



Appeal Decision

Site visit made on 21 January 2026

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Appeal Ref: APP/Q5300/W/25/3373277

Garages, Beech Road, Southgate, Enfield N11 2DA

- 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 Martin Davis (Beechcastle Ltd) against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/03973/FUL.
 - The development proposed is demolition of the existing garages and construction of residential dwellings, bicycle storage, refuse and recycling storage, disabled driver car parking bays, pedestrian access points and associated landscaping.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for a full award of costs was made by Mr Martin Davis (Beechcastle Ltd) against the Council of the London Borough of Enfield. This application is the subject of a separate decision.

Preliminary Matters

3. The description of the proposal in the banner heading above varies from that on the decision notice which reads 'Change of use from sui generis to C3, as well as demolition of the existing garages and construction of 20 residential dwellings, bicycle storage, refuse and recycling storage, disabled driver car parking bays, pedestrian access points and associated landscaping'. The revised description has been adopted on the appeal form and there is nothing to indicate that it is not accepted by the appellant. I have therefore determined the appeal on that basis.
4. Refusal reason 1, which relates to concerns surrounding overlooking and privacy cites No. 2B and No. 2B Goring Road. This appears to be an error, and the appellant suggests that this should relate to No. 2A and 2B Goring Road. I have no reason to disagree with that position and I have considered the appeal on that basis.

Main Issues

5. The first main issue is the effect of the proposal on the character and appearance of the area. The second is the effect of the proposal on the living conditions of occupiers at No.1 and No. 2 Beech Road with regard to daylight and sunlight. The third is the effect of the proposal on the living conditions of occupiers of No. 1 and No. 2 Beech Road and No. 2A and No. 2B Goring Road with regard to overlooking

and privacy. The fourth is the effect of the proposal on highway safety in the absence of vehicle parking and a loading bay.

Reasons

Character and appearance

6. The appeal site is a slender segment of land which currently hosts an extensive number of dated garages along with large areas of hardstanding. In its current form, it offers little positive to the area both in terms of character and appearance.
7. To one side of the site are railway lines which provide an open aspect in this direction. To the other side of the site, terraced and semi-detached properties including flats of broadly two stories along with well sized gardens extend along Beech Road and Goring Road which both terminate on this side of the site.
8. Despite the inclusion of terraces, the area has a broadly suburban and residential character. A footpath separates the adjacent residential properties from the appeal site. Residential accommodation would be provided across three blocks, Block A, Block B, Block C and within a house towards the end of the site.
9. The established street pattern within the area is derived from Beech Road and Goring Road which terminate towards the appeal site adjacent to the railway line. The proposal uses the existing built form as a reference point, with blocks A, B and the house broadly following the building lines of the existing properties on those streets. A further block is included at Block C. The development would also use similar materials to the existing buildings with heights broadly reflective of those already established within the area.
10. The site coverage does extend beyond the ends of the existing forms on Beech Road and Goring Road. This means that the familiar pattern of gardens of good depth to the rear of properties would not be continued at the site. Nonetheless, the proposed scheme would respond well to the intricacies of the site and offers a contemporary response to a site which does have a rather awkward shape.
11. The proposal would therefore not conflict with policies GG2, D3, D4 and D6 of the London Plan (2021) (LP), Core Policy 30 Of the Enfield Plan Core Strategy (2010) (CS) and policies DMD 6, DMD 8 and DMD 37 of the Enfield Development Management Document (DMD) (2014) with regard to this specific matter which amongst other things require high quality, well designed development to achieve the optimum capacity of sites that is appropriate to the character of the area including support for higher density development in well-connected locations.

Living conditions – daylight & sunlight

12. A Daylight and Sunlight Report¹ (DSR) has been submitted which draws upon guidance relating to that matter². One calculation for assessing daylight to neighbouring properties is identified as Vertical Sky Component (VSC). The evidence indicates that VSC is generally the appropriate parameter to use in assessing the loss of light to an existing building. The criterion for assessment recommends that either 27% VSC should be achieved, or 0.8 times the existing values should be demonstrated.

¹ Daylight and Sunlight Report, The Garages, Beech Road, Enfield, London November 2023.

² Building Research Establishment (BRE) guidance "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (BRE 209 3rd Edition, 2022) & BS EN 17037: 2018 (formerly BS 8206 part 2).

13. I note that many of the windows at nearby residential properties would meet the target once the site was developed as set out and I have focused on what would be the more significant transgressions of the target value.
14. Firstly, I shall address the property identified within the DSR as 1-3 Beech Road. On the basis of the evidence before me, it appears that this property identifies as No. 1 Beech Road, formed of two flats, 1 and 1A Beech Road and that one of those flats occupies the ground floor.
15. Windows W3 and W4 on the ground floor would only retain a VSC of 0.47 and 0.44 of their former values, and W5 0.62 of its former value. On the first floor, W4 would retain 0.65 its former value whilst for W5 that value would be 0.64. I note that all of these rooms would meet the no-skyline criteria.
16. However, there is nothing clear within the evidence to confirm the layout of the flats and which rooms the affected windows at 1/1A Beech Road serve as can be taken from the uncertainty over the use of the rooms within the Appeal Daylight and Sunlight Assessment³ (ADSR) which has relied only on an external analysis which was limited by the presence of curtains and blinds. This lack of certainty makes it difficult to fully understand the impacts at 1 Beech Road which is problematic and it cannot be assumed based on the evidence that the affected windows are secondary.
17. 2 Beech Road is a house which sits on the opposite side of the road. On the ground floor W5 and W6 would retain only 0.49 of their former value whilst at first floor level W5 would retain 0.65 of its former value. All of these results across 1 and 2 Beech Road result in VSC figures sitting below the target 27%.
18. Nearby properties are likely to have historically enjoyed good levels of daylight due to the height of the garages on the appeal site with railway lines beyond. I accept that there are likely to be other windows within the adjacent streets where closely developed properties may not meet the target requirements, particularly in the case of existing terraced properties and their side returns. I also accept the premise that guidance should be drawn upon flexibly depending on amongst other things the nature of the site and the character and context of the surrounding environment.
19. However, the area has a rather suburban character and there is nothing firm before me which indicates that in this particular location, transgressions of the guidance the level identified within the evidence should be considered acceptable. Whilst the location is accessible, it does not align well with other identified locations within the SPG⁴ where it is indicated that guidelines should be applied sensitively. There is very limited information on any precedent set by appeal decisions to justify the appellants position.
20. It is the case that the rooms which are served by the worst affected windows would be likely to become gloomier and see an increased need for artificial lighting. The proposal would result in substandard daylight provision to rooms at multiple properties and would cumulatively result in significant adverse impacts on the living conditions of existing occupiers with regard to daylight.

³ Appeal Daylight and Sunlight Assessment, Schofield, 23.06.25.

⁴ Mayor of London – Housing – Supplementary Planning Guidance – March 2016.

21. The proposal would therefore conflict with policies D3 and D6 of the LP and policies DMD 8 and DMD 10 of the DMD with regard to this particular matter which amongst other things require proposals to deliver appropriate amenity and provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, preserve amenity in terms of daylight and maintain distancing standards unless it can be demonstrated that the proposed development would not result in housing with inadequate daylight.
22. With regard to sunlight, the results of the Annual Probable Sunlight Hours assessment show that all 10 of the 10 main habitable rooms that face within 90° of due south comply with the target values within the guidance. There would therefore be no significant adverse impact on the living conditions of occupiers at 1 and 2 Beech Road with regards to sunlight.

Living conditions - overlooking & privacy

23. With regard to 2A and 2B Goring Road the nearest part of the proposal would be the house towards the far end of the appeal site. However, regardless of the windows on those properties, the only windows on the elevation of the house facing towards those addresses which would be close to the site boundary would be high level windows which would serve the living/dining/kitchen and a high level window serving a bathroom.
24. With regard to 1 Beech Road the nearest part of the proposal would be Block B. Many of the west facing windows would be set back within the site, limiting the potential for any impact. Those which would be close to the boundary at ground and first floor would be set at a high level whilst a window set at first floor level which would serve a bedroom would be arranged such as to look down the appeal site instead.
25. With regard to 2 Beech Road, the nearest part of the proposed development would be Block A. Ground floor windows close to the boundary would be set at a high level, whilst a first floor bedroom window has been arranged to face out onto the appeal site itself. There would be rooflights, some of which would serve habitable rooms. However, these would be set at a high level within the roof slope. Given that would be the case, opportunity for overlooking from those windows would be limited.
26. It may be possible that there would be opportunity for overlooking towards residential gardens in the area from some windows within the development. However, it is likely that many gardens within the area can be seen from the upper floor windows of other nearby properties. That is a normal relationship for an area such as this and I afford that matter limited weight.
27. Overall, given the design of the development and the resultant relationship to nearby properties, there would be no opportunities for overlooking towards the nearby properties which would result in any significant adverse impacts on the living conditions of the occupiers of those properties with regard to overlooking and privacy. There would therefore be no conflict with policies D3, D4 and D6 of the LP, nor policies CP4 and CP30 of the CS nor policies DMD 6, DMD 8, DMD 10 and DMD 37 of the DMD with regard to these particular matters which amongst other things require developments that deliver and preserve appropriate privacy and maintain distancing standards unless it can be demonstrated that the proposed development would not result in housing with inadequate privacy.

