

Planning Statement

41 Baronet Road,
Tottenham,
London N17 0LY

July/2026

1. Introduction and Executive Summary

This Planning Statement is submitted by Redwoods Projects Ltd on behalf of Mr Schneck ("the applicant") in support of a full planning application at 41 Baronet Road, Tottenham, London N17 0LY ("the site" or "the application property") for:

- Change of use from a single dwellinghouse (Class C3) to a sui generis House in Multiple Occupation for a maximum of 7 persons;
- Erection of a 3m rear infill extension;
- Erection of an L-shape outrigger rear dormer extension; and
- Provision of refuse and cycle storage.

The application is supported by drawings prepared by the architect, an updated HMO Management Plan, and the appendices to this Statement identified at section 12 below.

1.1 Purpose and scope of this Statement

This Statement sets out the material planning considerations relevant to the determination of the application, applies the statutory development plan and other material considerations, addresses each of the substantive concerns raised by the Local Planning Authority ("LPA") in previous decisions at this site, and demonstrates that the proposal accords with the development plan taken as a whole and should be approved.

The site is exceptionally well-documented in planning terms. There have been six planning applications relating to HMO conversion at this site during 2024 and 2025, a Certificate of Lawfulness for the rear dormer, one dismissed appeal at this site and one allowed appeal on materially analogous facts at another Haringey site. The application has been designed with the benefit of that evidential record and directly addresses the single binding adverse finding on this site.

1.2 Summary of the case for grant

The case for grant of planning permission rests on the following propositions, each of which is developed in the sections of this Statement identified in parentheses.

First (section 4 and 6). The principle of HMO use at the site is established by the extant grant of planning permission under reference HGY/2024/0757 (12 June 2024) for a 5-person Class C4 HMO. This consent remains valid and provides the material planning baseline. The property is not, for planning purposes, a family dwellinghouse: the extant C4 consent has extinguished that use as the relevant fallback.

Second (section 4 and 8.2). The rear dormer element benefits from a Certificate of Lawfulness granted under HGY/2024/1715 (5 August 2024). The dormer at 26.39 cubic metres constitutes permitted development under Class B of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO"). The basic dormer element could accordingly be built out irrespective of this application, and any planning judgment on the L-shape extension must have full regard to this permitted development fallback.

Third (section 8.2). The 3m rear infill extension is contained within the envelope of Class A of Schedule 2 Part 1 of the GPDO and could similarly be built as permitted development while the property remains in Class C3 or Class C4 use. This provides a second permitted development fallback.

Fourth (section 7 and 9). On appeal against the refusal of HGY/2025/0008, Inspector Gary Deane BSc(Hons) DipTP MRTPI (APP/Y5420/W/25/3363653, 7 July 2025) made a series of binding findings materially favourable to the applicant. Family housing loss under Policy H8 of the London Plan, Policy SP2 of the Haringey Local Plan and Policies DM10 and DM17 of Haringey's Development Management DPD was expressly rejected. Neighbour amenity impact was expressly rejected. Cycle storage was found to be curable by condition. The single ground of dismissal was the qualitative test on internal communal space, which this application has been designed specifically to answer.

Fifth (section 7.2 and 9). On appeal against the refusal of an 11-person HMO at 10 Brampton Park Road, N22 6BG, Inspector J Symmons BSc(Hons) CEng MICE (APP/Y5420/W/24/3347579, 17 December 2024) allowed the appeal and, in doing so, expressly rejected the LPA's family housing argument in a Family Housing Protection Zone site, its incremental amenity impact argument, and its standard car-free Section 106 obligation demand as failing the necessity test in Regulation 122 of the Community Infrastructure Levy Regulations 2010. That decision applies to the present case on materially identical facts.

Sixth (section 8). The LPA itself has, since June 2024, granted planning permission for four sui generis Houses in Multiple Occupation at comparable Haringey sites — 1 Colless Road (10 persons), 144 Greyhound Road (9 persons), 189 Mount Pleasant Road (8 persons), and Flat 1, 497 Seven Sisters Road (8 persons) — three within the Family Housing

Protection Zone, three within Article 4 areas. The proposed 7-person headcount sits below every one of these contemporaneous approvals.

