



Appeal Decision

Site visit made on 19 February 2026

by **S F Murphy BSc (Hons) MSc MRTPI MISEP CEnv.**

an Inspector appointed by the Secretary of State

Decision date: 18th March 2026

Appeal Ref: APP/Q5300/W/25/3376442

9 Frederick Crescent, ENFIELD, EN3 7HH

- 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 Petref Kotorri against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/02161/FUL.
 - The development proposed is change of use of rear outbuilding from summer house/ gym to a beauty parlour (Class E).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's description of development as it is a more precise specification of the proposal. I have omitted the reference to the retrospective nature of the proposal as this is not an act of development. I observed at my visit that the garden room/ gym had been altered to a beauty parlour with the treatment rooms and associated equipment in place alongside cycle parking facilities. However, 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.

Main Issues

3. The main issues in this appeal are:
 - whether the site is suitable for a beauty parlour use, having regard to its location outside of a retail centre,
 - the effect of the proposed development on the character and appearance of the surrounding area, and
 - the effect of the proposed development on the living conditions of neighbours in respect of noise and disturbance, and privacy.

Reasons

Location

4. The appeal site is located on a residential street outside of a town or local shopping centre. Whilst the proposed development is of a small-scale, it would nevertheless be a commercial business providing a specialist service to customers. As such, Policy DMD25 of the Enfield Development Management

Document (EDMD) adopted November 2014, Core Policies (CP) 13 and 17 of the Enfield Core Strategy (the Core Strategy) adopted November 2010 and Policy E2 of the London Plan adopted 2021, are relevant.

5. For new uses providing facilities and services for the community, such as the proposed development, Policy DMD25 1b) supports these where they are within the boundaries of large local centres, small local centres and local parades. For proposals outside of such boundaries, they are to be determined in accordance with Policy DMD25 1a) iii). This part of the policy states that for new development outside of town centres, it should be demonstrated that a sequential test has been applied which shows no suitable sites are available within or on the edge of the town centre. Furthermore, the policy requires demonstration that the development proposal is not likely to have a negative impact to the viability and vitality of town centres.
6. Whilst Policies CP13 and CP17 of the CS seek diversification of uses within town centres, they also seek to focus new commercial development within town centres using the town centre hierarchy and sequential test to direct development to appropriate sites. Furthermore, Policy E2 of the London Plan seeks the provision and protection of business space, including meeting the needs for micro, small and medium sized enterprises and start-ups. I note that whilst Policy E2 encourages small businesses, it does not detail where such development should occur.
7. The National Planning Policy Framework (the Framework) also supports the role town centres provide with paragraph 91 requiring the application of a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date development plan.
8. The appellant contends that the proposed development could not have a material impact upon the viability and vitality of the nearby Enfield Highway Local Centre (EHLC) or be considered as a competing retail or commercial destination due to its small scale being limited by the building size and it being appointment only, with no walk-in trade. The appellant submits that the proposed development is of such a scale, it would fall below the threshold at which town centre policies should be reasonably engaged and there is no evidence to suggest the proposed development would deter patronage from the EHLC to such a degree there would be a material impact. Furthermore, the appellant asserts that the proposed development could provide a supporting relationship to the EHLC due to its proximity.
9. Although I note the appellant's arguments, there is no evidence before me regarding the availability of suitable sites in town or local centres where the proposed development could be located or that local need could not be met by investment in a nearby centre. I recognise that the proposed development is modest in both its physical footprint and number of clients it would serve. However, it would compete with and divert trade away from facilities within town or local centres and reduce footfall in a limited way. Whilst the proposed development could have linked trips with the EHLC, this would be dependent on individual clients' needs for which there is no assurance that this would take place. Therefore, the proposed development conflicts with some of the requirements of the development plan policies and it has not been adequately demonstrated that the proposal would not have an adverse impact on the vitality and viability of

nearby centres. Specifically, Policy DMD25 1b) means that a sequential test is nevertheless triggered for the proposal, irrespective of its scale.

10. As such, I find that the proposal would harm the vitality and viability of nearby centres. This conflicts with Policy DMD25 of the EDMD, Policies 13 and 17 of the Core Strategy which together, amongst other matters, seek to direct development to designated centres alongside diversifying the range of town centre uses and strengthening the role of town centres. The proposal also conflicts with paragraph 91 of the Framework insofar as it refers to sequential testing and demonstrating other suitable sites are not available.
11. I note the appeal site's location to existing public transport services alongside walking and cycling routes thereby providing accessibility. I find the proposed development complies with Policy T1 of the EDMD in that regard.

