



Appeal Decision

Site visit made on 19 September 2023

by C Livingstone MA(SocSci) (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2023

Appeal Ref: APP/Y5420/W/23/3318677

8 Willoughby Lane, Tottenham, Haringey, London N17 0SS

- 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 Joseph Munroe against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2022/2815, dated 13 October 2022, was refused by notice dated 7 December 2022.
 - The development proposed is change of use from a single family dwelling to 2 self contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government has updated the National Planning Policy Framework (the framework), after the planning application was determined. The update, on 5 September 2023, relates to onshore wind development. The remaining wording has been retained, unaltered, from the previous version which was adopted in July 2021. I have determined having regard to the Framework.
3. The name in the banner heading has been amended to reflect the correct spelling of the appellant's name.
4. The property was already sub-divided in to two flats at the time of my site visit. I have therefore determined the appeal on the basis that permission is being sought retrospectively.

Main Issues

5. The main issues are:
 - the effect of the development on the supply of family housing; and
 - whether the development provides suitable living conditions for its occupants with regard to internal floor space, cycle parking and refuse storage facilities.

Reasons

Family housing

6. The appeal building was a single dwellinghouse which has been subdivided to create two separate dwellinghouses. Policy DM16 of the Haringey Development Management DPD (DPD) sets out that to maintain a supply of larger family

homes, the Council will only permit the conversion of a larger home to small self-contained homes where (a) it is located outside of the Family Housing Protection Zone; (b) the gross internal floor space of the existing dwelling is greater than 120sqm. It is not disputed that the property lies within the Family Housing Protection Zone, or that the original floor space was less than 120sqm. The appellant suggests that the building could be extended to meet the shortfall in floor area. However, Policy DM16 relates to the minimum floor area of the original internal floor space of the existing dwelling.

7. The purpose of Policy DM16 is to address the availability of family housing, for which there is a strong need. I have no evidence to show that this need no longer remains. The Council clarify that a family sized home is one with 3 plus bedrooms therefore 2 bedroomed dwellings would not be considered to be family sized. Further, for the reason set out below the internal space which is provided for the flats is inadequate. Even if the property could be returned to single occupation in the future, this would not meet the current need for such accommodation. Therefore, overall, the appeal scheme undermines the Council's aim to maintain a supply of larger family homes to meet Haringey's housing need.
8. For these reasons, the development has a harmful effect on the supply of family housing. It therefore is contrary to Policy DM16 of the DPD, Policy D6 of the London Plan 2021 (LP), Policies SP2 of Haringey's Local Plan Strategic Policies 2013 (SP). These policies are consistent with the Framework in seeking to provide a variety of high quality housing types to meet the needs of the community.

Standard of accommodation

9. There is a dispute between the parties about the precise floor area of the two bedroomed flats. The Nationally Described Space Standards (NDSS) requires that 2-bedroomed and 3 person properties should have a minimum of 61 square metres. The floor areas on the submitted plans are considerably below this figure. I appreciate that the application was retrospective and that it may be possible to reconfigure the space to provide accommodation for a lesser number of occupants. I also note that there are no external changes to the building and no effect on the wider character and appearance of the area associated with the development. Nevertheless, as confirmed in the text to Policy D6 of the London Plan the NDSS set these standards to enable a home to become a comfortable place to retreat and there is little before me to justify development significant below the standards set out.
10. No cycle storage, refuse or recycling area is shown on the submitted plans. The property is mid-terrace with a small front garden and no external access to the rear garden. Based on the evidence before me it does not appear that there is a sufficient area to adequately meet the needs of occupants of the development in terms of cycle storage, refuse and recycling provision.
11. Overall, the property fails to provide suitable living conditions for its occupants with regard to internal floor space, cycle parking and refuse storage facilities. There is therefore conflict with the requirements of Policy D6 of the London Plan 2021, Policies SP11 and SP2 of the SP and DPD Policy DM16 and the guidance provided in the Mayor's Housing Supplementary Planning Guidance 2016, which require housing development to provide suitable living conditions for future occupants.

Other Matters

12. I have been referred to several other developments in the area where dwellings have been subdivided into flats. However, the Council is concerned about the incremental cumulative impact of conversions over the past 20 years. It is, therefore, likely that there will be converted properties near to the appeal site. Even so, this does not mean that proposals to convert other dwellings would be supported. Rather the policy seeks to retain those properties that can contribute to providing family houses. There is therefore little before me to suggest that the Council is being inconsistent in its approach, and I have considered the appeal on its own merits.

Conclusion

13. For the reasons given above I conclude that the proposal conflicts with the development plan and there are no material considerations that indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

C Livingstone

INSPECTOR