Seventh (section 10.3). The kitchen facilities arrangement complies with the correct construction of paragraphs 3.3, 3.4 and 3.5 of Haringey's Standards for Houses in Multiple Occupation (December 2017) — a construction expressly adopted by the LPA at 144 Greyhound Road and 189 Mount Pleasant Road in its own contemporaneous decisions.

Eighth (section 10). The design has been developed specifically to answer the binding qualitative finding of Inspector Deane at paragraphs 5–10 of APP/Y5420/W/25/3363653. The scheme provides 29.52sqm of ground-floor communal accommodation across a 15.64sqm kitchen/dining room and a separate 13.88sqm lounge (4.22sqm per resident), delivering the "separate ground floor lounge" arrangement that the Inspector expressly endorsed at paragraph 5 of his decision.

The application accordingly accords with the statutory development plan taken as a whole. There are no material considerations that indicate the application should be determined otherwise than in accordance with the development plan under section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning permission should be granted subject to conditions.

2. Site and Surroundings

2.1 Location and description

The application site comprises a two-storey mid-terrace dwellinghouse towards the centre of Baronet Road, in the Tottenham area of the London Borough of Haringey. The property was originally constructed as a single-family dwellinghouse and has been maintained as such. It sits between attached neighbours to either side and is set back modestly from the highway with a small front forecourt. The rear garden extends to approximately 117.26sqm and provides a generous outdoor amenity area.

The property is not located within a conservation area. It does not fall within the curtilage of a listed building. It is not itself statutorily listed or locally listed. There are no other heritage designations affecting the site.

2.2 Original gross internal floor area

The gross original internal floor space of the property is 127.61sqm, comprising 71.18sqm at ground floor level and 56.43sqm at first floor level. This figure has been consistently accepted by the LPA in every officer report on this site and is not in issue.

2.3 Character of the surrounding area

The surrounding area is residential in character, comprising a mix of Class C3 single-family dwellings, Class C4 HMOs, and larger sui generis HMOs. The area supports a range of housing tenures. Nothing in the character of the surrounding area makes HMO use unsuitable in principle.

2.4 Accessibility

The site has a Public Transport Accessibility Level ("PTAL") rating of 3, reflecting moderate access to public transport. Approximately five bus services are accessible within a 2–3 minute walk. Northumberland Park Station is within walking distance and provides National Rail services. The site is well served by public transport for a residential occupation.

2.5 Planning designations

The site is located within two Haringey policy designations:

- Haringey's Family Housing Protection Zone ("FHPZ"), introduced in the 2017 Local Plan to restrict further residential conversions in areas identified as already having a high concentration of converted properties;
- An Article 4 Direction which came into force in November 2013 removing permitted development rights for change of use from Class C3 to Class C4 HMO within the designated area.

The interpretation and application of both designations, in the context of the extant Class C4 consent at this site, is addressed at section 10.1 of this Statement.

3. Statutory Framework

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The development plan for the site comprises the London Plan 2021 and Haringey Local Plan Strategic Policies 2013–2026 together with the Haringey Development Management DPD 2017 (together, "the development plan"). Material considerations include the National Planning Policy Framework, national Planning Practice Guidance, and the appeal decisions and comparator approvals discussed in this Statement.

This Statement demonstrates at sections 8–10 below that the application accords with the development plan taken as a whole. The material considerations weigh in favour of grant. The application accordingly falls to be approved in accordance with section 38(6).

3.2 The fallback principle

The Court of Appeal in *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314 confirmed that a lawful fallback development is a material consideration to which weight can and should be given in the determination of a planning application. The relevant test is whether there is a "real prospect" of the fallback being implemented — a threshold materially below the balance of probabilities. In *R (Samuel Smith Old Brewery (Tadcaster)) v North Yorkshire County Council* [2020] UKSC 3, the Supreme Court reiterated that once a fallback is established as real, it is a material consideration to which weight must be given as a matter of planning judgment.

