



Appeal Decision

Site visit made on 6 October 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/Y5420/W/20/3250980

23 Glenwood Road, Tottenham, London, N15 3JS

- 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 Ms Joshi & Ms Patel against the decision of the London Borough of Haringey Council.
 - The application Ref HGY/2019/2853, dated 14 October 2019, was refused by notice dated 9 December 2019.
 - The development proposed is the conversion of dwellinghouse to 1 x 2 bedroom flat and 1 x 3 bedroom flat.
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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. An amended plan (ref. DD2569-11 SHT1/2 Rev B) was submitted by the appellant with the appeal as part of Appendix B. It shows alterations to the internal layout and the size of the proposed bedrooms. The Council have stated their willingness to accept the revised plan as a non-material amendment. The neighbouring residents have not had the opportunity to comment on this revision, however it is not significantly different to that which the parties understand as the proposal. I therefore accept the plans as I consider nearby residents would not be prejudiced.

Main Issues

4. The main issues in this case are:
 - whether the development would provide satisfactory living conditions for the future occupants of the appeal property, having particular regard to internal floorspace and the provision of outdoor amenity space;
 - the effect of the conversion on the Borough's stock of family housing.
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Reasons for the Recommendation

Living conditions of future occupiers

5. The appeal property comprises a two-storey terraced dwelling located on the western side of Glenwood Road within an established residential area. On my site visit, I observed that the property was in the process of completing a ground floor single-storey rear extension as well as a loft conversion and roof extension.
6. Outdoor amenity space would be provided at the rear of the site however the future occupants of the upper floor flat would not have access to, or share, the space. I find that the absence of provision of private amenity space for the larger upper floor unit would be unacceptable and would not provide satisfactory living conditions for the future occupants.
7. I note that the appellant highlights that the properties at Kingswood Mews, directly to the rear of the appeal site, do not have amenity spaces. However the need to provide satisfactory living conditions at the appeal site in this respect should not be diminished by the conditions at other properties. Furthermore, whilst I accept there are public parks and children's play areas within a short walking distance of the property, these are not private spaces equivalent to a domestic garden and do not make up for the lack of amenity space proposed. Private amenity space is important for the well-being and living conditions of the occupants of family units whether these units comprise children, young adults or non-dependent adults.
8. Turning to internal space provision, the Council initially expressed concern regarding the size of the proposed bedrooms and the shortfall of double bedrooms. The revised layout (Appendix B of the appellant's appeal statement) has addressed this issue in my opinion and this is accepted by the Council.
9. The Council also states that the Gross Internal Area (GIA) of the first floor flat (83sqm) would be below the minimum standards for a three-bedroom, four person dwelling over two storeys (84sqm) as set out in the Technical Housing Standards – Nationally Described Space Standards (2015). However, this is a negligible shortfall, and in light of this, I find that the proposed internal floorspace would be sufficient, particularly as additional storage space could be provided under the roof slope at second floor level.
10. Nevertheless, the development would fail to provide satisfactory living conditions for the future occupiers of the appeal property with respect to the lack of sufficient outdoor amenity space. It would therefore conflict with policy DM16 of Haringey's Development Management Development Plan Document (the 'DPD') which aims to ensure residential conversions provide satisfactory levels of amenity space. It would also not adhere to Policy 3.5 of the London Plan which seeks to ensure proposals are well-designed and which states, within its explanatory text, that back gardens make an important contribution to quality of life.

Loss of family housing

11. The site is within a Family Housing Protection Zone (FHPZ) in which the conversion of a larger home to smaller self-contained units is only considered acceptable where it complies with criteria listed in (b) to (g) of part A of policy DM16 and results in no net loss in the number of family sized units (part B).

Criterion (b) requires the gross internal original floorspace of the existing dwelling be greater than 120sqm to allow for a conversion. The appellant states that the appeal property has 153sqm of floorspace thus exceeding the required 120sqm threshold. However, the policy refers to the floorspace of the original dwelling not the existing. The Council consider the original floorspace to be 100sqm, which is not disputed by the appellant. As such I concur with the Council in that the proposal would not respect criterion (b).

12. However, the fact that the floorspace is now considerably in excess of 120sqm means it is better able to provide two units, and no other reason for this stipulation is provided. Moreover, the aim of the policy is to maintain a supply of larger family homes, which the Council define as being 3 bedrooms or more. The proposed first floor flat would have three bedrooms and so would be a family sized home. Hence, in this regard, the development would not result in the net loss of family accommodation.
13. As such, while there is some conflict with part of the policy, the development would not result in the loss of a family home and so would not conflict with the aims and objectives of Policy DM16, in protecting the Council's stock of family housing. It also accords with Policy SP2 of Haringey's Local Plan Strategic Policies 2013 (the Local Plan) which seeks to ensure the borough's housing needs are met.

Other Matters

14. The appellant makes reference to the 'Intend to Publish' London Plan which seeks to increase the rate of housing delivery from small sites through well designed residential conversions. In my view, the lack of any private amenity space for the 3 bedroom flat would not represent good design.
15. The appellant suggests the development would provide a new residential unit to contribute to the Council's shortfall in housing delivery. The Council deny there is such a shortfall. There is little substantive evidence to support either position. Nonetheless, even if there is a moderate undersupply of housing, I consider that the failure to provide acceptable living conditions significantly and demonstrably outweighs the limited benefit of one additional unit. The retention of a family sized unit of sufficient internal living space is a factor that carries neutral weight in the balance.

Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR