



Appeal Decision

Site visit made on 25 February 2021

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2021.

Appeal Ref: APP/Q5300/D/20/3261599

1 Tenby Road, Enfield EN3 4JE

- 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 Lukasz Zdanewicz against the decision of the Council of the London Borough of Enfield.
The application Ref 19/00805/FUL, dated 28 February 2019, was refused by notice dated 28 July 2020.
 - The development proposed is described as conversion of single family house into 1 x 2-bed and 1 x 1-bed self contained flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council altered the description of development, this is also the description used by the Appellant on the appeal form. I consider this to be a more accurate description of the appeal proposal and accordingly I have adopted an amended description in the heading above rather than the appellants description of development.
3. At the time of my site visit, the development was in place. The original application form made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis.
4. Since the submission of the appeal the London Plan 2021 has been published. The Council's reason for refusal includes policies within the London Plan 2016. The London Plan 2021 does not diverge significantly from the previous plan in terms of seeking to create a balanced housing supply and achieve adequate living accommodation. No party has been prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issues

5. The main issues in this case are the effect of the proposed development on (i) the balance of family sized housing within the Borough; and (ii) the living conditions of future occupants of the development.

Reasons

Family sized housing

6. The Council have confirmed, based on historic plans associated, the appeal site before conversion was a 3 bedroom family sized dwelling, the Appellant has not disputed this.
7. Policy DMD5(2) of the Enfield Development Management Document (2014) (the DMD) seeks proposals involving the conversion of existing family units into flats to provide compensatory family accommodation (3 bedroom +) within the development. The proposed development comprises 1 x 1 bedroom and 1 x 2 bedroom flats.
8. Whilst the Appellant contends that the flats would be retained within the same ownership and occupied by family members, the flats would be self-contained and independently occupied regardless of this relationship. The proposed development would result in the loss of a family sized dwelling, without compensatory provision for family accommodation.
9. I conclude that the proposed development harms the balance of family sized housing within the Borough. There is conflict with Policy CP5 of The Enfield Plan, Core Strategy 2010-2025 (2010) (the Core Strategy), Policy DMD 5 of the DMD and Policy H10 of the London Plan 2021 (the London Plan) which amongst other things seeks to ensure a balanced housing supply.
10. There is conflict with the National Planning Policy Framework (2019) (the Framework) which seeks to ensure housing provision reflects local housing need.

Living conditions

11. According to the plans submitted the development proposes 1x2 bedroom flat for 3 persons (Flat A) and 1x1 bedroom flat for 2 persons (Flat B). London Plan Policy D6 and table 3.1 set out space standards relating to new dwellings. Whilst the Council have assessed Flat B as a 1 person flat this is not the proposal in front of me.
12. Based on the proposed bedspaces the development would not meet the required space standards in terms of gross internal floor area as set out in the London Plan.
13. The submitted plans note a shared rear garden would be available for both flats, however Flat A does not have adequate access to the amenity space.
14. I conclude that the space standards within the development are unacceptable and would cause harm to the living conditions of the future occupants of the proposed development. There is conflict with Policy CP4 and CP30 of the Core Strategy, Policies DMD8 and DMD9 the DMD, and Policy D6 of the London Plan which amongst other things seek to protect the living conditions of residents.
15. There is conflict with the Framework which seeks to ensure developments have high standards of amenity for existing and future users.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

C Pipe

INSPECTOR