



Appeal Decision

Site visit made on 8 April 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 May 2025

Appeal Ref: APP/Q5300/W/24/3356810

17 Fairfield Road, Edmonton, Enfield N18 2QP

- 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 Erdal Pehlivan against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/01967/FUL.
 - The development proposed is change of use from use class C3 (dwelling house) to use class C4 (house in multiple occupancy).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from use class c3 (dwelling house) to use class c4 (house in multiple occupancy) at 17 Fairfield Road, Edmonton, Enfield N18 2QP in accordance with the terms of the application, Ref 24/01967/FUL, and the plans submitted with it reference; Location Plan date produced 04-Jul-2024, TQRQM24164190649804 date produced 12 Jun 2024, N18 2QP dated 07/11/2024 Sheet 1 and N18 2QP dated 07/11/2024 Sheet 2, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appellant submitted amended plans with the appeal. The amended plans include a Flood Risk Assessment (FRA) and existing plans dated 07/11/2024. The amended plans were available when the appeal was submitted, and the Council had the opportunity to comment. The amended plans have removed a bedroom from the internal layout and replaced this with a communal living area which does not represent a significant change to the proposed scheme. Accordingly, I am satisfied that no one would be prejudiced were my decision to have had regard to the amended plans.
3. At the time of my site visit, I saw that the development was complete and I have dealt with the appeal on that basis.

Main Issues

4. The main issues are:
 - the effect of the proposed development on flood risk, and
 - whether adequate living conditions would be provided for future occupiers with regard to internal communal living space.

Reasons

Flood risk

5. The appeal site is located within Flood Zone 2 which is identified as being area where there is a medium risk of flooding. The National Planning Policy Framework (the Framework) outlines at Paragraph 170 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
6. Paragraph 172 of the Framework explains that this should be achieved by applying a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.
7. The appellants FRA suggests that the appeal site is within Flood Zone 3 which differs from the Council's assessment. Nonetheless, the FRA identifies that there is a high flood probability due to Pymmes Brook and Salmon Brook which are located close to the appeal site. The FRA outlined that due to the built-up nature of the area, lower-risk sites are not available, thus the Sequential Test is passed.
8. The predicted flood level for a 1 in 100-year flood event (plus climate change) is 10.328 metres at Pymmes Brook. The confirmed internal finished floor level of 17 Fairfield Road is 10.805 metres, providing a buffer of 0.477 metres above the predicted flood level.
9. The FRA concluded that the floor level buffer combined with installing flood-resilient materials and Sustainable Drainage Systems, adding flood doors and barriers for flexible protection against extreme events and developing a Flood Management and Evacuation Plan to enhance resident safety would be sufficient to ensure that the proposal is safe from flooding and thus the exemption test is passed.
10. I therefore conclude that the proposed development would be safe from flood risk. I find no conflict with Policies CP21 and CP28 of the Enfield Council Core Strategy Adoption November 2010 (CS), Policies SI12 and SI13 of the London Plan (2021), Policies DMD 59, 60, 61 and 62 of the Development Management Document (DMD) Adopted November 2014 and Paragraph 170 of the Framework. Amongst other things, these seek to ensure that development is directed to areas of lowest risk, avoid and reduce the risk of flooding and not increase the risks elsewhere.

Whether adequate living conditions would be provided

11. The Council's HMO Standards For bedsit/ letting rooms and shared house accommodation revised March 2021 (HMO standards) require that a dining/kitchen used by 1-5 occupants has a minimum floor area of 11 square metres and a living room used by the same number of occupiers is a has a minimum floor area of 8.5 square metres. The proposed kitchen/diner and living room would exceed these minimum floor areas and as such there would not be conflict with the HMO standards.

12. The Council consider that most of the kitchen's circulation space is required for using the kitchen and to access the garden, which leaves no room for occupiers to relax or socialise. The kitchen is located at the centre of the ground floor and provides access to the garden as well as a bathroom and living room and as such there is very limited space for future occupiers within this room. However, the living room proposed is located at the rear of the house and provides space that could be used for socialising and relaxing and as such there would not be a reliance on the kitchen for these purposes.
13. I therefore conclude that adequate living conditions would be provided for future occupiers. I find no conflict with Policy D6 of the London Plan, Policy CP4 of the CS, Policies DMD5 and DMD8 of the DMD and Paragraph 135 of the Framework. Amongst other things, these seek to ensure developments provide a high quality form of accommodation and provide a well-designed, flexible and functional layout.

Other Matters

14. I note that concerns have been raised in relation to parking in the area and the living conditions of neighbouring occupiers. However, the Council have found that the proposed development would not alter existing parking circumstances in the area and that the living conditions of neighbouring occupiers would not be harmed for which I have no reason to conclude otherwise.

Conditions

15. Condition 1 is required in order to ensure that the HMO is occupied by no more than 5 persons in order to maintain an adequate amount of communal living space. Condition 2 is required in order to ensure that future occupiers are safe from flooding and condition 3 is to ensure adequate refuse and recycling facilities.

Conclusion

16. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR

Schedule of conditions

1. The HMO hereby approved shall only be occupied by a maximum of five (5) persons.
2. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) for 17 Fairfield Road, Edmonton, N18 2QP, with the following mitigation measures, as detailed within section 5 of the report, fully implemented within 6 months from the date of this appeal decision and thereafter retained and maintained:
 - Retain existing floor levels at a minimum of 10.805 metres AOD,
 - Incorporate flood-resistant materials at the ground floor including water-resistant plaster on walls, concrete or ceramic tile flooring instead of wood, Plastic skirting boards and other non-porous materials and raised electrical outlets at least 1.5 meters above floor level as per best practices.
 - The installation of Sustainable Drainage Systems (SuDS) including permeable paving, rainwater harvesting, soakaways and rain gardens.
 - Installing flood doors and barriers at garden wall entry points and vulnerable ground-floor access points,
 - Landscaping measures, which redirect surface water away from the building including sloping garden paths and vegetative barriers,
 - Climate change adaption measures including non-return valves in drainage systems to prevent water backflow into the property and increased rainwater storage capacity to manage high volumes of rain during extreme events, aligning with best practice climate adaptation strategies,
 - A Flood Management and Evacuation Plan to ensure residents are aware of flood response procedures and identified evacuation routes, emergency contacts and instructions for deploying flood barriers and securing belongings pre-evacuation.
3. Within three months from the date of this appeal decision, full details relating to refuse and recycling facilities shall be submitted to and approved by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details and shall be thereafter maintained as such for the lifetime of the development.