



Appeal Decision

Site visit made on 07 June 2019

by N Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2019

Appeal Ref: APP/Q5300/W/19/3224349

48 Orchardleigh Avenue, Enfield, EN3 5BE

- 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 Omar Ibrahim against the decision of London Borough of Enfield.
 - The application Ref 17/05371/FUL, dated 12 December 2017, was refused by notice dated 29 November 2019.
 - The development proposed is the Conversion of existing single-family dwelling house into two self-contained flats, comprising 1 x 1-bed and 1 x 2-bed (part-retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of the development from the Council's decision notice rather than that set out on the planning application form because I think it better reflects the proposal. That said, I have replaced the word 'retrospective' with 'part-retrospective', because the conversion of two of the bedrooms at the property to study areas appeared to me to be proposed.

Main Issues

3. The main issues in this case is whether the mix of units at the site is acceptable and whether the quality of accommodation provided is acceptable, with regard to internal and amenity space.

Reasons

Housing mix

4. The original property, prior to its conversion to flats was what the Council characterises as a family home because it had three or more bedrooms. The appeal proposal would see the property retained as two flats (one with one bedroom and one with two bedrooms). Neither of these would constitute 'family accommodation'. A requirement of Policy DMD5 of the Enfield Development Management Document 2014 is that where such conversions to flats take place, compensatory family accommodation is provided at the site. That would not be the case here, in conflict with the Borough's policy aspiration to retain housing suitable for families.

5. Accordingly, there would be a conflict with Policy DMD5. The Appellant has set out that there are enough family sized properties in the area, but there is no evidence that this is the case before me. The Appellant also notes that the property provides for diversity in unit sizes in the area. Be that as it may, they are not large enough for families with children to live in, which it appears to me is the thrust of the Council's policy position.

Quality of accommodation

6. The one-bedroom flat is on the ground floor. The Council describes that the floor area is 50.91m², against the Nationally Described Space Standard of 50m², for a flat that two people could live in. Accordingly, it appears to exceed that standard. I found that the rooms in the flat were of a reasonable size and layout and that there was access to the garden. I note the Council's concern as to how the proposed study would be used in practice, but I have considered the appeal before me. Overall, the ground floor flat does, I consider, provide an acceptable standard of living accommodation.
7. The two-bedroom flat is over the first and second floors of the property. The Council notes that it is quite substantially below the Nationally Described Space Standard for a four-person property, and the Appellant does not dispute this. The living space on the second floor is particularly problematic, with a sloping roof across the front half of the room making it in my view, especially difficult to use. In those circumstances, it is more important than might otherwise be the case that there is access to the large garden at the site to help mitigate the poor standard of internal accommodation. It is not clear from the evidence before me if occupiers of the second floor flat can access the garden, and if they can, how.
8. Overall, I am satisfied that the quality of accommodation provided by the second floor flat would be poor, in conflict with Core Policy 4 of the Enfield Core Strategy (2010) and Policy DMD5 of the Enfield Development Management Document 2014.
9. The Appellant has described that the property has been let via the Council. That does not necessarily mean that the quality of accommodation provided by the property is sufficiently high, and I have found that it is not, for the reasons I have described.

Conclusions

10. For the reasons I have set out, this appeal should be dismissed.

N Smith

INSPECTOR