



Appeal Decision

Site visit made on 7 November 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/Q5300/W/22/3296785

74 Holmwood Road, Barnet, EN3 6QH

- 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 Dr Joe Okoli against the decision of Enfield Council.
 - The application Ref 21/02984/FUL, dated 3 August 2021, was refused by notice dated 16 December 2021.
 - The development proposed is described as the conversion to two flats (1 no. three bedroom flat and 1 no. two bedroom flat).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is noted that the application description contains a number of elements. As the only matter in dispute relates to the conversion of the dwelling into two flats, I will only consider this matter in this letter.

Main Issues

3. Taking the above into account, the main issue is the effect of the proposed development upon the living conditions of future occupiers.

Reasons

4. When undertaking conversions of family dwellings into flats, the Enfield Development Management Policies (DMD) Policies DMD5 and DMD 8, along with Core Strategy Policy CP4 seeks that adequate housing is provided within the borough, in terms of its size, location, useability and that it conforms to the minimum standards set out within the London Plan and its supplementary documents and design standards. London Plan Policy D6 seeks that housing is of high quality design which are fit for purpose and meet the needs of Londoners.
5. The main concerns from the Council's Officer Report relate to the lack of conformity to policy requirements regarding size of dwellings, with the proposed 3 bedroom ground floor dwelling falling short of the minimum standard by 5 square metres. This lack of conformity with the minimum standard is not disputed by the appellant, who as a compensatory measure has proposed a storage shed in the rear garden that could be converted into a habitable space, be solely utilised for the ground floor apartment and make up the shortfall of living space in the main apartment.

6. Whilst I appreciate the efforts of the appellant to provide suitable compensatory measures to make up for the shortfall in internal living space, the policy does not provide for such compensatory measures. What is made clear by DMD Policies DMD5 and DMD 8, along with CS Policy CP4 and London Plan Policy D5 is the dwelling is required to conform to the minimum size standards, and in this case it does not. Whilst I agree with the appellant that the presence of the outbuilding would give more space than is typically available for other apartments in the area, it does not overcome the lack of conformity of the main dwelling to the minimum housing standards.
7. Taking the above into account and in conclusion of this matter, the proposed ground floor flat would not provide suitable internal space within the apartment which would consequently cause harm to the living conditions of the future occupants. As such, the proposal would be contrary to DMD Policies DMD5 and DMD8, along with Core Strategy Policy CP4 and London Plan Policy D6 as described previously.

Conclusion

8. For these reasons, the appeal is dismissed.

J Somers
INSPECTOR