



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: 23 March 2026

Appeal Ref: APP/Q5300/W/25/3375785

5 Cocker Road, Enfield EN1 4QQ

- 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 Sivan Kaya against the decision of the Council of the London Borough of Enfield.
- The application reference is 25/02217/FUL.
- The development proposed is the conversion of an outbuilding into a detached 2-bedroom (3p) single family dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the area;
 - Whether the development would provide acceptable living conditions for future occupiers, with particular regard to the quality of internal living space, outlook and daylight, natural ventilation, and the amount of private amenity space;
 - Whether access and parking arrangements would be safe and otherwise satisfactory; and
 - Whether it has been adequately demonstrated that the development would be acceptable in terms of flood risk and drainage.

Reasons

Character and appearance

3. The appeal relates to a two-storey dwellinghouse at the end of a terrace block on the south side of Cocker Road and the plot on which it stands. Towards the southern end of the site, at the end of the dwelling's rear garden, is a single-storey detached outbuilding which extends across the full width of the plot. The outbuilding is around 2.6m high to its eaves, and has a shallow dual-pitched roof with a ridge approximately 3m high. As well as an entrance from the garden, the outbuilding also has a separate entry via a small yard accessed from Almshouse Lane, a cul-de-sac at the rear of the site.
4. The proposed conversion would create a two-storey dwelling. A basement would be excavated, and the roof form changed to a part-flat, part mono-pitch. The maximum height of the building would be increased to a little over 3.5m, though the eaves height alongside the rear garden of No 5 would be reduced to around

1.9m; the overall built footprint would not be increased. The south-facing elevation to Almshouse Lane would be predominantly glazed, other materials have not been specified.

5. The increased bulk of the enlarged building would dominate the head of Almshouse Lane and, while its contemporary appearance might (notwithstanding the absence of detail of materials) not necessarily be unattractive in its own right in a different setting, it would provide a somewhat incongruous backdrop for the almshouses (and from which the street evidently takes its name) a short distance away. The altered roof would be much larger than those of other buildings in the surrounding back gardens, so it would also be somewhat dominant and intrusive. The building would appear cramped on its very small site, so in both form and plot layout it would be at odds with the traditionally-styled suburban housing around it.
6. The development would cause a degree of harm to the character and appearance of the area. There would therefore be conflict with Policy 30 of the 2010 Enfield Core Strategy ("the ECS"), Policies DMD6, DMD8DMD13 and DMD37 of the 2014 Enfield Development Management Document ("the DMD"), and Policies D3 and D4 of the London Plan 2021. Together, and among other things, these policies seek to ensure that development is of a high design standard, of a scale and form (including roof forms) which is appropriate to its setting.
7. There would also be conflict with the provisions of section 12 of the National Planning Policy Framework ("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, and establishes or maintains a strong sense of place.
8. I find no conflict on this matter with Policies DMD9 or DMD12 of the DPD, which respectively set standards for the provision of amenity space, and address proposals for new outbuildings, nor with Policy D5 of the London Plan 2021 which addresses inclusive design. These policies were referred to on the decision notice, but there is nothing before me to indicate how they are directly relevant to this matter. My finding on this point does not alter my overall conclusion on this main issue.

Living conditions

9. The proposed dwelling would have a gross internal area ("GIA") of around 74.5m² (by the appellant's measurement) and 73m² (by the Council's calculation¹). Regardless of that minor discrepancy, it would comply with the minimum requirement of 70m² for a two-storey two-bedroom three-person dwelling set out in Policy D6 of the London Plan 2021 which reflects the Nationally Described Space Standard ("the NDSS")². However, the ceiling height on the first floor would (by the Council's calculation, though the appellant did not provide an alternative measurement) be around 2m, and on the lower floor level it would be around 2.4m. The dwelling would not comply with the requirement that at least 75 percent of the GIA of each dwelling should have a minimum floor-to-ceiling height of 2.5m.

¹ The Council's officer report gave the GIA as 82m².

² Technical housing standards – nationally described space standard, Department for Communities and Local Government 2015

10. Because the lower floor would be created by excavating, the windows serving the principal rooms on that floor would be set at ground level; they would also be shallow at around only 0.8m high. Although they would face a little west of south, they would be between 1.2 and 3m from the boundary fence, and there is no substantive evidence before me which demonstrates that they would receive adequate natural daylight. Their size and siting also means that, regardless of daylight, those windows would provide a very limited outlook. The low ceilings, lack of natural daylight, and limited outlook, means that the habitable rooms in the dwelling, particularly those on the ground floor, would be likely to provide somewhat gloomy and oppressive living conditions for residents.
11. Policy D6 of the London Plan 2021 also states that the provision of single aspect dwellings should normally be avoided; this is intended to ensure that dwellings can have passive through ventilation to avoid overheating. There would be a small clerestory window on the north-facing elevation serving the ground floor WC and shower room but, as that window would directly abut the rear garden of the existing dwelling at No 5, it is not clear that it could be opened and whether it would therefore make even a very limited contribution to cross-ventilating the dwelling. All other windows would be on the south-facing elevation so essentially, in functional terms the new dwelling would be single-aspect. It would therefore also be likely to lack passive ventilation.
12. Externally, the existing small "courtyard" to Almshouse Lane would provide around 9m² of private amenity space. However, the actual amount of space available for residents would be reduced by the need to accommodate cycle and refuse storage units (described in the Design and Access Statement as being provided, but not shown in the submitted drawings). The space is also narrow and, as I saw on my visit, overshadowed by trees in neighbouring gardens. Overall, it would therefore provide a poor-quality amenity space for residents.
13. I conclude that the development would not provide acceptable living conditions for future occupiers. As such, it would conflict with Policy 30 of the ECS, Policies DMD6, DMD8, DMD9 and DMD37 of the DMD, and Policies D3, D4 and D6 of the London Plan 2021. Together, and among other things, as well as applying the space standards I have described above these policies seek to ensure that all development has high quality design with a good standard of accommodation (including in terms of daylight and outlook), and that an adequate amount of good quality private amenity space is provided.
14. For the same reasons there would be conflict with the provisions of Chapter 12 of the Framework which aim to achieve well-designed places, in particular Paragraph 135 which seeks to ensure that developments function well, and provide a high standard of amenity for all users.
15. Again, I find no conflict on this matter with Policy D5 of the London Plan 2021; this policy was referred to on the decision notice, but the Council's evidence does not set out how it relates to its concerns. This does not alter my overall conclusion on this main issue.

Access and parking

16. The existing dwelling at No 5 has a hard-surfaced front garden capable of accommodating three vehicles. There is currently no formal dropped kerb in front of the property. I note the Council's comment about the legality of the current use

of the space for parking, though that is not a matter for me to delve into here; nevertheless, the future use of that space to provide parking for this development would require the provision of a safe crossover, and that that could be achieved is not adequately addressed in the evidence before me.

17. The appellant states that one of the three spaces at the front of No 5 would be allocated to occupiers of the new dwelling, and that there would be a “dedicated pedestrian route” from the site frontage to the dwelling. It was said in the Design and Access Statement that access would be “via a separate pedestrian path running alongside the main house”, which would provide secure access. The submitted drawings do not show such a path, nor could one be provided without altering the site and dwelling layout, as the building (in both current and proposed states) extends across the full width of the plot, and no doors are proposed for the side facing the existing dwelling at No 5. Pedestrian access from the front of No 5 to the front door of the new dwelling would therefore be via Hook Gate and the public footpath connecting that street to Almshouse Lane. It would not be an especially direct or convenient route for residents.
18. As I have explained in dealing with the preceding main issue, while it was stated that cycle parking would be provided, no storage facilities for bicycles have been shown on the submitted drawings. As a consequence, in view of the site’s limitations, it is not clear that adequate provision would be made in respect of cycle parking either.
19. Because of the shortcomings in respect of car and cycle parking, I cannot be certain that access and parking arrangements would be safe and otherwise satisfactory. As such, there would be conflict with Policies 24 and 25 of the ECS, Policies DMD45, DMD46 and DMD47 of the DMD, and Policies T4, T5, T6, T6.1 and T7 of the London Plan 2021. Together, and among other things, these policies seek to encourage sustainable travel choices and support provision, including a convenient and accessible environment, for cyclists; to ensure that an appropriate amount of adequate safe car parking is provided (including in respect of footway crossovers); and to ensure that road danger is not increased.
20. For the same reasons, there would be conflict with the provisions of Chapter 9 of the Framework which seek to promote sustainable transport, notably Paragraph 115 which seeks to ensure that safe and suitable access can be achieved for all users. There would also be conflict with Chapter 12 of the Framework which aims to achieve well-designed places, in particular Paragraph 135 which seeks to ensure that developments function well.

Flood risk and drainage

21. The appeal site is within Flood Zone 1, and has a low probability of fluvial or surface water flooding. However, the development includes habitable rooms below ground level, and the Council is concerned that it may be susceptible to groundwater flooding, or that it may increase the risk of groundwater flooding elsewhere.
22. The Basement Impact Assessment submitted as part of the planning application dealt very briefly with the matter, stating that the risk of groundwater flooding is low “given the free-draining nature of ballast” – the predominant sub-surface ground layer in the area – and “the absence of standing water or a high water table in prior investigations”. However, this analysis does not appear to be based on a site-

specific flood risk assessment, which would require more detailed on-site investigations. Furthermore, although the application referred to a SuDS strategy, there is little in the way of supporting detail to explain the specification of the proposed drainage systems.

23. None of the additional information sought was provided during the appeal. As such, I cannot be satisfied that the development would be acceptable in terms of flood risk and drainage. It would therefore conflict with Policies 21 and 28 of the ECS, Policies DMD59, DMD60, 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, set requirements for site-specific flood risk assessments where developments may be at risk of flooding from various sources, and require drainage strategies (including SuDS) appropriate to a site's location and proposed use.
24. For the same reasons there would be conflict with the provisions of Chapter 14 of the Framework which aim to meet the challenge of flooding, in particular Paragraphs 181 and 182 which seek to ensure that developments do not increase flood risk elsewhere, and that developments which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff.

Planning Balance and Conclusion

25. Paragraph 11 d) and Footnote 8 of 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, or where the Housing Delivery Test ("HDT") indicates that the delivery of housing was substantially below the housing requirement over the previous three years) 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 most recent HDT results mean that this "presumption in favour of sustainable development" applies here.
26. The Framework seeks to significantly boost the supply of housing. The appeal proposal would provide one self-contained dwelling, in a location close to a railway station and which has a moderate range of everyday services reasonably close by. The dwelling would be intended to accommodate up to three people, who could make only very limited contribution to supporting and sustaining local businesses and services. Overall, I consider that social and economic benefits arising from the development would be limited.
27. The development would harm the character and appearance of the area, would not provide adequate living conditions for its occupiers, and would not make adequate provision for car and bicycle parking. It has also not been demonstrated that the scheme would be acceptable in terms of flood risk and drainage. As I have set out in assessing the main issues above, there would be conflict with specific provisions of the Framework in respect of each of those matters.
28. The harm which would arise from the development would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole. The proposal would not therefore amount to sustainable development in the terms set out in the Framework.

29. 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.
30. 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.
31. I therefore conclude that the appeal should be dismissed.

M Cryan

Inspector