



Appeal Decision

Site visit made on 21 January 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2025

Appeal Ref: APP/Y5420/W/24/3349430

49 Park View Road, Tottenham, Haringey, London N17 9AU

- 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 Mr Altaf against the decision of the Council of the London Borough of Haringey.
- The application Ref is HGY/2023/3340.
- The development proposed is described as 'This proposal envisions a 'sustainable studio flat' strategically positioned amidst the residential streets connecting 49 Buller Road and 49 Park View Road. The proposed unit boasts a total Gross Internal Area (GIA) of 37m² within a site area of 67m². A thoughtfully designed front amenity area of 11.5m² featuring a welcoming walkway, designated planting, a double bin store, and a single stand-up bike store, all enclosed by perimeter fencing. Adjacent to the unit, an access path leads to the rear amenity area covering 5.7m², sheltered by a privacy pergola that not only shades residents but also ensures a private sanctuary. Internally, the unit is strategically designed with an open-plan kitchen/living/dining area, seamlessly blending functionality with style. Additional internal features include a dedicated storage space, a spacious bathroom, and a double bedroom with integrated wardrobe storage. The unit, crafted as a single-storey haven, is crowned with a flat green sedum roof, offering natural insulation and passive cooling. Embracing sustainability, the water runoff is conscientiously collected and re-purposed through an efficient rain water collection system'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst the proposed development has commenced, as it has not been completed, I have dealt with the appeal as a proposed development based on the appeal plans.
3. The fourth reason for refusal on the Council's Decision Notice refers to Policy SP4 of the London Plan (LP). The Council have acknowledged this is an error and that it should have referred to Policy SP4 of the Haringey Local Plan (HLP). As the officer report correctly refers to HLP Policy SP4 and a copy of the correct policy was provided with the appeal documents, I am satisfied that the appellant has not been prejudiced by the error. I have therefore dealt with this reason for refusal as referring to HLP Policy SP4.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - Whether appropriate living conditions would be provided for the future occupiers of the proposal, and maintained for neighbouring occupants, with

particular regard to the amount of floorspace proposed, light, outlook and privacy; and

- Whether the proposal constitutes sustainable development, in respect of minimising energy use and carbon emissions.

Reasons

Character and appearance

5. The appeal site is located on Buller Road, to the rear of 49 Park View Road. The site was formerly rear garden, but now forms a separate parcel of land. Buller Road and Park View Road are characterised by two storey terraced dwellings which are consistent in appearance, with bay windows at ground and first floor and projecting canopies above the front door. They are set back from the highway with a broadly uniform building line. Whilst the houses have no particular architectural merit, and some are not in the best of repair, their simple design and consistent position relative to the highway creates a pleasing rhythm to the streetscape.
6. The single storey design of the proposal would differ from the prevailing character of the area. The large extent of glazing which would occupy most of the front elevation, would also be in marked contrast. Moreover, compared to its surroundings, the plot size would be extremely small, and the proposed building would extend to the side and rear boundaries and would, unlike the existing dwellings, cover most of the site. Such aspects of the proposal would result in it appearing unusually cramped relative to those in the surrounding area, and therefore contrary to the prevailing character.
7. Overall, the proposal would have a jarring and unacceptable relationship with the street scene that would harm the character and appearance of the area. Such harm would not be reduced by using high-quality materials, brickwork that matches existing properties within the area or through the introduction of a green sedum roof, which would not be readily apparent from the public domain.
8. Therefore, the proposal would cause unacceptable harm to the character and appearance of the area. As such, it would be contrary to LP Policy D3, HLP Policy SP11 and Policies DM1, DM7 and DM12 of the Haringey Development Management DPD (DPD) which seek to deliver high quality design and development that relates appropriately to the surrounding area and established street scene.

