



Appeal Decision

Site visit made on 24 June 2021

by Steven Hartley BA(Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021.

Appeal Ref: APP/Y5420/W/20/3265818

7 Tenterden Road, Tottenham N17 8BE

- 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 Cesur Firat against the decision of the London Borough of Haringey.
 - The application Ref: HGY/2020/2389, dated 4 September 2020 was refused by notice dated 30 October 2020.
 - The development proposed is described as for 'subdivision of dwelling to create two flats at lower ground level, ground and first floor level and external alterations'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On my site visit, I was able to see that the proposed property has already been subdivided into two apartments and that the side windows to the ground floor apartment have been installed.
3. A new London Plan 2021 (LP) was published in March 2021 and this post-dates the Council's refusal notice. This now forms part of the development plan for the area. I afforded the main parties an opportunity to comment upon the implications of this change. I have determined this appeal in accordance with relevant policies of the LP.

Main Issues

4. The main issues are the effect of the proposal upon (i) the living conditions of future occupants with regard to the amount of internal space and (ii) so far as the future occupiers of the ground floor flat are concerned, sunlighting, daylighting, outlook and privacy.

Reasons

Space standards

5. Policy D6 of the LP requires a one bed/one person flat to have a minimum internal size of 37 square metres. The appellant considers that the proposed

flat would have an internal area of 36 square metres. The local planning authority (LPA) considers it to be 35 square metres.

6. Either way, the minimum standard is not met. Whilst the difference is not great, the LP standards are absolute minima and are not to be regarded as approximate or aspirational.
7. Policy D6 of the LP also sets a minimum internal space of 93 square metres for a 3 bedroom/five person flat and 84 square metres for a 3 bedroom/four person flat.
8. The appellant considers that the proposal would be for a 3 bedroom/four person flat and that it would have an internal floor area of 90 square metres. The LPA considers it would have an internal floor area of 87.4 square metres. The space standards for a 3 bed/4-person flat would be met but not for a 3 bed/5 person flat.
9. The proposed plans show two bedrooms with double beds and one bedroom with a single bed. Policy D6 of the LP requires that '*a two bedspace double (or twin) bedroom must have a floor area of at least 11.5 square metres*'. The appellant states that one of the double bedrooms would have an internal area of 10 square metres and therefore considers that the double bedroom can only be used as a single person room. Nevertheless, the plans do show that it is proposed for a double bed space and in such circumstances, this would fail to meet the minimum internal space requirements of Policy D6 of the LP.
10. For the above reasons, I conclude that the proposed development would be contrary to the minimum space standards in Policy D6 of the LP, Policy SP2 of the Haringey Local Plan 2017 (HLP) and Policy DM12 of the Haringey Development Management DPD 2017 (DPD), all of which require a minimum standard of internal space to be achieved.

Sunlighting, daylighting, outlook and privacy

11. On my site visit, I was able to gauge the amount of daylighting to the lower apartment afforded by the installation of the side windows. I found that the light levels in the kitchen and dining area, and to the rear of the property, were poor giving a gloomy appearance and requiring supplementary electric lighting during the day and in summer.
12. The view from the side windows is onto a narrow path and then a high blank wall little more than approximately one to two metres away and giving an overbearing outlook.
13. The footpath itself leads to rear amenity space and while it passes next to the side windows, it is likely to be used only infrequently. Nevertheless, its use is likely to infringe to some extent on the privacy of the occupiers.
14. Therefore, I conclude that the proposed development would not accord with the living conditions requirements of policies SP2 and SP11 of the HLP or with Policy DM12 of the DPD.

Other Matters

15. The development would increase housing supply within the Borough which is a positive matter in favour of the appeal. However, the social and economic impacts arising from only two flats would be limited and would not therefore alter or outweigh my conclusions on the main issues.

Conclusion

16. For the reasons outlined above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

Steven Hartley

INSPECTOR