
Appeal Decision

Site visit made on 27 August 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th September 2025

Appeal Ref: APP/Q5300/W/25/3366035

10 Linden Close, Southgate, Enfield N14 4DP

- 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 Pawel Dabrowa against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/00222/FUL.
 - The development proposed is conversion of dwelling house to 2 x self contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I observed at the site visit that internal works shown on the submitted plans were being undertaken at first floor level and to the loft level of the appeal property. Notwithstanding this, I have dealt with the appeal on the basis that planning permission is sought for the development as set out in the application and the submitted plans.
3. The Council's first reason for refusal refers to the inadequate functional floor area of the proposed development due to the low floor-to ceiling heights. The officer report states that the proposed flat at first floor level would offer satisfactory living conditions for future occupants. However, it highlights concerns with the ceiling height of the proposed flat at loft level. While I have had regard to the proposed development as a whole, I have focussed my findings on the first reason for refusal on the proposed accommodation within the loft floor level.

Main Issues

4. The main issues are:
 - whether the proposed development would provide adequate living conditions for its future occupiers, with particular regard to the internal floor to ceiling height of the loft floor flat; and
 - the effect of the proposed development on the provision of family housing.

Reasons

Living conditions

5. The appeal site comprises a two-storey, terraced property located in a cul-de-sac of similar properties within a predominantly residential area. The existing plans

show that the ground floor comprises a flat, which has direct access to the rear garden, with the first floor and loft floor levels comprising a separate four bedroom property. The two flats are accessed from separate doors that open onto a small front garden area. A roof extension has previously been undertaken to the rear of the property. The development proposes the creation of a separate two bedroom flat at first floor level and a one bedroom flat at loft floor level.

6. Policy D6 of The London Plan (2021) (the LP) relates to housing quality and requires all self-contained residential accommodation to meet the stated minimum standards. For private internal space, the minimum floor to ceiling height must be 2.5m for at least 75% of the Gross Internal Area of each dwelling. The justification for the 2.5m requirement in Policy D6 states that this is to address the impacts of the urban heat island effect and the fact that the majority of housing developments in London are flats. This minimum ceiling height is required so that new housing is of adequate quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space.
7. The first floor flat would achieve satisfactory living conditions for future occupants, with an average ceiling height of 2.5m. However, it is common ground between the parties that the loft level flat would not meet the 2.5m minimum requirement, with this only achieving a maximum of 2.2m. The front part of the property also features a sloping roof that reduces the height in this area of the proposed flat.
8. Although internal work was taking place, I observed the existing window openings that would serve the loft level flat. These include windows to the rear elevation in the roof extension that would serve the kitchen/living area and bedroom, as well as the rooflights to the front. Whilst these would enable a dual aspect for the proposed flat and contribute to daylight and ventilation within it, given the overall proposed layout alongside the effect of the sloping roof on the limited headroom, useable areas and sense of space, they would not adequately mitigate the failure to meet the minimum floor to ceiling height requirements of the LP.
9. I note the appellant's reference to the previous grant of planning permission and approval under the Building Regulations for the loft conversion. Although I do not have full details of those applications, the scheme before me proposes the creation of new self-contained residential accommodation within the loft space, which would be the only rooms available for its occupants. The development plan is clear that such proposals are required to meet the minimum standards, and in terms of ceiling heights, no part of the proposed development would meet these. Consequently, the proposal would result in a substandard form of accommodation that would not provide housing of adequate quality with a comfortable and functional layout that would be fit for purpose. The previous grant of permission for a different development does not, therefore, justify the harm that I have found.
10. I conclude that the proposed development would not provide adequate living conditions for its future occupiers, with particular regard to the internal floor to ceiling height of the loft floor flat. It therefore conflicts with Policy D6 of the LP, the aims of which are set out above. It also conflicts with Policy D3 of the LP, Core Policy 4 of The Enfield Plan Core Strategy 2010-2025 (the CS) and Policies DMD 5 and DMD 8 of the Improving Enfield Development Management Document (2014) (the DMD). These policies seek to deliver appropriate amenity, achieve indoor environments that are comfortable and inviting for people to use, meet relevant guidance and standards for internal space, provide a high quality of

accommodation, and meet or exceed minimum space standards in the LP. It also conflicts with the National Planning Policy Framework (the Framework) and the aim to ensure that development promotes health and well-being, with a high standard of amenity for future users.

