



Appeal Decision

Site visit made on 18 June 2019

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 8th July 2019

Appeal Ref: APP/Y5420/W/19/3226220

15 Waldegrave Road, Wood Green, London N8 0QA

- 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 Kishor Naik against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2018/3007, dated 21 September 2018, was refused by notice dated 19 November 2018.
 - The development proposed is a change of use from a residential dwelling house into a HMO for up to 6 persons.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is whether the appeal property is, in principle, suitable for use as a House in Multiple Occupation having regard to national and local policy.

Reasons

3. The appeal property is a 2-storey mid terraced dwelling situated within a predominantly residential area of similarly designed dwellings. The proposed development is the use of the property as a 6 bedroom House in Multiple Occupation (HMO) in a location where an Article 4 Direction precludes such changes of use as permitted development. An inspection of the streetscene along Waldegrave Road indicated that there are some dwellings which have been sub-divided into flats but no details of when any conversion works took place have been provided. Further, it was unclear which, if any, any dwellings were occupied as HMOs.
4. Policy DM17 of Haringey's Development Management Development Plan Document (DPD) seeks to limit proposals for the conversion of larger homes to HMOs within the area covered by the Article 4 Direction. One of the criteria is that such changes of use will only be permitted where the gross original internal floor space of the existing dwelling is greater than 120sq m. Although the claims of the appellant have been carefully noted, an ordinary reading of this criterion is that the original internal floorspace of the dwelling that currently exists should not take into account any extensions.
5. In the case of the appeal property, it appears from the evidence that the original floorspace was 108sq m and this was increased by an extension

erected around 1982. Accordingly, based upon the available evidence, the original floorspace was below the threshold identified in DMP Policy DM17. Although the proposed accommodation would be capable of satisfying the other criteria of DMP Policy DM17, the original dwelling is not of a sufficient size to be considered suitable for conversion.

6. Policy SP2 of the Haringey Local Plan Strategic Policies 2013 – 2026 (SLP) refers to providing homes to meet Haringey's housing needs and this is a general policy rather than being specific to the Family Housing Protection Zone. This policy is consistent with paragraph 61 of the National Planning Policy Framework (the Framework) which requires planning policies to assess and reflect the size, type and tenure of housing needed for different groups in the community, including, families with children. The existing property with its garden and room sizes is clearly suitable for use as family accommodation. Although the appellant refers to the Planning officer's comment about boosting the supply of housing, there is limited evidence to demonstrate that the property is unsuitable or no longer needed for use as a family dwelling and would meet a particular housing need for HMO accommodation in this locality.
7. For the reasons given it is concluded that, in principle, the appeal property is unsuitable for use as a House in Multiple Occupation and would conflict with DPD Policy DM17, SLP Policy SP2 and the Framework.
8. The Council has referred in its Appeal Statement, rather than the reason for refusal, to the potential disturbance associated with an increase in the number of occupiers of the property if it was used as a HMO. However, because this appeal is failing for other reasons, this matter does not need to be assessed in any detail. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR