



Appeal Decision

Site visit made on 22 January 2026

by **M Cryan BA(Hons) DipTP MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2026

Appeal Ref: APP/Q5300/W/25/3376077

69 Barrowell Green, London N21 3AU

- 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 Louis Constanti against the decision of the Council of the London Borough of Enfield.
- The application reference is 25/01905/FUL.
- The development for which planning permission is sought is the conversion of a dwellinghouse to 4x self-contained flats, including basement expansion, ground, first and loft level rear extensions, extension of roof to form gable and front roof light.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development was described on the planning application form as “conversion of property into 4 self-contained flats without the benefit of planning permission (retrospective)”. A different wording was used on the appeal form, which I have used in the banner heading above as it provides a better description of the full extent of the development, although I have omitted the word “retrospective” as it is not in itself descriptive of development. Nevertheless, as the development has been carried out, I was able to view it during my site visit.
3. My site visit was proposed on an “access required” basis – that is, my intention was to view the interior of the property as well as the exterior – though at the appointed time neither the appellant, nor anyone else on their behalf, was there to allow me into the building. However, I am satisfied that the written submissions and drawings which are before me, as well as what I saw of the outside of the property, are more than adequate for me to make an informed decision in this appeal.

Main Issues

4. The main issues are:
 - The effect of the development on the character and appearance of the area;
 - Whether the development provides acceptable living conditions for occupiers, with particular regard to the amount of living and amenity space, daylight and outlook, and adequate natural ventilation;
 - The effect of the development on living conditions for occupiers of the neighbouring property No 71 Barrowell Green, with particular regard to loss of outlook and whether it is unacceptably overbearing; and

- Whether it has been adequately demonstrated that the development is acceptable in terms of flood risk.

Reasons

Character and appearance

5. The appeal relates to the end property of a terrace of two-storey houses from 69 to 81 Barrowell Green, on the north side of that street. The surrounding area is predominantly residential, with a considerable variety of ages and styles of housing; many properties have evidently been extended over the years, though there remains a general consistency of scale throughout the area. Barrowell Green public open space, a small park, sits to the north of the property and is accessed by wide entrance way between Nos 67 and 69.
6. The terrace of which the appeal property is part, and that to its immediate west¹, is built with a stepped front elevation, so that properties are angled to the street. Unifying features at the front of the terraces include bay windows and porches to the ground floor, and brick party walls which rise above the roofline. Rear elevations generally have shallow outrigger returns with pitched roofs, and these are clearly visible from the Barrowell Green public open space. The two terraces have a considerable degree of uniformity and coherence, albeit that this has inevitably been slightly diminished by alterations.
7. The submitted drawings show that the appeal property previously had a hipped roof, and a small flat-roofed extension at the rear of the first floor which had infilled the space alongside the rear outrigger. The appeal development has seen an additional flat-roofed extension added to the rear of the ground floor, a hip-to-gable conversion at the front of the building, and a substantial flat-roofed loft extension across the full width of the building. The basement has been enlarged beyond the original width of the property, so that a flat-topped “plinth” with inset rooflights now surrounds much of the ground floor.
8. The height and bulk of the roof and rear extensions is such that the original form and scale of the property has been largely eradicated. It now has a cumbersome appearance entirely at odds with the character of the wider terrace and the surrounding area. There is little positive to say about more detailed design elements of the development either. Fenestration on the side and rear elevations does not follow any orderly pattern or rhythm and, while it appears from the submitted drawings that the situation previously was already somewhat haphazard in this respect, the appeal scheme has not improved things. Surface treatments are also inconsistent and unsympathetic. The original first floor is finished in white-painted render, and brickwork on the front part of the ground floor is painted a dark red or terracotta colour. The remainder of the side elevation is bare brickwork, though of brick which (to my eyes) does not appear to be an especially close colour or texture match to that used the rest of the terrace.
9. Because of the location of the access path to the park, there is an open area alongside the appeal property. Combined with the stepped arrangement of individual properties within the terrace, this means that the side elevation of No 69 is clearly visible, and indeed prominent, in the streetscene. It is also a prominent feature when viewed from the public open space at the rear. Taken as a whole, the

¹ Nos 47—67 Barrowell Green

appeal development has given the appeal property a cumbersome, unsympathetic, disjointed and intrusive appearance.

10. I conclude that the development has caused significant harm to the character and appearance of the area. It therefore conflicts with Policies DMD6, DMD8, DMD37 and DMD38 of the 2014 Enfield Development Management Document ("the DMD"), and Policies D3, D4 of the London Plan 2021, which among other things, these policies seek to ensure that development is of a high quality, of a scale, form, bulk and massing appropriate to its setting. The prominence of the appeal property, and the detrimental effect of the development on the character of entrance to the Barrowell Green open space, means that there is also a degree of conflict with Policy D8 of the London Plan 2021, which seeks to ensure that there is a positive and supportive relationship between the public realm and surrounding buildings.

Living conditions – occupiers

11. The property has been converted into four self-contained dwellings – there are two one-person flats (Flat 1, a studio, and Flat 2, a one-bedroom flat) in the basement, a one-person one-bedroom flat (Flat 3) on the ground floor, and a four-bedroom five-person flat (Flat 4) across the first and second floors².
12. Policy D6 of the London Plan 2021 applies space standards which reflect the Nationally Described Space Standard ("the NDSS")³; it requires a minimum gross internal area of 37m² for a 1-bedroom one-person dwelling, and 97m² for a four-bedroom five-person dwelling on two storeys. At 26.1m² and 85m² respectively, Flats 2 and 4 fall well below these minimum requirements. It is also apparent from the submitted drawings that Flats 1 and 2 fail to meet the requirement of Policy D6 that there should be a minimum floor-to-ceiling height of 2.5m across at least 75 percent of each dwelling. The two loft-floor rooms in Flat 4 have ceiling heights lower than 2.5m, so it would appear that that flat as a whole also falls short of meeting that requirement. All flats also appear to lack the built-in storage space required by Policy D6.
13. In terms of external amenity space, Policy D6 of the London Plan 2021 requires a minimum of 5m² of private outdoor space, with an additional 1m² for each additional occupier⁴. Here, the existing garden has been divided between the new flats – Flats 1 and 2 get to share an area of around 8.3m² at the side of the property, so there is a slight quantitative shortfall for the occupiers of those flats. The garden at the rear of around 35.9m² is for occupiers of Flat 3, while Flat 4 gets the remaining L-shaped section of garden (no measurement was provided for this part) wrapping around the front of the building. This front area offers no privacy whatsoever, being separated from the street by a low picket fence; access to Flat 3 via the main front door is also through this space. The side area serving Flats 1 and 2 also has limited privacy, being largely visible from the street.
14. No daylight study has been submitted. The two basement flats are largely dependent for daylight on rooflights and very shallow windows set in the side wall

² Flat 4 was described in both the Planning Statement submitted with the application and the appellant's appeal statement as a three-bedroom four person dwelling; my description and assessment here reflects the submitted drawings, and the Council's assessment of the scheme which was not challenged by the appellant.

³ *Technical housing standards – nationally described space standard*, 2015 Department for Communities and Local Government

⁴ I am referring to this standard here rather than the lower standard in Policy DMD9 of the DMD, in accordance with the provision of Section 38(5) of the Planning and Compulsory Purchase Act 2004, which requires that conflict between development plan policies must be resolved in favour of the document which has more recently become part of the development plan.

of the “plinth” described in paragraph 7 above. The combined living room and bedroom in Flat 1 has no external windows or rooflights of its own, relying instead on “borrowed” light reaching it from the entrance area of the flat’s kitchen, which is itself a narrow and constrained L-shaped space. There is not the remotest possibility that this arrangement can provide adequate daylight and outlook for the occupiers of Flat 1.

15. In Flat 2 the bedroom and living room do at least have windows on the side elevation. However, these are largely below ground level, and significantly obscured by the stairs giving access to the basement flats. While the position is therefore not quite as dismal as for Flat 1, neither daylight nor outlook are likely to be acceptable. The very small size of the windows also means that both basement flats are likely to lack adequate natural ventilation.
16. I therefore conclude that the development does not provide acceptable living conditions for occupiers. It conflicts with Policies DMD6, DMD8 and DMD9 of the DMD and Policy D6 of the London Plan 2021 ⁵. Together and among other things, as well as applying the space standards described above, these policies seek to ensure that residential development offers a high standard of accommodation, with adequate daylight, outlook and privacy.

