

---

## Appeal Decision

Site visit made on 29 April 2025

by **Thomas Courtney BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 June 2025

---

**Appeal Ref: APP/Q5300/W/24/3351909**

**11 Derwent Road, Enfield, Southgate N13 4PY**

- 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 Timur Djemal against the decision of the Council of the London Borough of Enfield.
  - The application Ref is 24/01987/FUL.
  - The development proposed is described as the conversion of house into 5 person HMO.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Lakes Estate Conservation area (CA).

### Reasons

3. No 11 Derwent Road is a two-storey semi-detached dwelling. It lies within the Lakes Estate Conservation Area which is designated for its special architectural and historic interest. The significance of the area derives from its planned layout, consistent Arts and Crafts architectural detailing, and its original character as a cohesive Edwardian residential suburb mostly comprising single-family homes. The form and appearance of the appeal dwelling makes a positive contribution to the significance of the CA.
4. Policy DMD5 of the Enfield Development Management Document (2014) (DMD) seeks to prevent an over-concentration of Houses in Multiple Occupation (HMO) and flat conversions, and specifically guards against harmful clusters which risk undermining the character of residential areas. The supporting text to the policy also states that there is a general presumption against the conversion of single dwellings into flats in Conservation Areas.
5. The policy states that the number of conversions must not exceed 20% of all properties along any road and that only 1 out of a consecutive row of 5 units may be converted. The appellant argues that only the section of Derwent Road incorporating nos 1 – 21 (odds only) should be used to assess the number of flat conversions. However, on my site visit I observed that the properties on both sides of Derwent Road are of similar size, type and character. There is no junction, major land use change or discernible clear and extensive break in the frontage. What's more, Derwent Road is not an exceptionally long road. Therefore, the limited area of assessment used by the appellant is not justified.

6. The Council states that approximately 28% of the properties on Derwent Road have been converted to flats. I have no reason to dispute this figure. Furthermore, the appellant contends that there are no planning records of any current flat conversions near the appeal site. However, the adjacent property at No 9 has been sub-divided into 3 self-contained flats. The development would result in 2 conversions out of a consecutive row of 5 units and would thus not adhere to Policy DMD5.
7. As the proposal is located in a conservation area, the statutory duty at section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. An HMO and a single-family dwelling may accommodate a similar number of occupants. However, the pattern of occupation differs in a way that affects residential character. HMOs typically involve unrelated individuals living independently of one another. Each occupant is likely to maintain an independent lifestyle, including separate work, leisure, and social routines. This results in less cohesive domestic routines and a more transient population. This contrasts with the stable, long-term occupation associated with family homes, which underpins the established character of the CA as a settled and cohesive residential community.
9. While the HMO conversion would not involve external alterations, and the Council has not raised concerns regarding noise and disturbance, the change of use from a single-family dwelling to an HMO nonetheless affects the use pattern and occupancy character of the property in a way that is material to the CA's significance. The conversion would contribute to a cluster of HMOs and flat conversions within Derwent Road. This accumulation would result in a noticeable shift away from single household occupation which characterises the area.
10. Such a concentration alters the pattern and intensity of use, often associated with higher turnover of unrelated residents and differing domestic routines. These factors, though subtle, can erode the distinctive residential character of the CA over time. Although the absence of physical alterations means there would be no visual harm to the appearance of the property or the wider street scene, conservation is not limited to the visual fabric alone.
11. To conclude, the development would fail to preserve the character and appearance of the CA, resulting in less than substantial harm. It would conflict with Policies CP30 and CP31 of the Core Strategy (2010), Policies DMD5, DMD37 and DMD44 of the DMD, and Policies D3 and HC1 of the London Plan (2021) insofar as they seek to ensure proposals respect surrounding context and character, and preserve and enhance the significance of heritage assets such as conservation areas.

## **Heritage Balance**

12. The National Planning Policy Framework ('the Framework') describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

13. Given my findings above, I find the harm to the CA to be less than substantial, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. The conversion would contribute to a wider range of housing sizes and types in the borough. It would offer a good standard of accommodation within walking distance of public transport and various amenities. The appellant also states that the development would incorporate energy efficiency measures and adequate standards of fire safety. However, due to the small scale of the scheme, these would not constitute significant public benefits. I therefore do not consider that the public benefits of the proposal would be sufficient to outweigh the harm to the significance of the CA. Conflict therefore arises with the historic environment protection policies of the Framework.
15. A lack of harm with regards to parking, highway safety, refuse, and flood risk is a neutral consideration which neither weighs against or in favour of the appeal.

### **Conclusion**

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

*Thomas Courtney*

INSPECTOR