



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: 17th October 2025

Appeal Ref: APP/Q5300/W/25/3365145

93 High Street, Enfield EN3 4EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Ms Nishma Shah against the decision of the Council of the London Borough of Enfield.
 - The application Ref 25/00329/FUL was approved on 24 April 2025 and planning permission was granted subject to conditions.
 - The development permitted is change of use from a Class C3 (dwelling house) to a Class C4 (HMO - house in multiple occupation).
 - The condition in dispute is No 5 which states that: *"Prior to occupation, cycle parking should be provided in compliance with the following criteria:*
Provision of 5 long stay cycle parking spaces -
 - o in an accessible location: the access route to the store should be a minimum of 1.2m wide to enable the bike to enter the store, should be step free and involve no more than 2 doors or gate (excluding the store door).*
 - o secured: with a British Standard mortice lock or access fob*
 - o fully enclosed: 4 walls and a roof**Provision of 2 short stay cycle parking spaces -*
 - o Ability to lock a bicycle to a permanent fixture (e.g. Sheffield stand or wall anchor)".*
 - The reason given for the condition is: *"The Council's Climate Action and Transport Policies seek to increase the use of active and sustainable transport modes. This means that access to bicycle parking should be easy and secure to remove potential barriers to cycling".*
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Decision

1. The appeal is allowed and the planning permission Ref 25/00329/FUL for the change of use from a Class C3 (dwelling house) to a Class C4 (HMO - house in multiple occupation) at 93 High Street, Enfield EN3 4EE granted on 24 April 2025 by the Council of the London Borough of Enfield, is varied by deleting condition 5 and substituting for it the following condition:

- 1) Prior to occupation, cycle parking should be provided in compliance with the following criteria:

Provision of 2 long stay cycle parking spaces:

- in an accessible location: the access route to the store should be a minimum of 1.2m wide to enable the bike to enter the store, should be step free and involve no more than 2 doors or gate (excluding the store door)
- secured: with a British Standard mortice lock or access fob
- fully enclosed: 4 walls and a roof

Background and Main Issue

2. The planning permission for the change of use of the property from a Class C3 dwellinghouse to Class C4 house in multiple occupation (HMO) includes a condition requiring the provision of cycle parking prior to occupation. Condition 5 sets out the number of spaces to be provided and relevant criteria to be satisfied.
3. The appellant is seeking to either remove or vary the condition. The Council's statement indicates that the condition is necessary to increase the use of active and sustainable transport modes, which is consistent with the reasons for the condition given in the decision notice.
4. The main issue is whether the condition is necessary or reasonable to increase the use of active and sustainable transport modes.

Reasons

5. The appeal property is located within a terrace of residential properties fronting High Street, which is an area characterised by a mix of residential and commercial use. The property has an area of block paving to its frontage with a dropped kerb to the highway and an area for bin storage. Other properties within this group featured a mix of frontages, some with car parking, both with and without dropped kerbs. These areas did not feature other buildings and were generally open with provision made for external bin storage. The highway to the front of the appeal site features a cycle lane and double yellow lines, restricting on-street parking on High Street.
6. Policy T5 of The London Plan (2021) (the LP) refers to the requirements of the Transport for London, London Cycling Design Standards (2014) (the CDS). Table 10.2 of the LP sets out the minimum cycle parking standards for development, including for Use Classes C3-C4, and this provision should be fit for purpose, secure and well located. For long-stay provision, Policy T5 requires 1 space per studio or 1 person 1 bedroom dwelling, and 2 spaces per all other dwellings. 2 short-stay spaces (e.g. for visitors) are required for developments of 5 to 40 dwellings.
7. Planning application reference 25/00329/FUL granted permission for a change of use to a Class C4 HMO dwellinghouse. Condition 3 limits the occupancy of the permitted HMO, stating its use shall be occupied by a maximum of 5 people at any one time acting as a single household.
8. As a Class C4 HMO use, the property would comprise one dwelling occupied by 5 individuals as opposed to 5 individual dwellings or studios. Given this, LP Policy T5 stipulates that the proposal generates the requirement for 2 long-stay cycle spaces and would fall below the threshold for the provision of short-stay cycle parking.
9. Whilst the appellant suggests that there is no current demand for cycle parking from occupiers, in order to facilitate and encourage cycling, as required by Policy T5 of the LP, it is necessary that such provision is provided in order to encourage their use and modal shifts. Therefore, I am satisfied that a condition to secure its provision is necessary and reasonable in order to meet the needs of the development and its potential future occupiers. It would also help to create a healthy environment in which people choose to cycle, as well as facilitate and

