



Appeal Decision

Site visit made on 24 May 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th July 2022

Appeal Ref: APP/Y5420/W/21/3288652

17 Bromley Road, Tottenham, London N17 0AR

- 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 Peter Braun against the decision of London Borough of Haringey Council.
 - The application Ref HGY/2021/1804, dated 19 May 2021, was refused by notice dated 9 August 2021.
 - The development proposed was originally described as "Ground, first, and second-floor extension, to create an additional 2 flats".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council in its decision notice, and the appellant on the appeal form, described the development as, "Proposed two-storey side extension, single storey rear extension, loft conversion with a rear dormer window. The conversion of the building into 3 self-contained flats." I have used that description of development in my decision as it describes the development more clearly.
3. The "existing" plans submitted with the appeal show extensions which had not been constructed at the time of my site visit. I note the Council refer to planning permission for a two-storey side extension and a Lawful Development Certificate for roof extensions. Nevertheless, I have considered the existing building to be that existing at the time of my site visit.

Main Issues

The main issues are: (i) whether the existing dwelling is of a size sufficient for conversion; (ii) the effects of the development on car parking in the area in respect of highway safety and the living conditions of neighbouring occupiers (or both); (iii) the effects of the proposed development on the character and appearance of the area; and (iv) the effects of the proposed development on the stock of family-sized dwellings in the Borough.

Reasons

Size of the existing dwelling

4. The appeal site is a semi-detached dwelling within an area defined by Haringey Development Management Development Plan Document (2017) ('DM DPD') Policy DM16 as the Family Housing Protection Zone ('FHPZ'). Within the FHPZ, Policy DM16 permits the conversion of larger homes to small self-contained

homes where there is no net loss in the number of family sized units, and where other policy requirements are met. The gross original internal floorspace of the existing dwelling must be greater than 120sqm.

5. The Council states the original internal floorspace of the existing dwelling is around 95sqm, and the appellant agrees that it falls below 120sqm. The appellant also refers to an appeal decision¹ where the interpretation of "gross original internal floor space of the existing dwelling" was considered. However, in this case the dwelling has not been extended and the 'original' and 'existing' internal floorspace must therefore be the same. The proposal therefore conflicts with the minimum original internal floorspace requirement of DM DPD Policy DM16, and consequently the existing dwelling is not of a size sufficient for conversion.

Car parking

6. DM DPD Policy DM16 requires proposed residential conversions to be supported by a car parking survey. The text supporting the policy states the cumulative impact of conversions over the past 20 years has resulted in unsatisfactory levels of on-street parking and congestion, along with adverse changes to residential character and amenity, and significant loss in the availability of family housing.
7. Parking is prohibited on the cul-de-sac section of Bromley Road serving the appeal site, placing greater reliance on parking spaces on other parts of Bromley Road. The Council's planning officer's report indicates there would be a parking demand for three vehicles. Although the development would result in a net increase of only two spaces, I note the garage and its forecourt would be removed and there would be no proposed off-street parking.
8. The Council's Transport Planner acknowledges the high accessibility of the area, but also notes that no parking stress surveys have been carried out. Their consultation response states they would also require the development to be 'car-free', with a planning obligation restricting all occupiers of the proposed flats from applying for CPZ² parking permits. However, the CPZ only applies on event days (being close to Tottenham Hotspur Stadium), and restrictions on permits would not necessarily overcome parking issues on other days.
9. I have not seen evidence that the development would cause highway safety issues. However, in the absence of a car parking survey or a planning obligation, it would add to parking pressure and thereby cause harm to the living conditions of neighbouring occupiers. This amounts to further conflict with DM DPD Policy DM16, which requires that all residential conversions be supported by a car parking survey.

Character and appearance

10. The area is characterised by semi-detached dwellings, and short terraces of four dwellings, with brick ground floors, rendered first floors and tiled roofs with chimneys. These features have largely been retained across the estate, and display symmetry of design across semi-detached and terraced dwellings. At my site visit I saw only one example of uncharacteristic development in the

¹ APP/Y5420/W/20/3244356

² Controlled Parking Zone

vicinity of the appeal site. The existence of that extension does not justify further harm.

11. The appeal site is located in a prominent position, being visible from all parts of the cul-de-sac and from the junction with the main section of Bromley Road. The proposed extensions to the side, rear and roof of the dwelling would be very extensive. As planning permission has been granted for the side extension, and a Certificate of Lawful Development for the loft conversion, these elements could therefore be constructed in any case if the building were to remain as a single dwelling. An element of the 3m rear extension may also be able to be carried out as 'permitted development'³ if the dwelling remains as a single dwelling. However, carried out together, and with further works to join the side and rear extensions, the proposed works would introduce uncharacteristic bulk and a multiplicity of styles to the dwelling and the area. It would also remove the symmetry of the pair of semi-detached houses.
12. Overall, the proposed extensions would contrast with the character and appearance of the building and the area, and would be harmful to it. The appellant may be able to carry out some, or most, of the proposed extensions while the building is a single dwelling. However, cumulatively, they would nevertheless harm the character and appearance of the property and the area, amounting to further conflict with DM DPD Policy DM16, as it relates to the design of residential conversions.

The stock of family-sized dwellings

13. The text supporting DM DPD Policy DM16 highlights a strong need for, as well as a significant loss of, the availability of family housing across the Borough. It is identified as a particular concern alongside the Council's aspirations to retain economically active families, encourage households to put down roots, and address overcrowding. The policy itself only allows conversion in the FHPZ where there is no net loss in the number of family sized units.
14. The proposed units would each meet the London Plan (2021) ('LP') Policy D6 minimum space standards. Flat 1 would be a 3-bedroom ground floor flat of 86sqm, only marginally smaller than the existing dwelling. It would also have access to the garden, and function sufficiently as a family dwelling.
15. There would therefore be no net loss in the number of family sized units, and the proposal would provide a mix of unit sizes. The proposed development would accordingly comply with the relevant provisions of LP Policy D6⁴, Haringey's Local Plan Strategic Policies 2013-2026 (2017) Policy SP2, elements of DM DPD Policy DM16, and the Mayor of London's Housing Supplementary Planning Guidance (2016). Together these policies aim to provide suitably sized homes to meet Haringey's housing needs.

Other matters

16. Other matters have been raised, including those relating to living conditions of neighbouring occupiers. As I am dismissing the appeal for other reasons, I have not considered these matters further.

³ Under the Town and Country Planning (General Permitted Development) (England) Order 2015.

⁴ I have not found LP Policy D1 to be applicable to this development.

17. The development would provide two additional housing units in an area of good public transport accessibility⁵ and would provide a mix of residential unit types. Together these attract limited weight in favour of the development.
18. However, the proposal would harm living conditions in relation to car parking, and would result in the conversion of a small existing dwelling, necessitating its substantial extension. Consequently, the development would harm the character and appearance of the area. Therefore, the benefits do not outweigh the harm.

Conclusion

19. Although I find no harm to the provision of family sized dwellings in the area, I do find harm in respect of car parking, the size of the existing dwelling and the character and appearance of the area. The proposal therefore conflicts with the development plan as a whole. The appeal is therefore dismissed.

Peter White

INSPECTOR

⁵ Public Transport Accessibility Level 5 (PTAL 5)