Living conditions – neighbours

17. Policy DMD11 of the DMD addresses residential extensions; among other things it says that single-storey extensions must “not exceed a line taken at a 45-degrees from the mid-point of the nearest original ground floor window to any of the adjacent properties”, in order to protect amenity including outlook, daylight and sunlight. In respect of first-floor extensions, and for the same reasons, Policy DMD 11 goes on to say that they “must not exceed a line taken a 30-degrees from the mid-point of the nearest original first floor window to any of the adjacent properties.
18. The Council is satisfied that the rear ground floor extension complies with the relevant part of the policy requirement and, based on everything I have seen I consider there is no reason to take a different view. It was, however, concerned that the extensions at first floor and loft levels are overbearing and dominant, and have led to an unacceptable sense of enclosure at the rear of No 71.
19. The submitted drawings do not include elevations or plans which might definitively demonstrate compliance with the development plan requirements on this matter, nor was the Council’s specific concern addressed in a meaningful way in the appellant’s statement. Nevertheless, it is clear from the submitted drawings that the extension at first-floor level does not project any further back than the original rear outrigger did previously. The stepped building line at the rear of the terrace means that the extension would be visible from the nearest window at No 71 but, even taking into account the additional height which the loft extension has added, I am satisfied that this has not materially affected outlook from that room.
20. The ground floor extensions at the rear of the appeal property and No 71 provide a degree of physical separation between the three-storey part of the development and the rear garden of No 71. Because of this, and notwithstanding my previous

⁵ For some reason this policy number was not given on the decision notice issued by the Council, though it was clearly referred to in the accompanying officer report.

conclusions in respect of the effect of the development on the character and appearance of the area, I am also satisfied that the development is not significantly overbearing or enclosing when seen from the rear garden of No 71, at least in terms of its effects on living conditions.

21. I therefore conclude that the development has not caused unacceptable harm to living conditions for occupiers of the neighbouring property No 71 Barrowell Green. As such, in this matter I find no conflict with Policy DMD11 of the DMD, the principal relevant requirements of which I have summarised above, nor with Policy 30 of the 2010 Enfield Core Strategy or Policies DMD8 and DMD37 of the DMD. Together, and among other things, these policies seek to ensure that development is designed in a way which protects amenity.

Flood risk

22. The appeal site is an area at a high risk of flooding from surface water, and the development includes habitable rooms at basement level as I have already described. The planning application included a drainage and flood risk assessment⁶ and, while the Council was satisfied with the SUDS strategy proposed, its flood officer identified areas of concern, including a lack of adequate evidence relating to the potential risk of groundwater flooding. They also made specific recommendations, including in respect of finished floor levels relative to predicted 1 in 100 year (plus climate change) flood depths.
23. None of the additional information sought was provided during the appeal. As such, I cannot be satisfied that the development is acceptable in terms of flood risk. It therefore conflicts with Policies DMD59, DMD61 and DMD62 of the DMD, and Policies SI12 and SI13 of the London Plan 2021. Together, and among other things, these policies seek to avoid and reduce flood risk, and set requirements for site-specific flood risk assessments where developments are at risk of flooding from various sources.

Planning Balance and Conclusion

24. Paragraph 11 d) and Footnote 8 of the National Planning Policy Framework (“the Framework”) state that, where the policies which are most important for determining the application are out-of-date (including where the Local Planning Authority cannot demonstrate a five year supply of housing land) 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. The Council acknowledges that its housing land supply position is such that this “presumption in favour of sustainable development” applies here.
25. The Framework seeks to significantly boost the supply of housing. The appeal scheme has provided four self-contained flats, in a location which has a reasonable range of services nearby. This has, though, removed a dwellinghouse which could provide accommodation for a family from the local supply so, while there has been a boost in the number of housing units on the site, the increase in the overall number it might be expected to accommodate is very small. I consider that the overall social and economic benefits of the development are likely to be limited.

⁶ *Sustainable Drainage Systems (SUDs) Report & Flood Risk Assessment*, Rev B 20 June 2025

26. I have found that the development has not caused unacceptable harm to neighbours' living conditions, so it is acceptable in this respect. However, it has caused significant harm to the character and appearance of the area, and does not provide acceptable living conditions for all occupiers. It conflicts in these respects with the provisions of section 12 of the Framework which aim to achieve well-designed places, in particular Paragraph 135 which seeks to ensure that development functions well and adds to the overall quality of the area, is visually attractive as a result of good architecture, sympathetic to local character, establishes or maintains a strong sense of place, and provides a high standard of amenity for all users. Harm caused today in these respects would endure for many years into the future, and probably for the lifetime of the development. The failure to properly assess flood risk from all sources also means that the development conflicts with the provisions of section 14 of the Framework.
27. Overall, I consider that the harm from the development significantly and demonstrably outweighs the benefits when assessed against the Framework taken as a whole. The appeal scheme is not therefore sustainable development in the terms set out in the Framework.
28. Section 38(6) of the Planning & Compulsory Purchase Act 1990 and the Framework state that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
29. The development conflicts with the development plan taken as a whole. There are no material considerations, including those of the Framework, that indicate the appeal should be determined other than in accordance with the development plan.
30. I therefore conclude that the appeal should be dismissed.

M Cryan

Inspector