11. The reason for refusal also refers to Core Policy 30 of the CS, although I do not find this to be determinative to this main issue as it relates to maintaining and improving the quality of the built and open environment, referring to developments and interventions in the public realm.

Provision of family housing

12. There is common ground between the parties that the proposal would result in the loss of a family sized dwelling. Whilst I have not been provided with any housing needs assessment, the appellant also does not dispute the Council's evidence that there is a need for all sizes of unit, but that need is greatest for larger family sized dwellings, particularly three to four bed units. However, the appellant suggests that as it does not have direct access to private garden space, the continued use of the appeal property as a large family unit would result in poor living conditions for existing and future occupiers.
13. Whilst it may not have direct access to the rear garden area, I have limited information before me to demonstrate that this prevents, or has prevented, the property from being suitably occupied as a family dwelling. The officer report notes the proximity to other open green space, although I have not been provided with details of that. Notwithstanding this, whilst it may not be desirable for some families, this is an existing situation, and I do not consider that the lack of access to a private garden in this instance results in poor living conditions for occupiers, or indicates that the property is not fit for purpose as a family dwelling.
14. For the reasons set out on the first main issue, the flat within the loft space would not result in adequate living conditions for its future occupiers, and therefore one of the proposed replacement homes would provide substandard accommodation. I therefore give little weight to the argument that the appeal proposal represents an opportunity to replace a family unit with poor living conditions with additional new homes that would make a positive contribution to meeting wider housing needs.
15. For the above reasons, I conclude that the proposal would adversely affect the provision of family housing. It therefore conflicts with Policy GG4 of the LP, Core Policy 5 of the CS and Policies DMD 4 and DMD 5 of the DMD. Amongst other things, these policies aim to ensure that development provides for identified need, prevents the loss of family homes unless justified, provides new units of a higher quality and design standard, and provides compensatory provision for family accommodation. It also conflicts with the Framework and the aim to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

Other Matters

16. The appellant's Design and Access Statement refers to precedents in the area for conversions to flats, although I have no further detail of these. It has also not been explained how they are relevant to the main issues in the appeal, and I have assessed this proposal on its own merits.

17. Where the proposal has been found by the Council to be acceptable in other respects, these are neutral matters and do not weigh in favour of the development.

Planning Balance

18. For the reasons set out above, the proposal is not in accordance with the development plan, with this conflict relating to harm to the living conditions of future occupiers of the loft floor flat and the loss of family housing. On this basis, the development conflicts with the development plan as a whole and should be refused unless other material considerations indicate otherwise.
19. Both parties agree that the Council cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer applied. Paragraph 11 d) of the Framework explains that in these circumstances, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The proposal would make a positive contribution to housing supply with a net gain of one unit, as well as contributing to the overall housing mix. However, having regard to the scale of development, the substandard quality of the new accommodation and the Council's evidence indicating that the greatest need is for family sized dwellings, the contribution of the additional unit and any associated benefits would be limited. As the Council's evidence supports the retention of family housing, to meet local needs, no clear benefit to the supply of housing has been articulated.
21. I have also concluded that the adverse effect on the living conditions of future occupants of the development and the loss of family housing in this case conflicts with policies of the Framework. The adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As such, the appeal proposal would not benefit from the presumption in favour of sustainable development as set out in paragraph 11 d) of the Framework.

Conclusion

22. The proposal would conflict with the development plan as a whole. Material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

N Armstrong

INSPECTOR