
Appeal Decision

Site visit made on 18 November 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2026

Appeal Ref: APP/Q5300/W/25/3371697

109 Leighton Road, Enfield EN1 1XW

- 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 Ali Riza Dogan against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/01473/FUL.
 - The development proposed is the conversion into 2 flats including ground floor and first floor part rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans were provided with the appeal submission which show a number of changes, including a number of ground floor bedroom windows being identified as non-opening below 1.7m and obscure glazed. The location of the entrance to Unit 2, with corresponding internal changes, and to the arrangement of the rear amenity spaces are also proposed. Further changes relate to the parking arrangements, and the submission of a Flood Risk Assessment.
3. Whilst the amendments and further information provided have sought to address the reasons for refusal, it is not the purpose of the appeal process to evolve a scheme. The amendments would together constitute a substantial change to the scheme determined by the Council. Having regard to the Wheatcroft principles, I am mindful that those who should have been consulted on the changed development have not had the opportunity to make representations. I therefore cannot be certain that accepting the amended scheme and further information, would not be prejudicial to interested parties. Given the procedural unfairness that could arise, I will proceed to determine the appeal based on the plans and information determined by the Council.

Main Issues

4. The main issues are:
 - whether the proposed development would provide satisfactory accommodation for its future occupants, with regards to private amenity space provision, privacy and internal space standards,
 - the effect of the proposed development on highway safety, having regard to parking provision, and
 - the effect of the proposed development on flood risk.

Reasons

Living conditions – future occupiers

5. Both proposed flats would be provided with rear external amenity areas. Unit 2 on the upper floor would be required to access its proposed external amenity area along a long pathway that extends down the side of the building. This would not provide a readily accessible external amenity space, and the arduous route would likely result in this external space not being readily utilised by future occupants.
6. The layout of the ground floor flat would result in the window serving bedroom 2 directly facing the access to the private amenity space serving the upper floor flat. This would result in overlooking directly inside this ground floor neighbouring unit to the detriment of its future occupiers. The ground floor flat unit would also fail to provide a double bedroom, contrary to Policy D6 of The London Plan.
7. I therefore conclude that the proposed development would fail to provide satisfactory accommodation for its future occupants, with regard to private amenity space provision, privacy and internal space standards. As such, it would be contrary to Policies DMD 6, DMD 8, DMD 9 and DMD 37 of the Enfield Development Management Document (Enfield DMD), and Policies D3, D4 and D6 of The London Plan, which seek, amongst other matters, good quality private amenity spaces and for development to provide adequately sized rooms. It would also conflict with Paragraph 135 of the National Planning Policy Framework (Framework), which seeks a high standard of amenity for existing and future users.
8. Reference has been made in the refusal notice to Core Policy 30 of the Enfield Plan Core Strategy 2010-2025 (Core Strategy), but this is not directly relevant to living condition matters.

Highway safety

9. The proposed development would provide a single parking space within the appeal site, in a parallel arrangement to the pavement. It is not clear how this space would be accessed, particularly if there was a car parked on the marked on-street bays as shown on the proposed plan. Whilst parking in front driveways can be seen along Leighton Road, I was not able to see any properties with parallel parking arrangements.
10. The road was heavily parked at the time of my visit, and I note that the appeal site is in an area of low level of public transport accessibility. Given the layout of the proposed parking space within the site, and the difficult vehicle manoeuvring that would be required to access it, I consider the proposal would fail to provide adequate car parking provision, despite the satisfactory provision of cycle parking.
11. I therefore conclude that the proposal would have a significant adverse effect on highway safety with regards to car parking provision. As such, it would be contrary to Policies DMD 45, DMD 46, DMD 47 and DMD 48 of the Enfield DMD, Core Policy 24 and Core Policy 25 of the Core Strategy and Policies T6 and T7 of The London Plan, which seek, amongst other matters, that there is no adverse impact on highway safety. It would also be contrary to Section 9 of the Framework which seeks safe and suitable access to the site for all users.

Flood risk

12. The appeal site is situated within an area that is subject to surface water flooding in a 1 in 100-year event. A site-specific Flood Risk Assessment was not submitted with the planning application that is subject of this appeal. As such, it has not been demonstrated that the development would be safe, without increasing flood risk elsewhere.
13. I therefore conclude that the proposed development would be unacceptable in relation to flood risk, and it would therefore be contrary to Policies DMD 59, DMD 60, DM 61 and DMD 62 of the Enfield DMD, Core Policy 21 and Core Policy 28 of the Core Strategy and Policies SI 12 and SI 13 of The London Plan, which seek, amongst other matters, for proposals to have addressed all sources of flood risk and not result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties. It would also be contrary to Section 14 of the Framework and the New Enfield Local Plan 2041: Level 1 Strategic Flood Risk Assessment.

Other Matters

14. The Council has raised concerns in relation to the excessive number and clustering of conversions. Whilst a number of existing conversions have been referenced¹, these are on the opposite side of the road or are not in the immediate vicinity of the appeal site. Although more immediately, there is an existing planning approval for a flat conversion that exists at 117 Leighton Road, it is not clear from the information before me whether this has been implemented. For these reasons, and as this matter does not form a reason for refusal on the decision notice, I do not find the scheme to be harmful in this regard.

Conclusion

15. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR

¹ at No's 62, 104 and 125 Leighton Road