
Appeal Decision

Site visit made on 31 August 2016

by Helen Cassini BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/Y5420/W/16/3149923

1A St Loys Road, London N17 6UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Calda Properties Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2015/2848, dated 24 September 2015, was refused by notice dated 20 January 2016.
 - The development proposed is the rearward and upward extension of property and retention as a single residential unit.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council's decision the Housing Standards Minor Alterations to the London Plan - The Spatial Development Strategy for Greater London Consolidated with Alterations Since 2011 (the MALP) was formerly adopted in March 2016 in response to the Nationally Described Space Standard 2015. The Council's views were sought on these, including whether or not they considered that the reasons for their planning objections were supported by newly adopted MALP policies. The Council considered that they were and provided a copy of MALP Policy 3.5. The appellant was given the opportunity to comment on this revised policy but declined to comment. Planning appeals must be determined on the basis of the development plan that exists at the time of the Inspector's decision. I have therefore had full regard to the MALP Policy 3.5.

Main Issues

3. The main issues are the effect of the proposal on:
 - (i) the living conditions of future occupants, with particular regard to internal living space; and
 - (ii) whether the proposed development would preserve or enhance the character or appearance of the Bruce Grove Conservation Area (the CA);
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Reasons

Living conditions

4. The appeal site is a two storey dwelling house located on a relatively busy residential street within the Bruce Grove Conservation Area. It previously operated as a shop but has been converted into a residential unit. The area consists of a mix of mainly 2 storey terrace dwellings and commercial units towards the Tottenham High Road area.
5. An element of dispute exists between the figures used in the Council's evidence and those of the appellant's with regards to the proposed level of internal space. However, as I consider the dwelling to be a 2 storey residential unit the required space for a 2 storey, 1 bedroom, 2 person dwelling is 58 square metres, with 1.5 square metres of built in storage, as detailed within Table 3.3 of Policy 3.5 of The London Plan, adopted March 2015 (as amended) (TLP).
6. Notwithstanding the above, even if I was to assess the proposal based on a 1 bedroom, 2 person single storey dwelling the proposal would fail to comply with the required standard, as the application floor plans do not show furniture layouts.
7. It is important to ensure that the standard of accommodation provided in any development is satisfactory if it is to meet the needs and expectations of its occupants. As such, the proposed internal space would be substandard and would lead to a cramped environment to the detriment of the living conditions of future occupiers. Although I accept that the rear garden area would provide some external private amenity space, this does not outweigh the harm from the cramped internal space, where occupiers are likely to spend the majority of their time.
8. The proposal is therefore contrary to the design and housing standards aims of Policies SP2 and SP11 of the Haringey Council Local Plan 2013 (the LP), Saved Policy UD3 of the Haringey Council Unitary Development Plan 2006 (the UDP) and the provision of space standard requirements of Policy 3.5 of TLP and the Mayor of London Housing Supplementary Planning Guidance (the SPG).
9. In its decision notice the Council also made reference to Policies 7.4 and 7.6 of TLP. However, as these policies make no mention of internal accommodation spacing I do not consider them of relevance to this particular issue.

Bruce Grove Conservation Area

10. The London Borough of Haringey – Tottenham High Road Historic Corridor: Conservation Areas No. 2, No. 9, No. 18, No. 22, No. 26 & No. 27 Conservation Area Character Appraisal (the CACA) states that this sub area of the CA consists of quiet residential streets, which are relatively uniform in character and are of a domestic scale. The CACA further states that much of the special interest of the CA is in the varied character and appearance of the sub area which has a mix of both 19th and 20th century buildings. However, the CACA also acknowledges that both 1A and 2 St Loy's Road are of limited architectural merit and have a neutral role within the street scene.
11. As the appeal site is located within the CA, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character

and appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 131, the Framework details matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

12. The proposed single storey rear extension has been well designed and by using matching bricks would complement the existing character of the dwelling. Furthermore, given the relatively modest scale of the ground floor extension and its location at the rear of the dwelling, I consider that the character and appearance of the CA would be preserved.
13. Turning my attention to the proposed roof addition, I note the concern of the Council and accept that the introduction of a pitched roof would change the modest character of the dwelling.
14. However, due to the proposed scale and design, the roof addition would not appear substantially bulkier than others in the adjoining terrace. As such, I find that it would remain subservient to the host dwelling. I do not therefore consider that the proposal would appear discordant and at odds with the common characteristics of the terrace. Moreover, the height and length of ridgeline would be similar to those within the terrace and therefore would not disrupt the roof pattern on this side of the road to the detriment of the street scene.
15. In reaching my decision, I also note the comments made by the occupant residing at 3 St Loy's Road with regard to the proposal improving the appearance of the dwelling. In these circumstances, I find that both the character and appearance of the host dwelling, and therefore the significance of the wider CA, would be preserved.
16. Consequently, I find that the proposal would be in accordance with the requirements of Section 72 (1) of the Act and the thrust of national policy as detailed within the Framework. The proposal therefore complies with Policies 7.4 and 7.6 of TLP and Policy UD3 of the UDP which, amongst other things, seek a high level of design which is compatible with the character of the area and safeguard the amenity of neighbouring occupiers.

Other Matters

17. The Framework sets out three dimensions to sustainable development, being economic, social and environmental, which should be jointly and simultaneously sought. I accept that in terms of the economic strand the potential use of local construction companies would contribute to the local economy through its construction, albeit to a limited extent. Furthermore, the architectural improvement to the dwelling fulfils the environmental dimension of sustainable development.
18. There is no doubt in my mind that the dwelling is located within a sustainable location, with good access to services and facilities required to meet daily living needs. Nevertheless, given the substandard internal living conditions, the proposal would be contrary to the social environmental dimension of

sustainable development in terms of requiring development to provide housing required to meet the needs of both present and future generations.

Conclusion

19. Notwithstanding my conclusions on the CA, the development would fail to provide adequate internal living space for future occupants and accordingly would be in direct conflict with the requirements of the Framework. In terms of the main issues this reason is leading me to find that the appeal should be dismissed. I recognise that, particularly bearing in mind the consequences arising from the previous appeal decision^[1] which led to the upholding of an enforcement notice which requires the residential use to cease, the failure of this appeal would put occupation of the dwelling by the current residents at serious risk.
20. However, being mindful of the best interest of at least one child who is living at the property, a decision to dismiss the appeal, consistent with the previous Inspector's findings on this matter, would be in accordance with law based on upholding the aims of relevant planning policies in the wider public interest. It would therefore be a proportionate and necessary response having also taken account of my public sector equality duties.
21. Therefore, with regard to all other matters raised, it is concluded that the appeal should be dismissed.

Helen Cassini

INSPECTOR

^[1] APP/Y5420/C/15/3134521