



Appeal Decision

Site visit made on 21 November 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 14th December 2017

Appeal Ref: APP/Y5420/W/17/3181183
303 Alexandra Park Road, London N22 7BP

- 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 Steven Sanford, EGL Developments Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2017/0511, dated 12 January 2017, was refused by notice dated 24 March 2017.
 - The development proposed is described as "retrospective planning application for amalgamation of Studios 3 & 4 and Studios 6 & 7 to form 1 x 1 bed 1 person flat and 1 x 2 bed 3 persons flat".
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Decision

1. The appeal is allowed and planning permission is granted for the amalgamation of Studios 3 & 4 and Studios 6 & 7 to form 1 x 1 bed 1 person flat and 1 x 2 bed 3 persons flat at 303 Alexandra Park Road, London N22 7BP in accordance with the terms of the application, Ref HGY/2017/0511, dated 12 January 2017, and the plans submitted with it.

Preliminary Matters

2. The works have already been carried out. I have therefore dealt with the appeal on a retrospective basis.
3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of future occupiers with particular regard to internal floor space.

Reasons

5. The appeal site is located on Alexandra Park Road and consists of a four storey end of terrace dwelling. The works for which consent is sought involve the amalgamation of studios 3 & 4 to form a 1 bedroom, 2 person flat and studios 6 & 7 to form a 2 bedroom 3 person flat. Policy 3.5 of the London Plan requires

all new development to meet minimum internal space standards ("the Space Standards")¹.

6. The Council accepts that the amalgamation of studios 6 & 7 to form a 2 bedroom, 3 person flat (Flat 5) would broadly satisfy the Space Standards. However, it raises concerns with the amalgamation of studios 3 & 4 and the shortfall in internal floor space for the resultant dwelling. I agree with that assessment. In view of the fact that the identified shortfall for Flat 5 is minor, when weighed against the improvement in accommodation that would result, I am satisfied no harm would result from a relaxation of the Space Standards in that case.
7. However, Policy 3.5 of the London Plan requires a two storey, one bedroom, 2 person flat to provide a minimum of 58m² of internal floor space. The amalgamation of studios 3 & 4 results in a dwelling (Flat 3) which, at 37m², falls considerably short of this figure. However, the Council has acknowledged that the original studio flats which were used to form this unit of accommodation were themselves substandard and provided insufficient internal floor space. Having inspected the property, I have come to the view that the Flat 3 provides a more acceptable standard of accommodation when compared to the two substandard studios from which it was formed. Overall, the amalgamation of these units has improved the quality of the accommodation available and is a material consideration to which I afford considerable weight.
8. Consequently, although I have found that the amalgamation of units 3 & 4 would fail to meet the Space Standards, it would nevertheless, provide better quality living accommodation for future occupiers than the alternative arrangement of 2 substandard studio flats. Accordingly, although it would be in conflict with Policy 3.5 of the London Plan and Policies DM1 and DM12 of the Haringey Development Management Development Plan Document (2016), I consider there are material considerations which indicate that a departure from these policies is justified in the specific circumstances.

Other Matters

9. The Council has suggested that, in view of the site's planning history, the unaltered flats should also be considered against the Space Standards. However, these do not form part of the present application and will remain unaltered irrespective of the outcome of this appeal. I do not, therefore, consider it necessary to undertake such an assessment.

Conclusion

10. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Rory Cridland

INSPECTOR

¹ which accord with the Nationally Described Space Standard.