



Appeal Decision

Site Visit made on 14 October 2020

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/Y5420/W/20/3256488

127 High Road, Wood Green, London N22 6BB

- 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 Nadia Siddiqi against the decision of London Borough of Haringey.
 - The application Ref HGY/2020/1043, dated 10 March 2020, was refused by notice dated 27 May 2020.
 - The development proposed is change from one flat in the upper floors of the building into two flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged The London Plan (2021) (the New London Plan) has been published by the Mayor of London and is now part of the development plan. The policies within the London Plan (2016) are therefore no longer extant. The parties have had an opportunity to comment on the New London Plan in relation to the case during the appeal process.
3. I have taken this into account in my determination of the appeal. In so doing, I am satisfied that the appellant has had the opportunity to consider the relevant provisions of the New London Plan and no-one's case is prejudiced by my taking them into account.

Main Issue

4. The main issue is whether the proposal would provide suitable living conditions for future occupiers.

Reasons

5. The appeal relates to the use of the upper floors of 127 High Road (No 127). No 127 faces onto High Road, a busy street with retail units at ground floor level. The upper floors are predominantly in residential use, although there is an office on the first floor at the rear, which would be retained. The upper floors are accessed from Hazel Mews, which runs to the rear of the site.
6. The New London Plan sets out minimum internal space requirements for dwellings. Neither of the proposed flats achieve the level of provision set out for flats of their size and configuration. Neither flat has any identified living or dining space. The proposed kitchen of the first floor flat would lack any

windows and this lack of access to natural daylight would create a sense of internal enclosure and oppression for residents of the new dwelling.

7. I therefore conclude that the proposal would not provide suitable living conditions for future occupiers. It would, therefore, be contrary to Policy D6 of the New London Plan, Policies SP2 and SP11 of the Haringey Local Plan Strategic Policies 2013-2026 (2011) (the Local Plan) and Policy DM12 of the Haringey Development Management DPD (2017) (the DMDPD). This is because these policies require, amongst other things, that new housing is of a high quality, able to integrate its intended function and set out the minimum internal space for dwellings that are considered able to provide reasonable living conditions.

Other Matters

8. The site lies within a Controlled Parking Zone (CPZ) and provides no off-street parking provision for future residents. The Council's Transportation Section considers that there is a need for a planning obligation to deliver car-free development. No obligation has been provided. However, as I am dismissing this proposal on other grounds, I have not considered this matter further.
9. The Council has identified that, as it has fallen significantly short of its housing delivery target over the last three years, paragraph 11(d) of the National Planning Policy Framework (2019) (the Framework) is engaged in consequence of footnote 7 of the Framework.
10. The development would provide benefits in terms of delivering an additional home to boost housing supply. The Government seeks to significantly increase housing supply. This is reflected in policies within the New London Plan, The DMDPD and the Local Plan to encourage the provision of housing. However, the DMDPD and Local Plan were adopted prior to the publication of the Framework.
11. The policies in the development plan that are most important in this case (Policy D6 of the New London Plan, Policies SP2 and SP11 of the Local Plan and Policy DM12 of the DMDPD) are closely consistent with the aims and policies set out in Sections 2 and 12 of the Framework and therefore I afford them significant weight.
12. The development would provide benefits in terms of delivering an additional home in a relatively accessible location to boost housing supply, densifying the use of a previously developed site. The Council's identified housing need figure is not a maximum and the additional home would provide a modest benefit, given the Government's aim of significantly increasing the delivery of housing. The proposal site is already in residential use and, although lacking any external amenity area and thus unsuitable for use by a family would provide accommodation suitable for other types of household.
13. There would be minor benefits to the local economy in terms of short term employment in the construction industry and longer term support to local shops and businesses. The development would re-use previously developed land. However, given the scale of the development, these benefits carry limited weight. Taken together, given the scale of development these benefits carry limited weight.

14. I have found that the proposal would result in material harm to the living conditions of future occupiers, contrary to policies within the development plan. This is a significant factor weighing against the scheme.
15. In conclusion the identified harm would significantly and demonstrably outweigh the limited benefits provided by the scheme when considered against development plan policies and the Framework when read as a whole.

Conclusion

16. For the reasons given, and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

I Dyer

INSPECTOR