



Appeal Decision

Site visit made on 14 October 2025

by **A Caines BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025

Appeal Ref: APP/Y5420/W/25/3370728

41 Woodside Gardens, Tottenham, London N17 6UN

- 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 Mustafa Mustafa against the decision of the Council of the London Borough of Haringey.
- The application Ref is HGY/2025/0739.
- The development proposed is described as conversion of dwelling (C3 Use Class) into a HMO 6 Bedroom 6 Person Use (C4 Use Class) - Retrospective.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the availability of family-sized homes in the Borough, having regard to local planning policy;
 - The effect on the living conditions of neighbouring occupiers, particularly in relation to noise and disturbance.

Reasons

Family housing stock

3. The appeal property is located within an area subject to an Article 4 Direction which removes permitted development rights for changes of use from Class C3 to Class C4. It also lies within a designated Family Housing Protection Zone, which seeks to safeguard the Borough's stock of family-sized dwellings for which there is an identified need.
4. Policy DM17 of the Haringey Development Management Development Plan Document (DPD) (2017) sets out criteria for conversion to Houses in Multiple Occupation (HMOs) in such locations. Criterion (a) requires the original, unextended dwelling to have a gross internal floor area exceeding 120 sqm. The Officer Report indicates that the property's original floorspace is about 108 sqm, which is below this threshold.
5. While the appellant argues that the extended property exceeds 120 sqm, the policy clearly refers to the original floor area. There is no substantive evidence before me to suggest that subsequent extensions should be taken into account. To do so would undermine the policy's objective by enabling smaller dwellings,

potentially suitable for family occupation, to be extended and then converted, thereby circumventing the intended safeguard.

6. The appellant refers to the Borough's strong housing delivery performance and the wider availability of family-sized dwellings. However, Policy DM17 applies at the site-specific level and, when read alongside Policy DM16, is intended to prevent the incremental erosion of much-needed family housing in areas where such stock is under pressure. Permitting the appeal scheme would erode the stock of smaller family dwellings that the policy seeks to protect and could make it more difficult for the local planning authority to resist similar proposals.
7. The absence of an overconcentration of HMOs in the immediate area does not overcome the conflict with Policy DM17, which seeks to protect smaller family housing irrespective of the number of HMOs nearby.
8. Accordingly, I find that the development significantly conflicts with the family housing protection objectives of Policy DM17 of the DPD.

Living conditions

9. The appeal property is a mid-terraced dwelling situated in a quiet residential street. Occupation by six unrelated individuals introduces a materially different pattern of use compared with a single household. Each occupant is likely to have separate routines, receive visitors independently, and make individual use of shared facilities. This tends to generate more frequent comings and goings, multiple sources of noise such as music or conversation, and greater intensity of use of communal areas, both internally and externally.
10. In a closely spaced residential setting such as this, the cumulative effect of such activity is likely to be perceptible and potentially disruptive to neighbouring residents, particularly in terms of noise and general disturbance. Indeed, objections were received from neighbouring residents at the application stage, raising concerns about noise and nuisance associated with the current HMO use. While these representations are not determinative on their own, they lend weight to the view that the use has already had a tangible impact on the living conditions of neighbouring residents.
11. Although the appellant claims that the activity levels are comparable to a large family, and that no formal complaints have been recorded, the assessment must focus on the likely effects of the use, rather than the absence of enforcement history. The nature of occupation by unrelated individuals is inherently different from that of a single household and is likely to give rise to a different pattern and intensity of use.
12. Having regard to the nature and intensity of the use, and the characteristics of the surrounding area, I find that the development is likely to result in harm to the living conditions of neighbouring occupiers. This is contrary to Policy DM17(b) of the DPD, which seeks to ensure that residential development does not adversely affect the amenity of surrounding occupiers. The Council also refers to Policy SP2 of Haringey's Local Plan Strategic Policies (2017) and Policy D6 of the London Plan (2021), but I do not find those policies to be directly relevant to this main issue.

Planning Balance

13. The appeal scheme provides accommodation for up to six individuals in a licensed HMO. Such accommodation can offer more affordable housing options, particularly for younger people, and make efficient use of existing housing stock. The site also benefits from good access to public transport and local services, and the standard of accommodation is not in dispute.
14. However, the development involves the loss of a small to medium-sized family dwelling in a designated protection zone, contrary to the aims of the development plan for the area. It also has the potential to cause harm to the living conditions of neighbouring occupiers through increased noise and disturbance. These harms carry significant weight and are not outweighed by the benefits of the scheme.

Conclusion

15. The proposal conflicts with the development plan when read as a whole, and there are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

A Caines

INSPECTOR