Highway safety – vehicle parking and loading bay

28. The evidence indicates that the area is subject to a high level of parking stress. This is shown by the results of parking surveys. Those surveys identified parking stress within the immediate area as being at 96% and 98% on the respective survey days. Put in simple terms, the results indicated that the majority of the available parking spaces were occupied at the time of the surveys. The development is proposed as car free and does not include parking space on site other than for the provision of two accessible spaces.
29. However, on the basis of information contained within the Council's committee report, dating from February 2025, I am advised that the development site is situated within a planned Controlled Parking Zone (CPZ), which is due to be implemented within 2-3 years. Detailed information is limited on this, but the Council appear best placed to advise on this matter given it is likely they who would be responsible for its implementation.
30. Given the time that would be needed to deal with conditions, prepare the site and complete any build with a 20 month estimated build duration, it would therefore be likely that on the basis of the timescales of the Council, the CPZ would be likely to come into force prior to the completion of the development. The planning obligation would exclude future residents from applying for permits within the CPZ.
31. I must also consider that there is a possibility that the development could be built and occupied prior to the implementation of a CPZ. In considering this, I am also mindful that the London Plan seeks to promote car free development in well-connected locations and I was able to observe on my site visit the close proximity of Bowes Park and Bounds Green Stations. Therefore, the extent to which new residents would require to own a car could be limited by those factors. Further, there is nothing to indicate that any particular driver not being able to find a space easily or having to circle or try an alternative street would cause any substantial harm to highway safety given the character and the nature of the nearby streets. Policy T6 of the LP also specifically states that an absence of local on street parking controls should not be a barrier to new development, the policy encouraging the implementation of these controls wherever necessary.
32. The development would not include a loading bay. However, it is already likely to be the case that vehicles including those making deliveries will have to access properties towards the ends of Beech Road and Goring Road close to the development site and there is nothing to indicate that the current arrangement, which would not be substantially altered has caused any significant harm to highway safety. I noted on my site visit the footpath which runs along the boundary of the site. However, regardless of the new development, the site hosts a substantial number of garages and those accessing the garages will and will have had to historically cross the path with vehicles. I am unaware of that arrangement causing any significant highways safety issues.
33. There is therefore nothing to indicate that the proposal would cause any significant harm to highway safety. The proposal would therefore not conflict with policies T2, T3, T4, T6, T6.1 and T7 of the LP, Policy CP24 of the CS nor policies DMD 45, DMD 46, DMD 47 or DMD 48 of the DMD which amongst other things promote a healthy streets approach, require development proposals that do not increase road danger and development which is car free as a starting point for development in

well-connected locations which would not adversely affect traffic flows, bus movement, road safety or amenity, seeking appropriate access to development sites.

Other Matters

34. The evidence indicates that the Council cannot demonstrate a five year supply of deliverable housing sites (5YHLS) and that there is no certainty as to when this will be addressed. The appellant cites a recent appeal decision⁵ which identified the supply figure as 3.1 years. The Council does not appear to contend this figure within its evidence. Paragraph 11d) of the Framework is therefore relevant. Paragraph 11d) i) is not relevant in this case.
35. A completed planning agreement has been submitted. The agreement includes provision for an employment and skills strategy, a highway works programme, parking restrictions, a mitigation and environmental management plan, design monitoring and energy monitoring. It also provides for contributions, including for affordable housing (£50,751), carbon offset, CPZ and sustainable transport.
36. Based on the evidence before me, the provisions within the planning agreement would be necessary to make the development acceptable in planning terms. They are directly related to the development and fairly and reasonably related in scale and kind to the development. They therefore meet the relevant tests⁶.

Planning Balance

37. The proposal would cumulatively result in significant adverse impacts on the living conditions of existing occupiers with regard to daylight. This issue, which is likely to have real life day after day impacts on existing residents cannot be easily or simply swept aside or be diminished in importance to accommodate the development proposed and I afford the matter substantial weight.
38. There would be conflict with policies D3 and D6 of the LP and policies DMD 8 and DMD 10 of the DMD. Whilst I accept that there would be no conflict with development plan policies in respect of the other main issues, the conflict is across a number of policies and the proposal would conflict with the development plan as a whole.
39. In the context of a notable shortfall of 5YHLS there would be benefits associated with the proposal. These include the provision of 20 dwellings of mixed unit size within a sustainable location on a previously developed site which would make an effective use of the awkwardly shaped parcel of land which is of generally good design. These matters are afforded significant weight.
40. There would be a modest off-site contribution towards affordable housing, improved surveillance along the adjacent footpath and some ecological enhancement. Whilst I afford the latter matters lesser weight, overall, I afford the combined benefits of the scheme significant weight.
41. The development plan policies where conflict with regard to daylight is identified align with the Framework which requires that planning decisions should ensure

⁵ APP/Q5300/W/24/3344460.

⁶ Set out within Paragraph 58 of the Framework.

that developments amongst other things create places with a high standard of amenity for existing users.

42. Whilst I fully accept the benefits of the proposal, which themselves find favour with the Framework including with its aims to significantly boost the supply of homes and other aims, I afford the conflict with development plan policies relating to daylight significant weight.
43. The effect of the proposal on the living conditions of existing occupiers is such that the harm arising from the development would in this particular instance significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole even having regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.
44. As such, considerations do not indicate a decision other than in accordance with the development plan with which the proposal would conflict.

Conclusion

45. For the reasons given above, the appeal should be dismissed.

T Burnham

INSPECTOR