Living conditions

9. LP Policy D6 states that housing development should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. Table 3.1 of the LP sets out the minimum internal space standards for new dwellings and indicates that for a one storey, one bedroom, one person dwelling, a minimum gross internal floor area and storage of 39 square metres (sqm) must be provided. Where a one bedroom, one person dwelling has a shower room instead of a bathroom, as in this case, the floor area may be reduced to 37sqm. At 37.5 sqm, the proposal would marginally exceed this standard.
10. However, the bedroom is a two-bedspace double and, therefore, it is reasonable to consider that what is proposed is a two-persons dwelling. As such, to accord with

LP Policy D6 the proposal would require a minimum gross internal floor area and storage area of 50sqm. The proposed gross internal floorspace thus falls significantly short of the policy requirements. Accordingly, it would not provide appropriate and adequate living space for modern urban living as suggested by the appellant.

11. The proposed bedroom would have a large, glazed window that would look onto a small external space in a position close to the proposed timber fence. The fence would need to be high enough to ensure that there is no direct overlooking of the adjoining garden. Consequently, and in the absence of evidence which demonstrates otherwise, the amount of daylight and sunlight reaching the bedroom would be unacceptably limited creating a dark and gloomy space. In addition, for the same reasons, a poor outlook would be provided from the bedroom to the detriment of the living conditions of the future occupants.
12. The erection of a timber fence of an appropriate height, which could be secured by condition, would prevent overlooking between the glazed patio door serving the proposed bedroom and the ground floor rear windows of 49 and 50 Park View Road. Notwithstanding the limited separation distance, such a boundary treatment, together with the proposed pergola and the oblique angle of view, would also ensure that intervisibility between the patio door and the first-floor windows of the Park View Road properties would be limited. Consequently, an acceptable level of privacy would be achieved for the occupants of the proposed dwelling and 49 and 50 Park View Road.
13. The overall height of the proposed building would be greater than the boundary treatment and it would be sited close to the rear gardens of 49 and 50 Park View Road. Nonetheless, given that the building would be single storey it would not have a detrimental enclosing or dominating effect on the outlook from the rear facing windows or gardens of those properties.
14. Overall, whilst the proposal would not result in an unacceptable loss of privacy or visual intrusion, this does not override the shortfalls in respect of the living conditions of the occupiers of the proposal that I have identified.
15. I conclude that appropriate living conditions would not be provided for the future occupiers of the proposal due to substandard gross internal floorspace, and the level of light within, and outlook from, the proposed bedroom. As such, it would conflict with DPD Policies DM1, DM7 and DM12 and LP Policy D6 which seek high quality design, high standards of amenity for the users of development and the provision of minimum internal space standards.
16. The Council has referred to DPD Policy DM17 in the third reason for refusal. However, as this policy concerns houses in multiple occupation, which is not what is proposed, it is not relevant to the determination of this appeal. In addition, as HLP Policy SP11, which was referred to in the second reason for refusal, does not relate to living conditions it is not applicable to this main issue.

Energy use and carbon emissions

17. The proposed development incorporates a green sedum roof and rainwater harvesting which are features that contribute towards sustainable development. Nonetheless, this does not demonstrate compliance with the requirement of HLP Policy SP4 that all new dwellings shall be zero carbon from 2016 onwards. It has

also not been demonstrated that the development achieves a reduction in predicted carbon dioxide emissions of 20% from on-site renewable energy regeneration, or that to do so would not be viable. Furthermore, it has not been demonstrated that the proposal applies the energy hierarchy to minimise energy use in order to meet, and if possible, exceed, minimum carbon dioxide reduction requirements as required by DPD Policy DM21. Whilst I note the appellant's willingness to provide detailed plans to demonstrate compliance with energy efficiency standards, in the absence of such information I can only conclude that the proposal is contrary to policy.

18. I therefore find that it has not been demonstrated that the proposal constitutes sustainable development through the minimisation of energy use and carbon emissions. As such, it does not accord with the aims for sustainable design of HLP Policy SP4 and DPD Policy DM21.

Conclusion

19. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
20. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR