



Appeal Decision

Site visit made on 16 March 2026

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2026

Appeal Ref: APP/V5570/W/25/3376176

First and Second Floors, 108 Seven Sisters Road, London N7 6AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Dowlatzay Shahistanoor against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2025/0386/FUL.
 - The development proposed is described as: Conversion of use of the first and second floor levels to 3 x HMO rooms with a kitchenette. Each room will be occupied by 1 x person. Cycle parking and storage will be provided in a room on the first floor. Small waste bins will be provided within the bedrooms and the applicant would have arrangements with private waste removal company.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant contends that the first and second floor of the appeal property form three separate flats with a one bed flat on the second floor and two studio flats on the first floor. Nonetheless, the Council has submitted that the council tax records only show two separate dwellings at the address and no planning history is before me to suggest the subdivision into three dwellings. As such, on the evidence before me, I have determined the appeal on the basis of the appeal property comprising two flats, one at first and another at second floor levels.

Background and Main Issues

3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. I note that the Council would have refused planning permission should it have made a decision on the development. I have had regard to the parties' submissions in establishing the main issues which are:
 - the effect of the proposal on the living conditions of future occupiers with specific regard to internal and external living space;
 - whether the proposal would be acceptable in terms of its effect on the housing supply within the borough; and
 - whether the proposal would adequately promote sustainable modes of transport.

Reasons

Living conditions

4. The appellant maintains that the proposal would form a small House in Multiple Occupation (HMO) comprising three bedrooms. The Islington Local Plan Strategic and Development Management Policies (2023) (the SDMP) defines the term 'HMO' as living accommodation sharing basic amenities such as a kitchen or bathroom.
5. The appeal proposal includes three separate 'bedrooms' including individual kitchen and bathroom facilities. There appears no formal communal area excluding a storage/ utility room which the appellant states will contain a bike store and laundry facilities. As such the proposal fails to provide the necessary communal facilities defined within the SDMP to be considered a HMO and future occupiers would likely rely on these rooms as their primary living space. The appellant accepts that these could be considered bedsits, however the fact remains that the proposed 'bedrooms', given the inclusion of kitchens and bathrooms, would effectively operate as three self-contained properties.
6. The minimum internal space standards for new dwellings set out within the London Plan: The Spatial Development Strategy for Greater London (2021) (the London Plan) gives the minimum gross internal floor area for a one bed, one person dwelling of 37 square metres (with shower room). The proposed 'bedrooms' have floor areas of approximately 13.15, 13.38, and 21.98 square metres, well below the minimum set out within the London Plan. Whilst the proposal may have adequate outlook, privacy, and air circulation, this does not outweigh the harm caused by the substandard living space.
7. The appellant contends that a condition could secure the use of the proposal as a HMO, nonetheless no such condition is before me. Further, any such condition would conflict with the proposed plans which do not show the required communal facilities to meet of the SDMP's definition of a HMO and therefore could not reasonably be imposed.
8. Policy H5 of the SDMP requires all new residential development and conversions to provide private outdoor space in the form of balconies for upper floor dwellings. Whilst the existing two flats do not appear to possess any external outdoor living space, the proposal would effectively create three self-contained flats and therefore an additional unit without private external living space. The proposal would, as a consequence, provide inadequate external living space for future users.
9. As such, for the reasons above I conclude that the proposal would have an unacceptable effect on the living conditions of future occupiers with regard to internal and external living space. The proposal would therefore conflict with the relevant provisions of Policy D6 of the London Plan and Policy H5 of the SDMP. When read together these require development to provide at least the minimum standards of gross internal floor area and private outdoor space.

Housing supply

10. The appeal site comprises a three-storey terrace property with the ground floor commercial and residential above. The proposal would involve the conversion of the two residential units to three self-contained units and separate storage/ utility.
11. Policy H8 of the London Plan requires loss of existing housing to be replaced by new housing at existing or higher densities. Policy H2 of the SDMP supports the loss of self-contained housing where the housing is replaced by at least equivalent floorspace and does not involve the net loss of more than one unit.
12. The proposal would effectively create three self-contained dwellings. All three are well below the required gross internal floor space standards and therefore unacceptable for use as such. Whilst the existing flat at second floor level is slightly below the required 37 square metres, the area of the first floor is well in excess of this. Therefore, the proposal would result in the loss of a single unit meeting the required gross internal floor area standards. The total floor area of the three proposed self-contained units, not including the separate store/ utility which does not form part of any of the units, would be below that of the combined floor area of the existing first and second floor flats. Consequently, while there would be an increase of one unit, the proposal would not result in replacement of the two existing flats with housing of equivalent floor space.
13. As such, for the reasons above I conclude that the proposal would have an unacceptable effect on the supply of housing within the borough and conflict with the relevant provisions of Policy H8 of the London Plan and Policy H2 of the SDMP.

Sustainable transport

14. The proposal would involve a store/ utility containing cycle parking on the first floor, accessed via a staircase. The staircase from the ground floor entrance along Seven Sisters Road to the first floor is relatively steep and narrow, as observed during my site visit. It would therefore make it impractical for future occupiers of the proposed units to carry bicycles up the stairs to access the cycle parking on the first floor, particularly for those with mobility issues. It would consequently discourage future occupiers from utilising cycling as a mode of transport.
15. As such, the proposal would not adequately promote sustainable modes of transport. The proposal would conflict with the relevant provisions of Policy T5 of the London Plan and Policy T2 of the SDMP. When read together these require development to remove barriers to cycling, securing the provision of appropriate levels of cycle parking which should be fit for purpose, and practically useful for the majority of people.

Planning Balance

16. The proposal would provide unsatisfactory living accommodation for future occupiers, would fail to adequately promote sustainable forms of transport and would have an unacceptable effect on housing supply drawing into conflict with the development plan as a whole.
17. I note the appellant's suggested fall-back position of a permitted change of use to a HMO for up to 6 persons. Even if this were to be the case, it would attract limited

weight, given that that there are no associated plans demonstrating how it could be accommodated satisfactorily within the existing floorspace.

18. Whilst the proposal is within a sustainable location, with a high PTAL rating and close to shops and other facilities, this does not outweigh the above identified harm.

Conclusion

19. For the reasons given above there are no material considerations that would outweigh the conflict with the development plan and therefore the appeal should be dismissed.

N Unwin

INSPECTOR