



Appeal Decision

Site visit made on 23 July 2024

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2024

Appeal Ref: APP/Q5300/W/24/3338692

22 Beechdale, Enfield, Southgate N21 3QG

- 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 Paul Pavlou against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 22/04249/FUL.
 - The development is described as "Retrospective change of use from a single dwellinghouse to use as two flats."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Reference to "retrospective" in the description of the application is not a form of development. The application form confirms that the development has been completed and I was able to see this during my site visit.

Main Issues

3. The main issues are:
 - The effect of the development on the balance of family sized housing within the Borough; and
 - the effect of the development on the living conditions of its occupiers with regard to private outdoor amenity space.

Reasons

Housing mix

4. The appeal relates to a two-storey semi-detached house located in a residential area of Enfield. The property was a four bedroom dwelling which has been converted into two flats. There is a garden and large outbuilding to the rear.
5. Policy DMD5 of Enfield's Development Management Document (2014) (the DMD) requires conversions of existing family units into self-contained flats to provide compensatory family accommodation of three bedrooms or more within the development. The Council's aims through this policy are to protect the character of established residential areas and ensure that a range of house sizes are available across the Borough to meet housing needs. In particular the requirement for compensatory provision for family accommodation is to ensure that there is no net loss of family housing or harm to the strategic objective to

increase the supply of larger units. The property has been converted into two flats, each with two bedrooms. Consequently, the development does not comply with Policy DMD5 and results in the net loss of what is considered to be family housing.

6. While the appellant argues that the area does not suffer from conversion stress, this confirms the established single family housing character of the area. It is this character and housing size which Policy DMD5 of the DMD seeks to protect.
7. Although the development diversifies the housing mix in the area, it would result in the loss of a single family dwellinghouse at a time when, according to the Council, there is great demand in the Borough and harms the established residential character of the area. Furthermore, there is no evidence before me to confirm a lack of two bedroom flats or an oversupply of four bedroom houses in the Borough. The appellant states that the Council is not meeting their housing delivery targets. However, no substantive evidence has been provided in relation to housing delivery or the housing targets.
8. For these reasons, I conclude that the development would harm the balance of family sized housing within the Borough. Hence, this would conflict with Policy CP5 of the Enfield Core Strategy (2010) (the CS); Policy DMD5 of the DMD; Policy H2 of the London Plan (the LP) and the National Planning Policy Framework (the Framework). Together these policies seek to ensure development meets housing needs and respects the character of existing neighbourhoods. Policy DMD5, in particular, requires conversions of existing family units into self-contained flats to provide compensatory family accommodation of three bedrooms or more within the development. It would also not comply with the Framework which requires development to provide the size, type and tenure of housing to meet the needs of different groups in the community and reflect an area's prevailing local character.

Living conditions of occupiers of the property

9. Policy D6 of the LP states that a minimum of 5 sq m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. Policy DMD9 of the DMD requires good quality private amenity space that meets or exceeds the standards in Table 2.1 of the DMD.
10. The property benefits from a moderately sized communal rear garden and a side passage. The appellant has suggested that a condition could be imposed to seek submission of details for access to and subdivision of the existing rear garden. My site visit confirmed that the garden is of a sufficient size to be subdivided into two separate garden areas, and the side passage could allow for separate access to the gardens. A condition could be imposed with a short timeframe for approval of details and implementation to ensure it is delivered to serve occupants.
11. For these reasons, I conclude that, subject to an appropriate condition, adequate private outdoor amenity space could be provided, which would meet the requirements set out in Policy D6 of the LP and Policy DMD9 of the DMD. In this respect, it would also be consistent with Policies DMD6 and DMD8 of the DMD and the Framework which together require development to provide a high

standard of accommodation and amenity, including good quality amenity space.

12. The Council has referred to Policy DMD37 which relates to achieving high quality design through respecting local character; and ensuring safe and secure spaces, quality public realm, ease of movement, legibility, adaptability and diversity of uses. However, this policy is not directly relevant to this main issue.

Planning Balance and Conclusions

13. Compliance with the development plan with regard to private outdoor amenity space through a planning condition would weigh neither in favour or against the development and is therefore considered neutral.
14. I acknowledge that the provision of housing is a clear public benefit. However, the contribution of one additional dwelling to the Borough's overall housing supply is limited. As such, this benefit would only attract limited weight. In terms of harm, the development results in the loss of a family sized house which thereby harms the balance of family sized housing in the area. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole, and I find that the adverse impacts of the proposal are matters of significant weight against the grant of planning permission that outweigh the benefits identified.
15. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

U P Han

INSPECTOR