouring residents.
16. The appeal site is located in a built-up area where noise may be generated from traffic along Station Road and the occupation of nearby residential and commercial properties. Roads typically produce a low-level background noise that can be filtered out. In contrast, voices and domestic activities may fluctuate causing sudden unexpected noise that would be more startling and disrupting to neighbouring occupiers. Whilst this may be expected of outdoor spaces associated with a dwelling, it is the height and proximity of the proposed terrace to a bedroom that is the crux of the concern. I am not satisfied that the presence of a nearby road would provide sufficient mitigation to prevent the use of the roof terrace for normal domestic activities, from causing noise and disturbance to the occupiers of No 3a.

¹ P13-02480MMA

17. There is nothing within the wording of Policy DMD 68 or its supporting text to suggest that it should not apply to residential development. Rather it is clear that proposals must be sensitively designed and that potential noise generating development will only be permitted in appropriate locations where there is no adverse impact on amenity. Without any substantive evidence to the contrary, I see no reason not to apply Policy DMD 68 to this proposal.
18. The proposal would have a materially harmful effect on the living conditions of the occupiers of No 3a, with particular regard to privacy of the rear garden, and noise and disturbance. It would conflict with part c. of Policy DMD 8 of the EDMD which provides that, amongst other things, development must preserve amenity in terms of outlook, privacy, overlooking, noise and disturbance. Conflict is also found with Policy DMD 68 of the EDMD, which provides that development that generates or would be exposed to an unacceptable level of noise, will not be permitted. It would conflict with Chapter 12 of the Framework, which seeks a high standard of amenity for existing users.
19. The Council's decision notice also refers to Policy 30 of the ECS and Policy D4 of LP which relate to design, quality of the built and open environment. It is unnecessary to conclude against these strategic policies given my findings in relation to Policy 8 of the EDMD and Policy 68 of the DMD.

Other Matters

20. The appellant suggests that a roof terrace has existed and been used domestically at the appeal site for over ten years. However, the planning history indicates that a certificate of lawfulness for the use of the roof terrace and rear facing French doors was refused by the Council in 2025. Therefore, I am not satisfied that the existing roof space can be legitimately used as a terrace for purposes incidental to the enjoyment of the dwelling including for sitting out, socialising and gardening. Based on the evidence before me, I consider that there is no legitimate fallback position to weigh against the conflict identified with the development plan.
21. A reduction in the size of a terrace that is not authorised, along with a 1.7m screen, could not reasonably be considered as benefits of the proposal. The appeal site already has a generous rear garden supporting good quality living conditions for the occupants. Even if I could accept that the terrace represented an efficient use of space, the living conditions of the occupants at No 3a would be worse with the proposed development, than the living conditions of the appeal property without a first-floor terrace. The limited number of objections does not indicate a lack of harm. These matters do not affect my findings.

Conclusion and Recommendation

22. The proposal conflicts with the development plan taken as a whole. For the reasons given above and having regard to the approach in the Framework, I conclude that the appeal should be dismissed.

J Kirkaldy

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M CLOWES - INSPECTOR