Character and appearance

12. The appeal building is a single storey garden outbuilding with a covered patio area being located near the rear boundary of the garden of number (No) 9 Frederick Crescent. Frederick Crescent is residential in nature of mainly two storey terraced houses with front and rear gardens, with each row of terraces separated by a modest sized side access passage. No 9 Frederick Crescent sits at the end of a terrace.
13. Minor external modifications are proposed to the appeal building to facilitate the conversion to a beauty parlour including the closing off of a doorway that opens towards the rear garden and the introduction of cycle parking on the patio area. No external lighting, aside from a PIR controlled downlight at the doorway, is proposed. These external modifications would not materially change the character of the outbuilding, nor would they increase the outbuildings size. It would retain its current low-key appearance in the rear garden similar to outbuildings I observed in other gardens on my site visit and would not change the pattern or form of development of the immediate and wider area.
14. Regarding parking, the existing drive could accommodate vehicles associated with the proposed development and some clients may choose to walk or cycle to the premises. I note there are public transport options in the wider area.
15. I acknowledge the proposed development would generate additional activity due to the flow of clients arriving and leaving the facility. However, I am satisfied that the scope of the use can be controlled by a suitably worded planning condition connecting the use to the occupier of No 9 Frederick Crescent.
16. For these reasons, I conclude the proposed development would not harmfully affect the character and appearance of the surrounding area. As such, the development complies with Policy 30 of the CS, Policies DMD6, DMD8, DMD12 and DMD37 of the EDMD and paragraph 135 of the National Planning Policy Framework (the Framework) which collectively seek to ensure the scale and form of development proposals are appropriate to the existing setting taking account of the nature of the surrounding area and land uses alongside its context, reinforcing local distinctiveness.
17. Whilst Policies D4 and D6 of the London Plan 2021 (the London Plan) are referred to in the second reason for refusal in the decision notice, these policies pertain to

the provision of delivering good design within development proposals alongside minimum standards for housing development. As the proposed development is not for housing and involves no external alterations to the outbuilding that would affect its appearance, I consider these policies to be of low relevance.

Living conditions

18. The appellant submits that the use would operate on an appointment only basis being scheduled at 15 minute intervals controlled by the appellant to ensure sufficient timelapse between clients. The proposed hours of use would be 0900 – 1800 hours Monday to Friday and 0900 – 1400 hours on Saturdays with one staff member and one client at a time. Clients would use the gated side passage directly from the street which passes between Nos 7 and 9 Frederick Crescent and would be able to park on the existing private driveway where there are two spaces.
19. I am satisfied there would be no loss of privacy or overlooking from the use of the side passage due to there being no ground floor windows to the side elevation of either Nos 7 or 9 Frederick Crescent. Views into and out of the side passage are further limited due to existing close boarded fencing. As there are no windows to the rear or side elevations of the outbuilding, the only windows would be those facing towards the host dwelling. As such I am satisfied there would be no overlooking or loss of privacy associated with users of the outbuilding towards residential dwellings to the rear or side.
20. Whilst I note that there would be some comings and goings associated with the beauty parlour, the hours of operation can be controlled by condition to ensure the activity is contained to the daytime and so not to cause disturbance to neighbours. I am also satisfied that conditions could be imposed restricting the use of the outbuilding to a beauty parlour and to the occupier of No 9 Frederick Crescent to further ensure control. I am therefore satisfied that, subject to conditions, the proposed development would not have any undue impact on the living conditions of neighbouring occupiers by way of noise and disturbance.
21. Parking for clients would be provided by two carparking spaces to the front of the dwelling. Given client visits would be by appointment only and one at a time, I am satisfied the proposed development provides sufficient off street carparking such that it would not result in a substantial detrimental impact to on street carparking in the vicinity or cause disturbance.
22. I therefore conclude that the use of the outbuilding as a beauty parlour for use by the occupier of No 9 Frederick Crescent on an appointment basis for the hours of operation specified, would not result in harm to the living conditions of occupiers of adjacent residential properties in respect of noise and disturbance, and privacy. It would therefore comply with Policies CP30 and CP32 of the Core Strategy, Policies DMD8, DMD37 and DMD68 of the EDMD, Policy D14 of the London Plan and paragraph 198 of the Framework which collectively seek to ensure development proposals are of a high quality and are suitable for their intended function with regard to its surroundings delivering sustainable neighbourhoods and not cause an unacceptable levels of noise through building design and hours of operation. The proposed development would also comply with Policy DMD12 of the EDMD as it would be managed by the occupier of the dwelling and would therefore remain ancillary to the residential use of the property.

23. Whilst I note the third reason for refusal refers to Policy D6 of the London Plan, this policy relates to housing quality and standards. However, I consider this policy to be of low relevance because it is not for housing development to which the policy standards apply.

Other Matters

24. The appellant has drawn my attention to a number of appeal decisions¹ for change of use of outbuildings in gardens to commercial development where the conclusions have been reached that no harm has been identified with respect to character and appearance and living conditions. Whilst I recognise the findings of these decisions, I do not consider the circumstances to be directly comparable as they do not assess the matter of policy requiring a town centre location.

Conclusion

25. I acknowledge the submission in support of this small business. I have found no conflict with the proposed development with regard to character and appearance of the area, the effect on living conditions of neighbours in respect of noise and disturbance, and privacy, and I consider the proposal is in an accessible location. However, no evidence has been presented to demonstrate why an out of centre location should be prioritised over a town centre site. I find that the proposed development conflicts with the development plan as a whole and there are no material considerations to 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.

S F Murphy

INSPECTOR

¹ APP/P4415/W/24/3357339, APP/Q4245/W/24/3349433, APP/D1590/W/25/3360759