



Appeal Decision

Site visit made on 25 March 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Appeal Ref: APP/Q5300/W/24/3353390

70 Kings Road, Enfield, Edmonton N18 2PN

- 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 Damen against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/02335/FUL.
 - The development proposed is described as a single-storey side infill extension together with a single-storey side and rear extension (granted 22/02170/FUL) together with rear dormer extension and front rooflights (granted 23/02042/CEA) to facilitate the change of use of the existing dwelling to a small HMO (Use Class C4) for up to 5 people, with associated cycle, refuse and recycling storage.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant. This application is the subject of a separate decision.

Preliminary Matters

3. On my site visit, I observed that the proposal appeared to have been mostly carried out. There is no certainty, however, that the works already carried out match the proposed plans. My assessment of the appeal is therefore based on the submitted drawings on which the Council made their decision.

Main Issues

4. The main issues are whether the proposal would provide:
 - adequate living conditions for the occupiers, with regard to the quality of the communal kitchen space; and
 - satisfactory refuse storage, with particular regard to the character and appearance of the appeal dwelling and surrounding area.

Reasons

Living conditions

5. The proposed kitchen would serve the occupants of five bedrooms and comprise the main communal space within the property. It would be relatively narrow and feature worktops and cupboards on both sides of the room. Consequently, much of the floor area would be utilised as circulation space for the kitchen and to access

the rear garden and cycle store. The room would be even narrower near the hallway entrance such that there would be no space available for a dining table and/or seating.

6. The proposed kitchen area would therefore not allow the occupants to dine or even comfortably sit within this space, whether alone or together at the same time. It is reasonable to expect that the occupants of the dwelling should have access to a good standard of communal accommodation in which to dine comfortably, interact and relax. The proposed communal kitchen area would therefore be cramped, impractical and would minimise opportunities for social interaction, and the lack of access to such a space would result in harmful living conditions for the occupiers.
7. In reaching this conclusion, I acknowledge the adequacy of the communal kitchen space was not raised as an issue in the previously refused planning application by the Council (ref 24/01154/FUL). However, that scheme had a larger internal floorspace and an additional kitchen space on the loft floor. The two layouts are thus not entirely comparable.
8. For these reasons, the proposal would harm the living conditions of the occupiers, with regard to the quality of the communal kitchen space. It would therefore conflict with the relevant provisions of Policy CP4 of the Enfield Plan Core Strategy (2010) (CS) and Policies DMD5, DMD8 and DMD9 of the Development Management Document (2014) (DMD). It would also conflict with Policy D6 of the London Plan (2021) (LP). These policies, taken together seek to ensure seek to ensure housing developments are of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose.

Refuse storage

9. The Council state that there is a discrepancy between the dimensions of the proposed bins shown on the proposed plans and those shown on the plans for approved application ref 24/00349/CND. I have not been provided with the relevant plans to confirm this stated discrepancy.
10. Notwithstanding the above, there would be sufficient space within the forecourt of the property to accommodate the enclosures for four 240L refuse and recycling bins. I also find that the number of bins would be appropriate for a maximum of 5 occupants. Further details and precise measurements could be requested and addressed with an appropriate condition.
11. Most of the properties on Kings Road and the wider area store their refuse bins within their forecourts. The proposed bin enclosures are relatively common features in urban areas and would not be read as incongruous features such that they would adversely impact the character and appearance of the appeal dwelling and surrounding area.
12. Given this, the proposal would provide adequate refuse storage and would therefore not harm the character and appearance of the area. Thus, there would be no conflict with Policy CP30 of the CS, Policies DMD5, DMD8, DMD37 and DMD47 of the DMD and Policy D3 of the LP insofar as they seek to ensure that proposals maintain the quality of the built environment by incorporating adequate refuse storage arrangements that do not adversely affect the quality of the street scene.

Other Matters

13. I note the comment in support of the proposal. It states the layout would be suitable and that the property would have a maximum of 5 occupiers. Whilst the number of occupiers would be capped, the proposed communal kitchen area would still be inadequate for the reasons I set out above.
14. I note the site is located near amenities and public transport. I also note the comment with regard to the Councils handling of the proposal, particularly the inconsistency, lack of engagement and transparency. However, these matters or any others raised do not outweigh the harm I have identified. Similarly, a lack of harm with regard to the external design of the development does not weigh in favour of the proposal.

Conclusion

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

Thomas Courtney

INSPECTOR