encourage cycling to meet the objectives of the LP. This would be consistent with the aims of national policy¹ to identify and pursue opportunities to promote walking, cycling and public transport.

10. I have limited information before me to indicate that the minimum cycle parking standards are discretionary and should not be applied, even if there is access to public transport options within the area. There is also no compelling evidence that the level of access to public transport in this area should increase the level of provision sought by LP Policy T5. Notwithstanding this, I find for the reasons set out above, condition 5 currently seeks a greater level of provision than required by Policy T5 of the LP. Therefore, I do not find that the condition is reasonable in that respect. However, I consider that a condition requiring the provision of 2 cycle parking spaces would accord with the standards set down in LP Policy T5, and thus would also meet all the tests set down in the Planning Practice Guidance (the PPG), including in relation to enforceability.
11. There is no substantive evidence before me to indicate that reduced provision for 2 cycle parking spaces could not be achieved alongside the existing vehicle parking and bin storage or that the site conditions would preclude the installation of a cycle store. Given this, there is no compelling evidence that the provision of a cycle store would result in vehicles being displaced from the site or restrict disabled access to the property. Similarly, there is no compelling evidence to indicate that the cycle storage could not be accommodated without restricting access for users to the front door of the property, or that alongside other adjacent structures, it would unduly impact on manoeuvring for vehicles, cycles and pedestrians. Additionally, based on the evidence before me and my observations on site, there is no compelling evidence that the provision of cycle storage would result in harm to the character and appearance of the area, would increase the risk of theft or that it would be financially prohibitive.
12. Any condition should satisfy the six tests of paragraph 57 of the National Planning Policy Framework. In light of the above I conclude that condition 5 is not reasonable as it imposes higher cycle parking standards than required by Policy T5 of the LP. However, the effect of removing condition 5 in its entirety without adequate substitute would be to allow a development that would not meet the minimum cycle parking standards and thus conflict with the development plan's aims to increase the use of active and sustainable transport modes. As requested by the appellant in the appeal submission, I have therefore considered whether an amended condition to allow for a reduced level of provision, in this case requiring the provision of 2 cycle parking spaces, would meet the tests set out in the PPG. Both parties have had an opportunity to comment on this amendment, and I have had regard to these in my decision.
13. For the reasons set out above, I conclude that a modified condition to secure 2 long stay cycle parking spaces is necessary and reasonable in the interests of increasing the use of active and sustainable transport modes. Without this condition, the development would conflict with Policy T5 of the LP insofar as it requires proposals to provide appropriate cycle parking for such development. To meet the requirements of LP Policy T5, the condition should also require any long-stay provision to be fit for purpose, secure and well-located for its occupiers, as well as designed and laid out in accordance with the guidance in the CDS.

¹ Paragraph 109 e) of the National Planning Policy Framework

14. The appellant references Policies DMD 8, DMD 37, DMD 45 and DMD 47 of the Improving Enfield Development Management Document (DMD) (2014) in support of the removal of the condition. Amongst other things, these seek to provide adequate access, parking and refuse storage, high quality and design-led development, car and cycle parking in accordance with standards set out in the LP, and provision for cyclists and pedestrians. There is no indication that the amended condition would conflict with the aims of these policies, noting that they seek to integrate land uses with sustainable modes of transport and ensure that new developments are designed to ensure cycling is a realistic alternative travel choice to that of the private car.

Conclusion

15. For the reasons given above, I allow the appeal, deleting condition 5, substituting this with a new condition that reduces the level of cycle parking provision to comply with Policy T5 of the LP, the aims of which are set out above.

N Armstrong

INSPECTOR