



Appeal Decision

Site visit made on 1 October 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2024

Appeal Ref: APP/Q5300/W/23/3332768

6 The Town, Enfield EN2 6LE

- 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 Mr N Donmez against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/01271/FUL.
 - The development is described as retention of HMO 5 rooms (5 people)
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has already been carried out and so I am considering this appeal retrospectively.

Main Issue

3. The main issue is whether the living conditions of the occupiers of the development would be acceptable, with regard to internal and external space.

Reasons

4. Houses in Multiple Occupation (HMOs) are an important part of London's housing offer and in making efficient use of a large property the development contributes positively to housing choice in the area. However, the Housing Supplementary Planning Guidance (2012) (SPG) sets out that the quality of HMOs can give rise to concern.
5. The appellant submits that the 5 bedrooms are single occupancy. However, the rooms are of such a size that sufficient bed spaces could be provided for 8 people across three double rooms and two single rooms. On this basis, Bedrooms 1, 4 and 5 meet the required space standards, and Bedrooms 2 and 3 fall just short of the advised standard for a double room but could readily accommodate a double bed. The overall floorspace at the property however falls significantly short of the minimum floorspace standards set out in Table 3.1 of the London Plan (2021) (LP). The development therefore provides inadequate internal space which creates a cramped environment.
6. There are two communal kitchens and kitchenettes in three of the bedrooms. Nevertheless, owing to the size of the kitchens and the limited area available for dining, the number of occupiers that can use the kitchens at one time is reduced. Taking account that there is no communal living room area shown on the plans and no external amenity space, there is consequently limited

opportunity for occupiers to interact with other occupiers. The site is a short distance from a local park; however it has not been shown how this would be a suitable substitute for the private external space required by policy.

7. While the National Planning Policy Framework (the Framework) says that a positive approach to the growth of town centres should be taken, including through allowing a suitable mix of uses (including housing), it also seeks well - designed places with a high standard of amenity for existing and future users. The development has limited communal areas and opportunities for the occupiers to spend time away from their private bedrooms and so does not therefore provide a high-quality people focused space that has been designed to facilitate social interaction. Overall, the accommodation is limited in size and there is no private amenity space. It does not therefore represent a high-quality form of development that is fit for purpose to meet the needs of the occupiers.
8. As such, the living conditions of the occupiers of the development are unacceptable, with regard to internal and external space, in conflict with Policies D3, D4, D5 and D6 of the LP, Policy CP30 of the Enfield Core Strategy (2010) and Policies DMD6, DMD8, DMD9 and DMD37 of the Enfield Development Management Document (2014). Amongst other things, these policies require development to follow a design led approach, providing people focused spaces with comfortable and functional layouts and incorporating inclusive design to facilitate social interaction.
9. The development is also contrary to the guidance in the SPG in relation to the quality and design of homes, and the provisions of the Framework which seek development that creates a high standard of amenity for existing and future users. On the decision notice, the Council also refers to Policy D8 of the LP however as this relates to public realm it is not determinative in this appeal.

Other Matters

10. The appeal site falls within the Enfield Town Conservation Area (ETCA) and the appeal property is a locally listed building. The Council do not have concerns regarding the impact of the proposal on the significance of these heritage assets. Having considered the proposal and visited the site, I concur with that view and find that the appeal proposal would have no effect on the character or appearance of the ETCA or the significance of the locally listed building. While the appellant has expressed frustrations with the Council's handling of the case, this does not alter or outweigh my findings which are based on the planning merits of the case.

Conclusion

11. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate that I should take a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR