



Appeal Decision

Site visit made on 18 August 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/Q5300/W/25/3364500

62 South Eastern Avenue, London N9 9LR

- 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 Xhafer Daci against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/04212/FUL.
 - The development proposed is the conversion of single dwelling into 2 separate flats following the erection of front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I requested permission to enter the property prior to and at the time of my site visit. However, I was advised at my site visit that it was not possible to go inside due to tenants being there. However, I am satisfied that I am able to determine the appeal based on the submitted plans as I have been provided with scale sectional drawings.
3. The Council in its officer report advises that the accommodation provided within Flat 1 on the ground floor would offer satisfactory living conditions. My decision is therefore focussed on the arrangements within Flat 2.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of future occupiers, with particular regard to floor to ceiling height.

Reasons

5. The appeal site comprises a modest two-storey dwelling. The proposal seeks to convert the dwelling into two flats. The ground floor accommodation would comprise a two-bedroom unit with access to outside space. A three-bedroom, four-person (3B-4P) unit would occupy the upper floor and space within the existing loft, which has been created within the sloping roof by a rear flat roof dormer window.
6. Policy D6 of the London Plan, The Spatial Strategy for Greater London (March 2021) sets out private internal space standards for new development. The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area (GIA) of each dwelling.

7. The loft bedroom '02' would be located at the rear and would take advantage of the dormer window to provide head height. However loft bedroom '03' would be situated in the front roof slope. The section plans only show a small area where the roof would not be sloping. The private internal space would be restricted as a result of the sloping roof. It is not disputed that the proposal would fail to meet point 8) of Policy D6 of The London Plan. Nor have I been provided with plans which have measurements on them.
8. The justification for the floor to ceiling height in the London Plan Policy D6 is to address the impacts of the urban heat island effect in London and provide adequate space to reside. There is no evidence provided which would obviate the need to address the heat island effect and how the proposal addresses this particular requirement in this location. Nor does Policy D6 suggest that adhering or exceeding the requisite GIA within the space standards, the provision of adequate outdoor amenity space, natural light and ventilation negate the need for sufficient floor to ceiling height.
9. The very limited ceiling height and sloping nature across a significant proportion room '03' would be to the extent that it is likely to restrict its use and options for furnishing. The rooflight windows whilst being large enough to provide adequate daylight and sunlight for the bedroom, would be likely to be restricted by the need to place a bed or other furnishings. I am not convinced that there would not be a constrained outlook from the ability to comfortably stand. Thus, the accommodation is likely to feel cramped and inflexible, and likely to impact on the use and occupation of other parts of the upper floor unit, displacing other furnishing or preventing full and comfortable use of other rooms. This is of particular concern given that a home capable of being occupied by a family or four people could reside there.
10. I conclude the proposed development would be harm the living conditions of future occupiers with regard to floor to ceiling height. As such the proposal would be contrary to Policy DMP1 of the Local Plan and Policies D3 and D6 of The London Plan (2021) where they set minimum requirements for appropriate living standards and internal space. The proposal would also conflict with Policies CP4 and CP30 of the Enfield Core Strategy 2010 – 2025 (2010), and Policies DMD5 and DMD8 of the Enfield Development Management Document (2014). Together and insofar as these are relevant to the appeal, these seek, amongst other matters, through high quality design to achieve satisfactory space standards Provide a well-designed, flexible and functional layout, with adequately sized rooms and compensatory provision for family accommodation.
11. These policies align with Paragraph 135 of the National Planning Policy Framework which also requires that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users. I have not been provided with the Housing Design Standards London Plan Guidance (2023).

Other Matters

12. The Council has said that the appeal site is within 6.2km of the Epping Forest Special Area of Conservation (SAC) zone of influence and said a charge would be required as mitigation against potential disturbance to that area by occupiers of the new unit. Whilst I have not been made aware of any payment by the appellant of

the charge that is said to be required, there has also been insufficient information provided regarding the SAC, the zone of influence and possible mitigation requirements, for me to conclude on this matter. Furthermore, in view of the harm identified above it has not been necessary for me to explore this further.

13. Although the appellant has suggested a willingness to amend the proposal, there are no details before me in this appeal. The Procedural Guide for Planning appeals (April 2025) also states that the appeal process should not be used to evolve a scheme and there are no provisions for amendments or further documents to be submitted. It is important that what is considered at appeal is essentially the same scheme that was considered by the Council and by interested parties at the application stage.
14. I have been referred to other development incorporating loft conversions where the overall layout and usability were considered satisfactory. However, I have not been provided with the addresses or full details of any examples to make a comparison.

Planning Balance and Conclusion

15. The Council has advised Enfield's Housing Delivery Test Action Plan 2023 shows the Council met 73% of its target, delivering 995 homes in 2021/22. Due to this shortfall, the Council is placed in the 'presumption' category and must create a Housing Delivery Action Plan and add a 20% buffer to its 5-year housing land supply. As a result, the presumption in favour of sustainable development as set out within paragraph 11 of the Framework applies.
16. An additional unit would be created which would contribute to the Council's housing land supply. The site is located in a residential area and in a suitable location and would make efficient use of land. There would be economic benefits arising from the construction and occupation of the development.
17. I have no evidence that the proposal would not meet or exceed the requisite GIA contained within the London Plan Policy D6 space standards. I also acknowledge that a three-bedroom family unit is proposed. However, these benefits are tempered by the quality of the accommodation provided in that overall the proposal would not achieve a suitable floor to ceiling height across the development.
18. The acceptability of the design, amenity space, effect on neighbours, highway and transport matters, refuse storage, noise, fire safety energy efficiency and water conservation are neutral matters. All developments should achieve satisfactory outcomes in these respects. Therefore these weigh neither for nor against the proposal.
19. However, the proposal would not provide adequate living conditions, which warrants significant weight against the proposal. Furthermore, the scale of the development would only result in one additional unit over and above what currently exists, and the weight to be attached to the benefits would be small.
20. Accordingly, when assessed against the policies in the Framework taken as a whole, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
21. I therefore conclude that the proposed development conflicts with the development plan when considered as a whole, and there are no material considerations,

including the Framework's presumption of sustainable development, that would outweigh the conflict. I conclude the appeal should be dismissed.

K Williams

INSPECTOR