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## Appeal Decision

Site visit made on 8 November 2017

**by Elizabeth Pleasant DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 21 November 2017**

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**Appeal Ref: APP/Q5300/W/17/3179901**  
**8 Park Road, Enfield EN3 6SS**

- 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 Faik Gjyriqi against the decision of the Council of the London Borough of Enfield.
  - The application Ref 17/00776/FUL, dated 20 February 2017, was refused by a notice dated 1 June 2017.
  - The development proposed is the conversion of a single dwelling into two self-contained flats.
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of a single dwelling into two self-contained flats at 8 Park Road, Enfield EN3 6SS in accordance with the terms of the application, Ref 17/00776/FUL, dated 20 February 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: Location Plan, Ref 8PR01; Block Plan, Ref 8PR02; Existing Ground & First Floor Plans, Ref 8PR03; Proposed Ground & First Floor Plans, Ref 8PR04; Existing Second Floor & Roof Plan, 8PR05; Proposed Second Floor and Roof Plan, Ref 8PR06; Existing Section A-A, Ref 8PR07; Proposed Section A-A, Ref 8PR08; Existing Elevations, Ref 8PR09; Proposed Elevations, Ref 8PR10; Energy Strategy Report prepared by Syntegra Consulting, Ref 17-3083 dated March 2017
  - 3) No development shall take place until details of the internal consumption of potable water have been submitted to and approved in writing by the Local Planning Authority. Submitted details will demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than 105 litres per person per day. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.
  - 4) Prior to the first occupation of the development, six secure/covered cycle parking spaces shall be provided within the site in accordance with details that shall first have been submitted to and approved in writing by the

Local Planning Authority. The approved details shall thereafter be permanently retained for cycle parking.

## **Main Issues**

2. The main issues in this case are the effect on:

- The character and appearance of the area; and
- The living conditions of future occupiers, with particular regard to outlook, light and external amenity space.

## **Reasons**

### *Character and appearance*

3. Park Road is characterised by a mix of semi-detached two-storey dwellings and short terraces which are predominantly in use as single family homes. The properties are generally aligned, set back from the road with front gardens which is the majority of cases are taken over by forecourt parking. The appeal property reflects this character, it is a semi-detached four bedroom dwelling, and its front garden is fully paved with direct access off the highway to provide for car parking and bin storage.
4. Enfield's Development Management Document, adopted 2014 (DMD) recognises that residential conversions play an important role in increasing housing supply. It also recognises that the uncontrolled intensification of residential uses can lead to unacceptable change in the character of established residential areas and impact on residential amenity<sup>1</sup>. Accordingly, Policy DMD5 of the DMD provides guidance for residential conversions. It requires, amongst other things, that development must not harm the residential character of the area or result in an excessive number of clustering of conversions, in particular it specifies that the number of conversion must not exceed 20% of properties along any road; and only one out of a consecutive row of five properties may be converted.
5. It was clear from my inspection of Park Road that the number of conversions in the street is relatively low. Evidence provided by the appellant from Council Tax records suggests that only three properties along the stretch of Park Road from Mandeville Road to Ferndale Road, which contains approximately 40 properties, have been converted to flats. This number is well below the 20% limit set out in Policy DMD5. The Council do not dispute this, however they advise that No 12 Park Road has been converted to flats, and consequently it is their view that the proposed development would conflict with Policy DMD5 in so far as the conversion would result in more than one conversion out of a consecutive row of five properties.
6. No 12 Park Road is currently the only property that has been converted to flats within the consecutively numbered properties Nos 2 – 20 situated along the northern side of Park Road. The conversion of the appeal property would increase that number to two. However, No 8 would be the only property converted within the consecutive row of five properties numbered 2 – 10 Park Road. Having regard to the provisions of Policy DMD5 set out above, I therefore find no conflict with this Policy.

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<sup>1</sup> Paragraph 4.3.6 Enfield's DMD, 2014

7. Furthermore, no external alterations are proposed to the property, and the existing hard surfaced area at the front of the property would remain in its current use for the parking of cars and for bin storage. Whilst I accept that the number of bins to be provided would increase, I am not convinced that the additional bin requirement for a one bedroom unit would have a significant effect on the character and appearance of the street scene as a whole. Similarly, the overall number of bedrooms in the property would remain as four, and consequently, although there would be some increase in the comings and goings from the property, this additional activity would not result in a material increase in noise and disturbance to neighbouring occupiers.
8. I therefore conclude that the proposed development would not have a harmful effect on the character and appearance of the area. I find no conflict with the development plan, and in particular the proposal would comply with Policy DMD5 of the DMD the aims of which are set out above.

#### *Living conditions*

9. The proposed ground/first floor flat would have an open plan kitchen/dining and living room. The kitchen and dining area would be located toward the rear of the house, where there are fully glazed doors opening out into the back garden. The part of the room shown as the living area would be situated more centrally within the unit. Whilst the outlook from part the living area would be limited due to the shape of the room, it would be afforded adequate daylight and ventilation from the glazed doors and the proposed skylight. Furthermore, the overall size of the kitchen/dining and living room would be large enough to allow for some flexibility in its layout. I am therefore satisfied that future occupiers would have satisfactory living conditions, with particular regard to outlook and light.
10. The proposed one bedroom flat on the upper floors would not have any external private amenity space available for its future occupiers, whilst the property's modest rear garden would be available for the use of the occupiers of the three bedroom ground floor flat. Policy DMD9 of the DMD seeks to ensure that new development provides good quality private amenity space and sets out minimum standards for its provision in Table 4.1. However, whilst Table 4.1 requires a three bedroom four person dwelling to provide at least 23 square metres of private amenity space, it does not specify a requirement for a one bedroom dwelling where there is no access to communal amenity space. The private rear garden would be more than sufficient to meet the amenity needs of the three bedroom flat, and an absence of private amenity space for the one bedroom flat would not conflict with Policy DMD9 of the DMD.
11. I have taken into consideration the Mayor of London's Housing Supplementary Planning Guidance, 2016 (SPG), which advises that a minimum of five square metres of private amenity space should be provided for 1-2 person dwellings. However, the SPG is only guidance, and whilst I recognise the benefits of providing outdoor space, this is not always feasible in residential conversions as is the case in this appeal. In this instance the deficit relates to a one bedroom dwelling, and the needs of future occupiers for outdoor space are therefore likely to be more flexible than the needs of a family dwelling. The site is within walking distance of an area of public open space, and this would provide some amenity benefits for future residents. I am satisfied that the absence of private amenity space in this case would not outweigh the benefits

of providing an additional unit of accommodation which would add to the Council's supply of housing within the Borough.

12. I conclude that the appeal proposal would provide for acceptable living conditions for future residents, having particular regard to outlook, light and external amenity space. I have taken into consideration all the Policies referred to by the Council, and whilst there would be some conflict with the SPG, I find no conflict with the development plan, and in particular Policy DMD9 of the DMD the aims of which are set out above. I also find no conflict with Policy CP4 of The Enfield Plan Core Strategy and Policies DMD5 and of the DMD which seek to provide high quality new housing and amongst other criteria, preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise or disturbance.

### **Conditions**

13. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guide. As a result I have amended some for clarity.
14. A condition is required to specify the approved plans as this provides certainty.
15. I have imposed a condition requiring details of the internal consumption of potable water and measures to reduce water consumption prior to development commencing, to promote water conservation and efficiency measures.
16. A condition requiring details of cycle storage to be provided is necessary to provide for alternative modes of sustainable transport.

### **Conclusion**

17. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

*Elizabeth Pleasant*

INSPECTOR