



Appeal Decision

Site visit made on 25 June 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/Y5420/W/25/3363653

41 Baronet Road, Tottenham, London N17 0LY

- 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 Schneck against the decision of the Council of the London Borough of Haringey.
 - The application reference is HGY/2025/0008.
 - The development proposed is the erection of a dormer extension and the change of use from a single dwellinghouse (Class C3) to an 8-bed HMO (Sui-Generis) together with the provision of refuse and cycle storage.
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Decision

1. The appeal is dismissed.

Application for costs

2. The appellant has made an application for costs against the Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are firstly, whether the proposal would provide satisfactory living conditions for future occupiers with particular regard to living accommodation and shared facilities; secondly, the effect of the proposal on the living conditions of the occupiers of existing residential properties with reference to potential noise and general disturbance; thirdly, the effect of the proposed development on the supply of family housing; and fourthly, whether adequate cycle parking would be provided.

Reasons

4. The proposal is to extend and convert the appeal property, which is a 2-storey dwelling, to form a House in Multiple Occupation (HMO) for up to 8 people. The Council has recently granted planning permission to convert No 41 to a HMO for occupation by up to 6 people, which is hereafter referred to as the approved HMO scheme. A certificate of lawfulness has also been issued in relation to the proposed rear dormer. As these developments could come forward in any event, they represent realistic fall-back positions against which to assess the proposal.

Living conditions – future occupiers

5. Communal facilities within the proposed HMO include two kitchens, one of which would have space for a 3-seat sofa. From my inspection of the plans, there would be no space available within either kitchen for a good-sized dining table with seating. As a result, there would be insufficient space for up to 8 occupants to dine

at a table or even sit comfortably within either kitchen. In contrast, the approved HMO scheme would have a separate ground floor lounge that offers residents ample space to eat, unwind and socialise.

6. It is a reasonable expectation that residents of the new HMO should be provided with communal facilities of a good standard, allowing them to dine in comfort, engage socially, and relax. However, the suggested layout - placing a 3-seat sofa within a kitchen area - would create a space that is impractical for eating and reducing the potential for meaningful social interaction. This arrangement would be detrimental to the living conditions of future residents.
7. I recognise that kitchens can function as multi-functional spaces where residents can cook and socialise. This arrangement makes efficient use of the space available within the HMO. Compared to the approved HMO scheme, the proposal would also enable additional people to reside and use the accommodation. However, these benefits would be at the expense of providing adequate space within which residents could sit at a table to eat, relax and socialise.
8. Based on the size of the new HMO, the Council states that one kitchen facility should be shared by a maximum of 3 rooms to meet the Council's Standards for Houses in Multiple Occupation (the Standards). As the plans show that 2 kitchens would serve 8 rooms, the Council considers that the proposal would fall short of the Standards. The appellant strongly contests this finding. As a copy of the HMO Standards has not been provided, I am unable to verify the position, one way or the other. It may be that the Standards do not mandate the provision of a living room. However, to reiterate, it is the absence of adequate space within which residents could dine in comfort, engage socially, and relax that is objectionable.
9. The appellant places some reliance on other decisions in which HMOs have been approved with no dedicated communal living room. Even so, the plans provided for the approved developments at Colless Road, Lansdowne Road and Brampton Park Road indicate that space was available within the kitchen for a dining table with seating. The Council's decision to approve a HMO at Vicarage Road also included a covered patio linked to the communal kitchen that could be used for this purpose. As these examples are not directly comparable with the proposal, I am unable to attach more than limited weight to these decisions in support of the appeal.
10. The Council's Health in All Policies Officer noted that the bedrooms within the enlarged roof space would be rather small. I agree with that opinion. Furthermore, as Bedroom 07 would be served just by a single high level rooflight, the external outlook for future occupiers would also be restricted. Future occupiers of this room would feel unduly confined as a result. Taken overall, the proposed layout of the HMO is, to my mind, indicative of an overly intensive use of the property.
11. On the first main issue, I conclude that the proposal would not provide satisfactory living conditions for future occupiers. Accordingly, it conflicts with Policies DM12, DM17 and DM35 of the Council's Development Management DPD (DPD), which aim to ensure that HMOs provide high quality accommodation.

Living conditions – existing occupiers

12. If the new HMO were fully occupied it is possible that compared to the occupiers of a single-family house or the approved HMO scheme there would be some additional activity associated with 8 unrelated residents, such as the coming and going of people to and from the house. However, there is no convincing evidence

that the additional noise and general disturbance associated with these activities would be so great as to harm the living conditions of the occupiers of nearby residential properties. The appellant's HMO Management Plan also outlines various measures designed to minimise the risk of potential disturbance to others.

13. On the second main issue, I conclude that the proposal would not cause significant harm to the living conditions of neighbouring occupiers. Accordingly, it would comply with DPD Policies DM1 and DM17, which state that the conversion of larger homes to HMOs will only be permitted if they do not give rise to any significant adverse amenity impacts on the surrounding neighbourhood.

Supply of family housing

14. The site lies within a Family Housing Protection Zone, wherein the Council prioritises the supply of family-sized housing. If the proposal were to come forward, it would result in the loss of a family-sized house, which would be at odds with the Council's priorities. However, the implementation of the approved HMO scheme, would have the same outcome. Given that eventuality, the proposal would not result in unacceptable reduction in the supply of family housing. As such, it does not conflict with Policy H8 of The London Plan, Policy SP2 of Haringey's Local Plan Strategic Policies 2013-2026 or DPD Policies DM10 and DM17 that seek, amongst other things, to ensure that homes are provided to meet Haringey's housing needs.

Cycle storage

15. Cycle storage would be provided in the form of vertical racks inside a timber enclosure at the back of the main building. The Council is critical of this arrangement because it considers that vertical racks would not be suitable for all users. That concern could be overcome with a different storage arrangement, the details of which could be covered by a condition. With an appropriate condition in place, I conclude on this fourth main issue that the development would provide adequate cycle parking provision. As such, it would comply with the policies cited by the Council that aim to ensure adequate cycle storage is provided.

Other matters

16. The proposal makes efficient use of the space available within the appeal property in an accessible location. It would positively contribute to the choice of living accommodation within the Borough, which is encouraged in policy terms. However, these considerations do not outweigh the significant harm that I have identified in relation to the first main issue.

Conclusion

17. Overall, I conclude that the proposed development would conflict with the development plan. There are no material considerations, including those of the National Planning Policy Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
18. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR