

Appeal Decision

Site visit made on 2 September 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2024

Appeal Ref: APP/Y5420/W/24/3340130

54 Wightman Road, Hornsey, Haringey, London N4 1RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Alison Sandamas against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/2754.
 - The development proposed is conversion of existing ground and lower ground floors into two self-contained flats and one self-contained maisonette.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the living conditions of future occupiers;
 - whether the proposal would promote sustainable means of transport with particular regard to on-site cycle parking storage;
 - the effect of the proposal on highway safety with particular regard to on-street parking; and
 - the effect of the proposal on the on-street bagged refuse collection service.

Reasons

Living conditions

3. The appeal site is an end terraced property adjacent to a single storey car repair garage. The upper floors are in use as residential accommodation. The building fronts onto an open forecourt which is separated from the adjacent footway and road by a row of bollards.
4. The ground and lower ground floors of the building were previously in use as residential studios, storage and a former shop. The proposal would see the front of the lower ground and ground floors converted to two one-bedroom flats and the rear of both floors converted to a one bedroom split level maisonette.
5. There is disagreement between the parties as to whether the proposed residential accommodation would meet the internal floor areas and storage

space requirements in Table 3.1 and Policy D6 of the London Plan (2021). In addition, the two one bedroomed flats would not have access to any outdoor amenity space. However, they do not appear to provide excess space that could mitigate the lack of outdoor space. Whilst I acknowledge that the proposal would be an improvement in space standards to the existing sub standard studio flats and that there are limited opportunities to provide outdoor amenity space, this does not overcome the harm to living conditions that I have found.

6. I conclude that the proposal would harm the living conditions of future occupiers. It would conflict with Policy DM16 of the Haringey Development Management Development Plan Document (2017) (DPD) and Policies D3 and D6 of the London Plan (2021) which together amongst other matters seek to ensure that development provides accommodation that satisfies relevant standards.

Sustainable transport

7. Policy T5 of the London Plan requires development to provide appropriate levels of cycle parking, which is fit for purpose, secure and well located. Table 10.2 of the policy sets out the minimum standards and requires one cycle parking space per person for one-bedroom dwellings and two spaces for all other dwellings.
8. In this case there is no opportunity to provide cycle storage at the front of the property as it fronts directly onto the footway. In addition, the limited space within the flats indicate that cycle storage could not be satisfactorily accommodated within the property. No cycle parking provision or storage has been shown on the submitted plans.
9. I conclude that the proposal would not promote sustainable means of transport with particular regard to on-site cycle parking storage. It would conflict with Policies DM17 and DM31 of the DPD and Policies T1 and T5 of the London Plan which together amongst other matters seek to ensure that development provides adequate secure and covered cycle parking.

Highway safety and parking

10. Wightman Road is a busy road within the Green Lanes Zone A Controlled Parking Zone (CPZ). Due to the arrangement of the road markings and extended footways demarking nearby parking bays, there is no opportunity for on-street parking outside the premises.
11. The proposed development makes no provision for on-site parking and there is the potential for it to generate demand for additional on-street parking. However, there is no evidence before me to indicate whether there is sufficient parking space within the vicinity of the proposal or an appropriate and lawful mechanism to secure permit-free development. It would therefore compromise highway safety through increased on-street parking pressures and potential additional vehicle movements to find parking spaces.
12. I conclude that the proposal would harm highway safety with particular regard to on-street parking. It would therefore be contrary to Policies DM17, DM31 and DM32 of the DPD and Policies T1 and T4 of the London Plan

which, amongst other matters, requires developers to demonstrate that their development will not adversely affect on street parking and highway safety.

Refuse collection

13. The upper floors of the building are in use as residential accommodation which is served by the Council's bagged refuse collection service. It has been confirmed by the collection service that there is no alternative collection in the area.
14. There is no opportunity to provide an external area for bin storage and due to the limited space within the flats it could not be provided within them. However, this is a similar situation to other flats in the area which use the bagged refuse collection service. In addition, the building is in use as residential accommodation on the upper floors and has in the past had residential accommodation on the ground and lower ground floors. I do not therefore consider that the proposal would place additional demands on the service.
15. I conclude that the proposal would not harm the on street bagged refuse collection service. It would therefore comply with Policies DM1, DM17 and DM4 of the DPD which together amongst other matters seek to ensure that development provides adequate refuse collection.

Other Matter

16. I note the appellant's concerns regarding the Council's handling of the application. However, this is a matter that would need to be taken up with the Council in the first instance. In determining this appeal, I am only able to have regard to the planning merits of the case.

Planning Balance

17. The appeal scheme would not accord with the development plan in relation to living conditions of future occupiers, sustainable transport with particular regard to on-site cycle parking storage and highway safety with particular regard to on-street parking. It would provide new self-contained residential accommodation in a sustainable location and would contribute to the mix and supply of homes in the area. However, it does not demonstrate it would encourage sustainable travel due to the lack of cycle storage facilities. It would also not harm the refuse collection service. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole, and I find that the adverse impacts of the proposal are matters of significant weight against the grant of planning permission that outweigh the stated benefits.

Conclusion

18. Whilst I have not found harm to the street bagged waste collection service, this does not outweigh the harm I have found to living conditions, sustainable transport and highway safety. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR