



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: 30th March 2026

Appeal Ref: APP/Q5300/W/25/3376165

9 Blagdens Close, Southgate, London N14 6DE

- 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 Surinder Aktar against the decision of the Council of the London Borough of Enfield.
- The application reference is 25/02064/FUL.
- The development proposed is a single-storey rear extension to existing studio flat to create a 1-bedroom 1-person flat.

Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear extension to existing studio flat to create a 1-bedroom 1-person flat at 9 Blagdens Close, Southgate, London N14 6DE in accordance with the terms of the application, reference 25/02064/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawing nos:
 - Drawing 01 – Location Plan
 - Drawing 08 – Proposed Floor Plan
 - Drawing 09 – Proposed Floor Plan
 - Drawing 10 - Proposed Floor Plan
 - Drawing 11 – Proposed Front & Rear Elevations
 - Drawing 12 – Proposed Side Elevations
 - Drawing 13 – Proposed Section A-A
 - Unnumbered Fire Safety Plan
 - 3) Where not otherwise specified in the planning application form and approved drawings, the external materials of the extension hereby permitted shall match those used in the existing building.
 - 4) No development above ground level shall commence until a scheme of landscaping and boundary treatment, having regard to the provision of “defensible space”, has been submitted to and approved in writing by the local planning authority. Landscaping and boundary treatments shall be completed in accordance with the approved details before the extension is first occupied, and retained as such thereafter.

Preliminary and Procedural Matters; Main Issues

2. No 9 Blagdens Close is a two-storey semi-detached property at the end of a residential cul-de-sac. It was originally built as a single family dwellinghouse, but

planning permission was granted in January 2020 for the conversion of the property into three self-contained flats¹, with a further single-storey extension being approved in May 2022². Under those permissions, Flat 1 on the ground floor is a three-bedroom five-person dwelling, and Flats 2 and 3 are two-bedroom three-person dwellings; Flat 2 is on the first floor, Flat 3 on the first and second floors.

3. This appeal relates to the garage at the southern end of the building built as part of a range of alterations and extensions previously granted planning permission in November 2004³. The appeal scheme was described on the planning application form as a “single-storey extension and conversion of garage into a 1-bedroom flat”. It was refused planning permission on 29 July 2025, with three reasons given by the Council (I have omitted references to planning policies and guidance):
 - 1) *The proposed development, by reason of depth of the proposed rear extension would be overbearing and result in loss of privacy, inadequate outlook, poor level of light and with a lack of defensible space to the occupiers of the adjacent Flat 1 and would lead to the creation of a substandard form of accommodation that is detrimental to the living conditions of future occupiers of the new unit and the ground floor flat.*
 - 2) *The proposed development and creation of a new unit, by virtue of the limited dimensions of the plot and siting in close proximity to the common boundary with Flat 1 and depth to the rear boundary would result in a cramped form of development, which fails to relate to the surrounding spacious form and pattern of development and thereby represents a general over development of the site that is out of keeping and character with the surrounding form and pattern of development and harmful to the visual amenity of the locality.*
 - 3) *The proposed development, by reason of its poor outlook, lack of privacy and defensible space, lack of private amenity space and poor quality of communal amenity space would result in a substandard and inappropriate form of accommodation which would be detrimental to the future occupants.*
4. Two applications for Lawful Development Certificates (“LDCs”) relating to the use of the garage as a self-contained dwelling were refused during 2024⁴. Both of those decisions were appealed against; on 3 November 2025 both were allowed, and an LDC was issued confirming the lawful use of the “garage flat” as a single dwellinghouse⁵. The appellant contacted the Council on 20 November 2025 noting that, as a consequence of those decisions, “the description of development used in the Council’s decision notice is no longer accurate, as the proposal does not involve the creation of a new residential unit [and] the works relate solely to the extension of an existing lawful dwelling”. They therefore suggested that the description be changed to “single storey rear extension to existing studio flat to create a 1-bedroom 1-person flat”.
5. On 6 January 2026 the Council responded to the appellant, saying that they “[could not] commit to any changes to description in the absence a new planning application”, and that it “[would] be up to the Inspectorate to deal with the acceptability of any changes”. I subsequently invited the Council to comment, if it

¹ LPA Ref: 19/03702/FUL

² LPA Ref: 22/01052/FUL

³ LPA Ref: TP/04/1920

⁴ LPA Refs: 24/01079/CEU and 24/02346/CEU

⁵ PINS Refs: APP/Q5300/X/24/3345639 and APP/Q5300/X/24/3353440

wished, on any implications of the LDC appeal decisions for the planning matters in this appeal, though it chose not to do so.

6. In view of the LDC having been issued, the lawful use of the former garage is a single self-contained dwellinghouse, and this would remain the case regardless of whether this appeal is allowed or dismissed. I have therefore determined the appeal on the basis that matters relating to the principle of, or issues arising from, a change of use in and of itself have fallen away.
7. In the light of all this, I consider that the main issues are:
 - The effect of the proposed extension on the character and appearance of the area;
 - Whether the proposed development would provide acceptable living conditions for occupiers of the enlarged “garage flat” (which I refer to hereafter as “Flat A”, to reflect the labelling on the submitted drawings), with particular regard to daylight and outlook, privacy and the provision of “defensible space”, and the amount and quality of outdoor amenity space; and
 - The effect of the proposed extension on living conditions for the occupiers of other flats at No 9 Blagdens Close, with particular regard to daylight and outlook, loss or lack of privacy, or whether it would be harmfully overbearing.

Reasons

Character and appearance

8. Blagdens Close mainly comprises detached houses, many of which have evidently been extended and altered over the years. Nos 9 and 10 together form the only semi-detached pair on the street, so they are unusual in that respect. Although there is already some considerable diversity of appearance along the street, there is on the whole a broad consistency of scale.
9. The garage built at No 9 following the 2004 permission is attached to the side of the main building at an angle, and the proposed extension would be built behind this into the rear garden. The extension would not be large in itself, and I am not aware of any specific density or site coverage limits set out in policy or guidance. However, even small extensions can lead to a harmful cumulative impact, and that would be the case here; I consider that the appeal scheme would make the property appear somewhat cramped on its plot. The expanse of flat roof would also be slightly incongruous in an area predominantly characterised by pitched roofs, though I acknowledge that there are flat-roofed side and rear extensions (including at No 10) in the vicinity.
10. The visual impact of the extension would be limited by its siting at the rear of the building; although it would not be seen from Blagdens Close itself, it would be visible (albeit partly screened by fences and planting) from Pruden Close which runs at the rear of the plot. All the same, there would be some harm caused to the character and appearance of the area. Although this harm would be limited in scope, there would nevertheless be conflict with Policy 30 of the 2010 Enfield Core Strategy (“the ECS”), Policies DMD6, DMD7, DMD8 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, and that the scale and form of residential development is appropriate to its setting.

Living conditions – Flat A

11. The windows of habitable rooms in the enlarged Flat A would either be close to boundary fences and hedges (such that they would offer a limited outlook), or to communal paths and amenity areas serving the other flats in the property (so they would offer limited privacy or defensible space), or both. The appellant suggests that the relationship of the existing garage flat and the communal areas “is long established and was accepted under previous permissions”. On the basis of the LDC appeal decisions I accept the first part of that argument, though the second part is not accurate; it is clear from paragraphs 21 and 22 of the LDC appeals decision that plans relating to previous permissions did not indicate that the garage was, or would be, used as a separate flat.
12. The enlarged Flat A would have a gross internal area (“GIA”) of around 39.5m², including a bedroom of around 10.2m², and so would comply with the requirements for a one-bedroom or studio flat for one person set out in Policy D6 of the London Plan 2021, which reflect the Nationally Described Space Standard (“the NDSS”)⁶. A daylight and sunlight analysis (“DSA”) submitted during the appeal showed that the flat would receive adequate daylight⁷. While I note the Council’s concerns about the location of the doorway to the flat means that it would have no natural surveillance, in my experience it is not particularly unusual, even if it is slightly less than ideal, for the door to a dwelling to be on a side passage. In these respects, I consider that the development would be acceptable.
13. Policy DMD9 of the DMD requires a minimum of 4m² of private amenity space for a dwelling for one person⁸, and where there is also access to communal amenity space. The appellant suggests that the policy does not require private amenity space for individual dwellings where communal amenity space is provided, but that analysis is not supported by my reading of the policy. However, the existing garage flat also does not have any private amenity space, so in this respect the situation would be essentially unchanged.
14. However, the limited outlook and privacy mean that living conditions within Flat A would fall short of those which a future occupier might reasonably expect. As such, there would be conflict with Policy 4 of the ECS, Policies DMD7 and DMD8 of the DMD, and Policy D6 of the London Plan 2021, which among other things require residential development (including that on garden land) to be of a high standard and suitable for its intended function, with a high standard of amenity.

Living conditions – other flats

15. The proposed extension would be built close and at an angle to a window in the combined kitchen/dining/living room in Flat 1; it would cut across, and obstruct, the outlook from that window. However, that window serves the kitchen area of that room, and there is another window in the living room part which would not be obstructed. On balance, I consider that the extension would not be harmfully overbearing, nor would it lead to a harmful loss of outlook.

⁶ Technical housing standards – nationally described space standard, Department for Communities and Local Government 2015

⁷ C3-RE Ltd, dated 17 November 2025

⁸ For some unexplained reason the Council’s officer report referred to the standard for a three-bedroom four person unit; while this is evidently an error it has had no significant bearing on my decision.

16. The angled relationship between windows in Flat A and Flat 1 means that, notwithstanding their very close proximity, there would be unlikely to be any significantly harmful loss of privacy within Flat 1. The relocation of the entrance door to Flat A would remove some of the comings and goings further from the windows of Flat 1. The DSA submitted during the appeal showed that there would be some loss of daylight to one of the windows within the combined kitchen/dining/living room in Flat 1, but that the room as a whole would continue to receive adequate daylight.
17. I conclude that the proposed development would not have an unacceptable adverse impact on living conditions for the occupiers of other flats at No 9 Blagdens Close. As such, there would be no conflict with Policy 4 of the ECS, Policy DMD8 of the DMD, or Policy D6 of the London Plan 2021. Together, and among other things, these policies seek to ensure that development preserves amenity, including in respect of daylight, outlook, privacy and overlooking. I also find no conflict with Policy DMD5 of the DMD which relates to the conversion of existing units into self-contained flats, and so which is not directly related to the appeal scheme.

Other Matters

18. I note the common ground between the main parties in respect of the Council's housing delivery test and land supply position. However, and as the appellant acknowledges, the appeal scheme is not one which would deliver additional new dwellings. The so-called "tilted balance" described in the National Planning Policy Framework ("the Framework") is not engaged in this case.

Planning Balance

19. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.
20. I have found that the proposed development would not comply with the provisions of the development plan in respect of character and appearance, and in terms of living conditions for future occupiers of Flat A. However, I must also take into account the position "on the ground" since the granting of the LDC.
21. The existing "garage flat" has, by the appellant's measurement, a GIA of a little over 21m². It falls well below the space standard required by the development plan, and offers little in the way of daylight or outlook. I saw on my site visit that it provides cramped, dismal and, frankly, quite unacceptable living conditions. The proposed extension would, notwithstanding the shortcomings I have identified, provide greatly improved living conditions compared to the current position. I recognise that for the Council my decision will highlight what it no doubt considers to be a downside of the LDC regime, but in my view the significant improvement in the quality of accommodation which would be provided is such that a decision other than in accordance with the development plan is justified in this case.

Conditions

22. In addition to the standard time limit condition (1), I have specified the approved plans so as to provide certainty (2), while to protect the character and appearance

of the area a condition requiring materials matching the existing building to be used for the extension (3) is necessary.

23. I have imposed a further condition requiring the submission and approval of a scheme of landscaping to improve privacy and “defensible space” in the enlarged Flat A (4). Although the appellant suggested this condition, it was done only half-heartedly; they also commented that it would “improve the existing conditions rather than mitigate any new harm”. I do not agree – the extension would narrow the area around the building such that residents of the other flats walking past Flat A to get to or from the communal amenity space would almost inevitably tend to walk closer to its windows than they would do if there were more space. As such, the condition directly addresses the impacts of the scheme, though I acknowledge that the site constraints mean that the harm I have found is likely only to be reduced rather than totally mitigated. In order to ensure that the enlarged flat has the best achievable living conditions from the off, this condition takes effect before the permitted extension can be occupied.

Conclusion

24. For the reasons set out above, I conclude that the appeal should be allowed and planning permission granted.

M Cryan

Inspector