



Appeal Decision

Site visit made on 20 May 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2025

Appeal Ref: APP/Y5420/W/24/3357189

162 Park Lane, Tottenham, Haringey, London N17 0JN

- 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 Vida O Osei against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2024/2550.
 - The development proposed is described as the change of use from single family 6-bed dwelling to HMO with 8 x rooms (9 occupiers living as 7 households).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, I observed that the use of the property as a large House of Multiple Occupation (HMO) had already commenced. The layout and use of the rooms within the property does not exactly match the layout shown on the submitted plans. However, as the appeal proposal includes alterations to the internal configuration, I have before determined the appeal on the basis of the submitted plans.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the supply of family-sized housing;
 - Whether the development provides adequate living conditions for future occupiers with particular regard to the provision of internal space, light and communal facilities;
 - Whether the proposed development would provide adequate cycle storage provision; and
 - The effect of the proposed development on the living conditions of neighbouring occupiers with particular regard to noise and disturbance.

Reasons

4. The appeal site comprises a three-storey, mid terrace dwelling. The surrounding area is characterised by predominantly residential uses, with rows of terraced

dwelling with some purpose-built blocks of flats. There are also commercial uses nearby.

5. The proposed development is seeking approval for the change of use of an existing dwelling to a HMO, providing eight bedrooms for up to nine occupiers, with a communal kitchen and dining room located on the ground floor.

Supply of Family-Sized Housing

6. Policy DM17 of the Haringey Development Management Development Plan Document, adopted July 2017 (the DMDPD) sets out specific criteria for proposals involving the conversion of existing dwellings to HMOs. Criterion (a) states that conversion will only be permitted where the original gross internal floorspace of the existing dwelling is greater than 120m².
7. There is no definition provided of what is meant by 'original' for the purposes of Policy DM17 of the DMDPD. However, the GPDO defines 'original' as a building as it existed on 1 July 1948 where it was built before that date, and as it was built if built after that date. In the absence of any other definition or guidance, I have used this for the basis of my assessment.
8. The gross internal floorspace is listed on the application form as being 171m². However, the Council states that the original gross internal floorspace is less than 120m². Whilst no exact figure has been provided, I understand from the evidence before me that the property has been extended by way of a single storey rear extension¹ and a loft conversion². Therefore, on balance, this figure is likely to be based on the extended floorspace. Consequently, it has not been demonstrated that the original gross floorspace of the existing dwelling exceeds 120m² as is required by Policy DM17 of the DMDPD.
9. Furthermore, the supply of family sized housing is a priority for the Council. Notably, the appeal site lies within a Family Housing Protection Zone (as defined in the adopted Local Plan). The purpose of this designation is to restrict further residential conversions in areas identified as having a high concentration of converted properties.
10. The appellant states that based on their research, the majority of properties in the area have not been the subject of proposals for change of use to HMOs or non-commercial uses and that the Council has not identified any specific concerns in terms of over concentration specific to the appeal site. Nonetheless, the appeal proposal would result in the loss of a family-sized dwelling for which there is an identified need and a property which is within an identified family housing protection zone.
11. Therefore, whilst I acknowledge that HMOs play an important role in meeting particular housing needs, in this particular case, there is also a strong identified need for family housing. Consequently, I find that the proposal would result in unacceptable reduction in the supply of family housing within the Borough. Thus, it would be contrary to Policy DM17 of the DMDPD which requires amongst other things, the gross original internal floor space of the existing dwelling to be greater than 120m².

¹ Application Ref: HGY/2017/3198

² Application Ref: HGY/2017/1275

12. It would also be contrary to Policy SP2 of the Haringey Local Plan Strategic Policies 2013-2016, adopted 2017 (the HLP) which seeks amongst other things, to provide homes to meet Haringey's housing need.

Living Conditions – Future Occupiers

13. The Haringey Standards for Houses in Multiple Occupation (2017) (the HMO Standards) sets out amongst other things requirements for the provision of kitchen facilities within HMOs. It states that in circumstances where some or all of the units of accommodation do not have exclusive kitchen facilities, shared facilities shall be provided at a ratio of one set of facilities to a maximum of three lettings. The HMO Standards also state that where more than one set of shared kitchen facilities are required, these may be provided within one room but must be arranged in distinct areas for the convenience of the occupiers.
14. Based on the size of the proposed HMO accommodation, three sets of kitchen facilities would be required to meet these standards. The submitted plans show that the HMO would be served by a single kitchen located on the ground floor of the property. Whilst it would have two sets of cooking facilities it would be very limited in size and provide no windows for light or ventilation. The dining room would also have no windows. Furthermore, it has not been demonstrated that the kitchen facilities, due to their limited size, would provide sufficient levels of storage and circulation space for the number of occupants.
15. In terms of the bedrooms, the application is seeking approval for the use of eight bedrooms. However, based on the information provided on the submitted plans, Bedroom 6 measures just 5.1m² which is significantly below the minimum standard of 10m² required by the HMO Standards. It is also smaller than the minimum size for a single bedroom set out in the Nationally Described Space Standards. Therefore, I find that this bedroom due to its limited size, would not be capable of providing adequate living conditions for any future occupiers.
16. It is not disputed that all of the other bedrooms meet the minimum standards for provision of sufficient floor space for single occupancy, with Bedrooms 5 and 7 being of sufficient size for double occupancy. However, Bedroom 2 which is shown on the submitted plans as being located on the ground floor, would not have access to a window. Accordingly, it would fail to provide adequate outlook, light and ventilation for the occupiers of this room.
17. Therefore, whilst I have had regard to the appellants statement that a HMO licence has been granted by the Council, I nevertheless find that the accommodation would not provide adequate living conditions for its future occupiers, with particular regard to the provision of internal space, light and communal facilities. Thus, it would be contrary to Policy DM17 of the DMDPD which states that the conversion of larger homes to HMOs will only be permitted where they provide high quality accommodation that satisfies the relevant policies of the Local Plan, including internal space standards, provision of a satisfactory level of amenity space for occupants, and adequate and convenient refuse storage and collection.

Cycle Parking Provision

18. In accordance with Policy T5 of the London Plan, the development should provide accessible and secure cycle parking for eight cycles.

19. Policy DM35 of the DMDPD states that cycle storage on front gardens should be of high-quality design, should not be visually intrusive and should not harm the amenity of surrounding properties. It further states that planning applications for cycle storage should have regard to the size of the shed or storage shelter, the building and the garden; its location; level of screening; and the nature of the materials used.
20. As the appeal property is a mid-terraced property, it would not be practical for cycle storage for this number of occupants to be located in the rear garden. However, there is only a limited amount of space at the front of the property, which due to the proposed number of occupants, would also need to accommodate a large number of waste and recycling storage bins.
21. Therefore, whilst I have had regard to whether the details of cycle storage could be secured by condition, it has not been demonstrated that there is sufficient space available within the front garden to accommodate the number of cycles required without compromising the provision of adequate waste storage, nor leading to an overly cluttered appearance to the detriment of the character and appearance of the area.
22. Consequently, I therefore find that it has not been demonstrated that the proposed development would provide adequate cycle parking provision. Thus, it would be contrary to Policy DM35 of the DMPD which requires amongst other things, that cycle storage is not visually intrusive or causes harm to the amenity of surrounding properties.

Living Conditions – Neighbouring Occupiers

23. Policy DM17(b) of the DMDPD states that proposals for HMOs should not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an overconcentration of HMOs within an area.
24. Whilst the existing dwelling has six bedrooms, the HMO would be occupied by up to nine occupants, comprising of seven separate households. I accept that this would be likely to give rise to an increased level of activity by way of comings and goings, deliveries and visitors. However, this would not be significantly greater than those associated with a larger single-family dwelling.
25. For these reasons, taking into account the character of the immediate surrounding area, which is a mix of residential and commercial uses, I find that the use of the property as a HMO would not give rise to any significant adverse harm to the living conditions of neighbouring occupiers with particular regard to noise and disturbance. Thus, it would comply with Policies DM1 and DM17(b) of the DMDPD which states that the conversion of larger homes to HMOs will only be permitted where they do not give rise to any significant adverse amenity impacts on the surrounding neighbourhood.

Other Matters

26. The appeal site is within an area with a PTAL Rating of 2, indicating it has reasonably poor access to public transport and as a result there is likely to be a strong reliance on the use of a private car. It is also located within a Controlled Parking Zone (CPZ), which restricts parking to permit holders only on event days.

Policy DM33 of the DMDPD requires the development to be car-free with a S106 agreement being required to secure this. The appeal is not supported by a legal agreement or other appropriate mechanism to secure the development as car-free. However, as I am dismissing the appeal for other reasons, I have not considered this matter further.

Conclusion

27. For the reasons given above, the proposal conflicts with the development plan and there are no material considerations of sufficient weight which indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

K Lancaster

INSPECTOR