



Appeal Decision

Site visit made on 14 October 2025

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2025

Appeal Ref: APP/Q5300/W/25/3371253

75 Eastbournia Avenue, Edmonton, Enfield N9 0RU

- 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 Noah Harris against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/02018/FUL.
 - The development proposed is single storey infill extension, L-shaped dormer extension with front rooflights and the change of use from a single dwelling (Class C3) to a 6-bed, 6-person HMO (Class C4) with the provision of refuse and cycle storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. To assist with my assessment, I invited further comments from the main parties in respect of cycle storage provision and the Epping Forest Special Area of Conservation (SAC). I have taken the responses received into account in reaching my decision. Given its relevance to the overall quality and sustainability of the development, I have treated cycle storage as a main issue, notwithstanding that it was not cited in the Council's reasons for refusal.
3. The proposed rear infill and dormer extensions did not feature in the Council's refusal, and based on the evidence before me, those elements already benefit from a Certificate of Lawfulness. Accordingly, I do not address those matters further in this decision.

Applications for costs

4. An application for costs was made by the appellant against the Council. That application is the subject of a separate decision.

Main Issues

5. The main issues are:
 - Whether the development would make suitable provision for refuse storage, including the effect on the character and appearance of the area and pedestrian safety;
 - Whether the development would make suitable provision for cycle storage;

- Whether the development would provide an acceptable standard of accommodation for the occupiers, having particular regard to the head height in bedroom 6.

Reasons

Refuse storage

6. The submitted plans indicate provision of a new bin store accommodating four 240-litre bins within the front yard. However, at my site visit, I observed that the front yard is notably constrained, with much of the space occupied by the bay window. The front boundary line is not shown on the ground floor plan, and it is therefore unclear whether the proposed bin store could be accommodated as shown.
7. Moreover, the Council's Commercial Waste Services have advised that standard wheelie bins would be insufficient for a House in Multiple Occupation (HMO) of this scale, and that a communal waste container would be required. It is not evident whether the proposed store could accommodate such a facility, or whether it could be suitably located within the site.
8. I have further concerns over the visual impact and function of the proposed bin store. While front bin storage is a common feature in the street, it typically occurs discreetly behind low front boundary walls. The proposed store, with outward opening doors, appears likely to be positioned directly adjacent to the footway, potentially requiring removal of part of the front wall. This would result in a prominent and uncharacteristic feature in the street scene. Furthermore, the store could obstruct the footway when in use, with consequent implications for pedestrian safety.
9. Given the limited scope for revising the layout and the unresolved nature of these concerns, it would not be appropriate to leave this matter to be addressed by a condition, notwithstanding the appellant's reference to other cases where such an approach has been accepted by the Council.
10. Accordingly, the proposal fails to demonstrate that adequate refuse storage could be provided without harm to the character of the street scene, or to pedestrian safety. It therefore conflicts with Policies D3 and D6 of the London Plan (LP) (2021), Core Policy CP30 of the Enfield Core Strategy (CS) (2010), and Policies DMD5, DMD8, DMD37 and DMD47 of the Enfield Development Management Document (DMD) (2014), which collectively seek to ensure high quality design, appropriate waste storage and servicing arrangements, and the protection of the public realm.

Cycle storage

11. The submitted plans indicate provision for six cycle parking spaces within the rear garden. However, the site lacks any side or rear access, meaning that bicycles would need to be brought through the building via a narrow hallway, multiple internal doorways, and the communal kitchen.
12. This arrangement would be inconvenient and impractical for regular use, particularly in a shared living environment where unrelated occupants may have differing schedules and mobility needs. The internal route is likely to discourage frequent use of the cycle store, disrupt communal living, and pose accessibility

challenges for individuals with reduced mobility or those using larger or adapted bicycles.

13. The site's proximity to public transport and local services does not diminish the requirement to provide suitable on-site cycle storage. Planning policy prioritises active travel and expects developments to facilitate cycling through the provision of safe and convenient cycle parking. The absence of a practical and accessible cycle storage solution would limit travel options for occupants and undermines the sustainability credentials of the proposal.
14. Although the Council has indicated that a financial contribution of £4,500 towards off-site cycle parking would be acceptable in this instance, and has suggested a condition to secure this, it is unclear where such provision would be located. Moreover, planning conditions should not be used to secure financial contributions, as this falls outside the lawful scope of conditions and fails to meet the tests of necessity, precision and enforceability set out in paragraph 57 of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance. While the appellant expressed a willingness to enter into a legal agreement to secure offsite provision, no unilateral undertaking or other legal mechanism is before me, and therefore the matter remains unresolved.
15. In the absence of a suitable on-site solution or secured off-site provision, the proposal fails to demonstrate compliance with the sustainable transport and inclusive design objectives of LP Policies T5 and D3, and Policies DMD37 and DMD45 of the DMD.

Internal living conditions

16. The Council's concern relates to the adequacy of head height within Bedroom 6, which falls to approximately 1.5 metres above the bed and en-suite bathroom.
17. I acknowledge that placing the bed in an area of reduced head height may limit circulation and usability. However, the submitted plans indicate that the area falling below 1.5 metres is confined to a narrow section at the front eaves. Policy D6 of the LP requires a minimum ceiling height of 2.3 metres over at least 75% of the Gross Internal Area. The evidence before me indicates that Bedroom 6 achieves this standard, with approximately 9m² of the 12.21m² room area meeting the required height. This approach is consistent with the Council's HMO guidance (2021), which confirms that attic rooms should have a minimum height of 2.3 metres over at least half of the habitable floor area for rooms with sloping ceilings.
18. I am also mindful that the internal layout of the room is not fixed, and that the positioning of furniture could be adjusted to ensure that circulation and usability are not unduly compromised.
19. Accordingly, I am satisfied that Bedroom 6 would provide an acceptable standard of accommodation for the occupiers and would therefore comply with LP Policy D6. It also complies with Core Policy 4 of the CS, insofar as it relates to internal housing quality.

Other Matters

20. The site lies within the zone of influence of the Epping Forest SAC, which is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). Residential development within this

zone, including HMOs, is likely to increase recreational pressure on the SAC, potentially affecting its ecological integrity. Although the appellant has expressed willingness to make a financial contribution towards Strategic Access Management and Monitoring measures via the Council's online payment system, no evidence has been provided to demonstrate that such mitigation has been secured. It is not a matter which can be left to a later stage. However, as I am dismissing the appeal for other substantive reasons, it is not necessary for me to undertake an Appropriate Assessment or consider this matter further.

Planning Balance

21. The latest Housing Delivery Test results indicate that Enfield has delivered only 73% of its housing requirement. Consequently, paragraph 11(d)(ii) of the Framework is engaged. In such circumstances, the Framework indicates that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
22. The development would contribute to housing choice and make efficient use of existing housing stock. The site is reasonably accessible by public transport and is within reach of local services. These are benefits that align with the Framework's objectives of boosting the supply of housing and promoting sustainable patterns of development. However, I attach limited weight to these benefits, given the modest scale of the development and the absence of substantive evidence that it would address a specific identified housing need.
23. On the other hand, the inadequate provision for refuse and cycle storage would conflict with development plan policies that seek to secure high quality design, appropriate servicing arrangements and sustainable transport choices. It would also run counter to the Framework's objectives of achieving well-designed, inclusive and sustainable places. This harm would be significant, given its direct effect on the functionality and sustainability of the development, and I attach substantial weight to it.
24. Accordingly, the adverse impacts of granting permission would significantly and demonstrably outweigh the limited benefits of the proposal. As such, the presumption in favour of sustainable development does not apply.

Conclusion

25. For the reasons given above, the proposal conflicts with the development plan when read as a whole, and there are no material considerations, including the Framework, that outweigh this conflict.
26. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR