



Appeal Decision

Site visit made on 2 September 2020 by C McDonagh BA (Hons) MA MRTPI
by **K Taylor BSc (Hons) PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/Y5420/W/20/3247564

183 Downhills Way, Tottenham, London N17 6AH

- 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 Ismet Dinc against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2019/1926, dated 18 May 2019, was refused by notice dated 18 October 2019.
 - The development proposed is conversion of existing dwelling into 2 self-contained flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of development in the banner heading above reflects the description used by the Council in their decision notice. This more concisely describes the development than the description given in the application form. I have therefore proceeded with the appeal on this basis.
4. Evidently, since the initial planning application was determined the conversion is been completed. The appeal is therefore considered on a retrospective basis.

Main Issue

5. The main issue is whether the development results in the unacceptable loss of a family sized dwelling.

Reasons

6. The appeal site comprises a two-and-a-half-storey mid-terrace dwelling situated within the designated Family Housing Protection Zone (FHPZ).
7. Policy DM16 of the Council of the London Borough of Haringey Development Management DPD seeks to maintain a supply of larger family homes within the Borough. Part B of DM16 states that the Council will only permit the conversion of larger homes to small self-contained units within the FHPZ where sub sections b-g of Part A are met, and the conversion will result in no net loss of family sized units.
8. There is no disagreement between the parties that the dwelling prior to conversion constituted a family sized unit for the purposes of Policy DM16. The

appellant states for the last 10+ years the property has been used as a House in Multiple Occupation (HMO) and that its conversion to two flats is an improvement on this previous use. However, I have no details on the circumstances of this HMO use, such as the number of occupants and whether planning permission was required. Regardless, following conversion, the flats are not of a scale or layout to be considered as appropriate units for families and as such results in the loss of the existing family sized unit contrary to DM16(B).

9. While some of the other criteria within Policy DM16(A) may be met by the conversion, for conversions to be acceptable under DM16(B) the gross original internal floor space of the existing dwelling prior to conversion must also be greater than 120 square metres (m²). The Council's calculation of 95m² gross internal floor area is not disputed by the appellant and from all I have seen and read I have no reason to disagree with this figure.
10. This falls significantly below the conversion standard threshold for houses within the FHPZ. As such, the original dwelling was not of a sufficient size nor does it meet all the criteria of part A (b-g) in order to be considered suitable for conversion. The resulting amount of living space of both flats meeting the requirements set forth in the Mayor of London Housing Supplementary Planning Guidance does not outweigh the proposal's lack of compliance with Policy DM16.
11. To conclude on this main issue, for the reasons above the proposal does not meet DPD Policy DM16 due to insufficient existing floor space and would result in the unacceptable loss of a family sized unit within the FHPZ, which could reasonably be occupied by a family or people forming a single household. The proposal therefore conflicts with Policy DM16 of the DPD, Policy SP2 of Haringey's Local Plan and Policy 3.14 of the London Plan. Collectively these seek to ensure that the Council provides homes which meet its housing needs.

Other matters

12. I note that no objections have been made by third parties and that letters of support have been received. However, a lack of objections and local support are not determinative factors and do not outweigh the lack of compliance with the development plan as set out above.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, including the letters of support received, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR