



Appeal Decision

Site visit made on 18 December 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2026

Appeal Ref: APP/Y5420/W/25/3374544

87 Bounds Green Road, Wood Green, Haringey, London N22 8DF

- 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 Fabio Figarazzi against the decision of the Council of the London Borough of Haringey.
- The application Ref is HGY/2024/2064.
- The development was originally described as “Part-Retrospective Planning Application for the Change of Use of the dwelling house (Use Class C3) into a House of Multiple Occupation (HMO) (Use Class C4) for up to 5 residents.”

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above is taken from the planning application form, and it refers to the development being partly retrospective. The change of use of the property to a House in Multiple Occupation (HMO) has taken place. Given this, my use of tense reflects this even though the plans show that the development is to be served by a cycle parking store which is not on site.

Main Issue

3. The main issue is the effect of the development on the availability of homes suitable for families, having particular regard to relevant development plan policies.

Reasons

4. Policy DM17 of Haringey’s Development Management DPD, 2017 (the DMDPD) applies to conversions to HMOs. Its supporting text explains that, although they do play an important role in meeting particular housing needs, HMOs reduce the availability of smaller family housing for which it identifies there is a significant need. The site is also located within an area subject to an Article 4 Direction, which removes permitted development rights for changes of use from Use Class C3 to Use Class C4, and within an area designated by the DMDPD as a Family Housing Protection Zone.
5. These factors all demonstrate to me the importance of ensuring that this part of Haringey has a sufficient stock of homes available for occupation by families, especially smaller family homes. Compliance with DMDPD Policy DM17 is a means to achieve this, by helping to ensure that only suitable homes, and developments, form HMOs.

6. For a development to comply with Policy DM17, a series of criteria must be met. Criterion 'a' sets out that the gross original internal floor space of the existing dwelling must be greater than 120m². Policy DM17 does not define the term 'original'. However, in relation to a building, the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) defines 'original' as being as it existed on 1 July 1948 where it was built before that date, and as it was built if built on or after that date. The National Planning Policy Framework (the Framework) includes a similar glossary definition in relation to 'original building'. In the absence of any other definition, those within the GPDO and the Framework guide my interpretation of Policy DM17.
7. A rear extension was added to the appeal property in 2000 and a loft extension in 2011. Therefore, these are relatively recent additions to the property, and they do not constitute original floor space. These later extensions should not be considered as original, and doing so would compromise the purpose of Policy DM17, as it would allow smaller properties, potentially suitable for families, to be enlarged and subsequently converted. In effect, this would bypass the safeguard the Policy is designed to provide. The Council set out the appeal property's original gross internal floor space to be 96m², and I have no reason to conclude this is inaccurate.
8. Consequently, the development has resulted in the conversion of a property which does not meet the gross original internal floor space requirements of Policy DM17, and it conflicts with the Policy as a result. In doing so, the development has inappropriately changed the use of a home suitable for family occupation into a HMO, eroding the stock of smaller family housing for which there is a significant need. Furthermore, if planning permission was granted for it, I have no compelling evidence before me to suggest that the HMO use would not then endure. Although the development has not resulted in an overconcentration of HMOs in the area, it nevertheless conflicts with Policy DM17, which seeks to protect smaller family housing irrespective of HMO concentration levels.
9. I acknowledge that the Inspector in the Tottenham decision¹ identified that the HMO before him also failed to comply with Policy DM17's floor space requirements, yet, nevertheless, he granted planning permission. However, not all of the evidence or appeal party submissions which will have been before the Inspector in that case are before me. Therefore, the two appeals cannot be accurately compared, and I have come to my own views on this appeal having regard to the evidence before me now, my own experience and the particular circumstances of the case.
10. Policy SP2 of Haringey's Local Plan Strategic Policies document 2013-2026 (the LPSPD) aims to provide homes to meet Haringey's housing needs. The aforementioned erosion of a type of home in significant need, runs counter to this aim. Consequently, the development also conflicts with LPSPD Policy SP2.
11. The Council's reason for refusal refers to the London Plan (the LP), however, it does not articulate conflict with any specific policies within the LP. The LP policies the Council have supplied to me relate to noise and highways issues, matters irrelevant to this main issue. Therefore, I find no conflict with the LP.

¹ Appeal Decision APP/Y5420/C/23/3315563

12. Nevertheless, for the reasons given, the development conflicts with DMDPD Policy 17 and LPSPD Policy SP2, and I conclude that the development results in unacceptable effects on the availability of homes suitable for families.

Other Matters

13. The HMO the subject of the appeal will be fulfilling a housing need: it will be providing a choice of shared accommodation for the likes of individuals on lower incomes. It is doing so on brownfield land and within an accessible location. However, in my main issue I have found that the development has eroded the stock of smaller family housing for which there is a significant need, and that the development results in unacceptable effects on the availability of homes suitable for families in conflict with development plan policies. I have been presented with no compelling evidence that the development's contribution to the HMO market outweighs this.
14. The development provides adequate living conditions and a standard of accommodation for its occupiers, and it does not harm the living conditions of neighbouring residents. However, the absence of harm in these and other regards is of neutral consequence.

Conclusion

15. I have found that the development conflicts with policies within the development plan, and I conclude that it conflicts with the development plan taken as a whole. There are no material considerations which indicate that the appeal should be decided other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR