

Appeal Decision

Site visit made on 21 February 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 6th March 2017

Appeal Ref: APP/Y5420/W/16/3162548

111 Willingdon Road, Wood Green, London N22 6SE

- 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 Mr Bernard Shapley against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2016/3389, dated 28 September 2016, was refused by notice dated 20 October 2016.
 - The development proposed is a single storey rear extension and rear dormer with 1 front rooflight in association with the conversion of the dwellinghouse into 3 self-contained flats (1 x three-bedroom, 1 x two-bedroom and 1 x one bedroom).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has conceded in its statement of case that, following further consideration, it will not be defending its third refusal reason which related to parking pressure in the locality. This is no longer an issue in this appeal and is not therefore addressed in my decision.
3. I have amended the description of development to that given on the Council's decision notice as reflected on the appellant's appeal form.

Main Issues

4. The main issues are the effect of the development on the living conditions of future occupiers in terms of available internal space and the effect of the proposed dormer, in particular, on the character and appearance of the area.

Reasons

Living conditions of future occupiers

5. From 1 October 2015 local policies on internal spaces should be interpreted by reference to the nearest national technical standards (NTS) introduced under a Written Ministerial Statement in March 2015.
 6. The Council has identified what it considers to be various shortcomings in space provision with respect to the proposed flats. The proposed ground floor flat would incorporate three bedrooms. The required minimum gross internal floor area for this type of accommodation, in accordance with the NTS, would be 74
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square metres. The appellant indicates that this minimum requirement would be achieved and states that there is a discrepancy between floorspace measurements taken by the Council, when comparing this and a previous similar application. Notwithstanding this, the sum total of the floor areas for each of the main rooms in this flat, as annotated on the drawings, would fall short of the minimum requirement and it is not apparent from the information before me how any additional floorspace within the flat, that ought to be taken into account, would be large enough to make up this shortfall.

7. In terms of the first floor single bedroom flat, the appellant concedes that the minimum gross internal floor area requirement specified in the NTS of 37 square metres would not be achieved, whilst citing that the Minor Alterations to the London Plan 2016 (MALP) allow flexibility in this regard. The MALP states that single person dwellings of less than 37 square metres may be permitted if the development is demonstrated to be of exemplary design and contributes to the achievement of other objectives and policies of that Plan. However, I have not been provided with any information to persuade me that these exceptions criteria would be satisfied in this case. Notwithstanding this, it is also apparent from the annotated drawings that the proposed bedroom space at 5.83 square metres would fall considerably short of meeting the minimum standard of 7.5 square metres, an undersupply of almost a quarter of the required space.
8. With regard to the proposed two storey, two-bedroom flat, it is disputed by the parties, whether the requisite minimum floorspace of 70 square metres, as defined in the NTS could be achieved. However even if it could be achieved, the appellant does not set out in response to the Council's objection, how the floor to ceiling heights would be satisfactory in relation to the requisite standard.
9. I have not been presented with a compelling case for disregarding the technical standards on internal space provision and even if it could be demonstrated that the three and two-bedroom flats contained sufficient floorspace, a persuasive case has not been presented for disregarding the limited space that would be available in the single bedroom flat, which is undisputed to be deficient.
10. I therefore conclude that the proposal would not result in acceptable living conditions for future occupiers in terms of internal amenity space. Accordingly it would be in conflict with Policy 3.5 of the London Plan 2015 (LP); Policy SP2 of the Haringey Local Plan 2013 (HLP); Policy DM12 of the emerging Haringey Development Management Development Plan Document (DPD) and the NTS insofar as they seek to secure acceptable living conditions for future occupiers.

Character and appearance

11. The proposed rear dormer would extend the full width of the main dwelling roof. Whilst it would be marginally lower in height than the ridge of the main roof it would extend down to the eaves level of the building. The proposed dormer would therefore be relatively large. However, although it would be visible from a public park at the rear of the property, the dormer would be considerably set back from this area, with the presence of the nearer two storey rear addition tending to draw the eye away from the main roof, when viewed from this perspective. The dormer extension would not therefore dominate the rear of the dwelling. Furthermore it would be viewed in the context of several other extensions of similar design and appearance along the

terrace. The proposal would not therefore appear incongruous or interrupt any sense of visual uniformity.

12. For the above reasons I conclude, taking account of the site circumstances, that the rear dormer would not result in harm to the character and appearance of the area. It would therefore accord with Policies 7.4 and 7.6 of the LP; Policy SP11 of the HLP and Policy DM1 of the DPD insofar as they seek to promote high quality design that respects the local character of its surroundings.

Conclusion

13. I have not found harm in terms of character and appearance and the proposal would provide additional units in a time of housing need. However, taking into account the small number of additional units involved, these factors are outweighed by my negative findings with regard to unsatisfactory internal space.
14. For the aforementioned reasons, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Roy Merrett

INSPECTOR