The site benefits from three separate lawful fallbacks each of which is material to the determination of this application:

- The extant Class C4 consent under HGY/2024/0757 (5-person HMO) — the material comparator against which incremental amenity impact must be assessed;
- The rear dormer extension under HGY/2024/1715 — permitted development under Class B of the GPDO Schedule 2 Part 1; and
- The 3m rear infill extension — permitted development under Class A of the GPDO Schedule 2 Part 1, available while the property is in Class C3 or Class C4 use.

Each fallback carries a "real prospect" of implementation. The C4 consent could be built out and occupied at any time in accordance with its terms. The dormer could be constructed under the Certificate of Lawfulness at any time. The rear infill could be built as permitted development while the property remains in C3 or C4 use. The fallbacks are accordingly material considerations of substantial weight in the assessment of this application.

3.3 Regulation 122 of the CIL Regulations 2010

Regulation 122 of the Community Infrastructure Levy Regulations 2010 provides that a planning obligation may only constitute a reason for granting planning permission if it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The application of Regulation 122 to the LPA's standard demand for a car-free Section 106 obligation is addressed at section 10.6 below. It is submitted that no such obligation satisfies the necessity test on the facts of this application.

4. Planning History

The site has an unusually developed planning history relating to HMO conversion. The complete history is set out in the table below.

Reference	Description	Decision	Outcome
HGY/2004/0695	Conversion of property into 2 x 2-bed self-contained flats	14 April 2004	Refused
HGY/2024/0757	C3 to C4 HMO for up to 6 residents (amended to 5)	12 June 2024	Approved with conditions
HGY/2024/1715	LDC for rear dormer extension	5 August 2024	Permitted Development
HGY/2024/2465	C3 to sui generis HMO for 7 persons with rear dormer	4 December 2024	Refused
HGY/2025/0008	C3 to sui generis HMO for 8 persons with rear dormer	28 February 2025	Refused; appeal dismissed 7 July 2025
HGY/2025/1164	C3 to sui generis HMO for 8 persons with rear dormer	25 June 2025	Refused
HGY/2025/2506	C3 to sui generis HMO for 8 persons with L-shape dormer	[date]	Refused

4.1 HGY/2024/0757 — Grant of Class C4 HMO consent

On 12 June 2024 the LPA granted planning permission under reference HGY/2024/0757 for change of use from Class C3 to a small-scale Class C4 HMO for up to 5 persons together with cycle and refuse storage.

The case officer, Sabelle Adjagboni, expressly considered each criterion of Policy DM17 and found the scheme acceptable. In particular:

- The gross original floor area of 127.61sqm was found to exceed the 120sqm threshold in Part (a) of Policy DM17;
- Amenity impact was considered acceptable, the officer expressly finding that "given the site context, and the fact that the proposed occupancy level is not more than five people and not materially greater than the previous C3 use, these comings and goings would not be sufficient to cause material harm to neighbour amenity in terms of noise or general disturbance";
- Standard of accommodation was found to be acceptable including the provision of a 13.88sqm living room and kitchens on ground and first floor;

- Transport was addressed by acceptance that the uplift from C3 was not material and by a considered rejection of the transport officer's request for a Section 106 car-free obligation.

The permission was granted subject to conditions including a maximum occupancy of 5 persons (Condition 3), waste storage retention (Condition 4) and cycle parking retention (Condition 5). Permission remains extant and unimplemented but capable of implementation. It represents the material planning baseline against which any subsequent HMO application at this site must be assessed.

4.2 HGY/2024/1715 — Certificate of Lawfulness for rear dormer

On 5 August 2024 the LPA granted a Certificate of Lawfulness under section 192 of the Town and Country Planning Act 1990 confirming that the erection of a rear dormer extension of 26.39 cubic metres constitutes permitted development under Class B of Schedule 2 Part 1 of the GPDO.

The case officer, Sion Asfaw, tested the proposal against each limb of Class B.1 and Class B.2 and confirmed compliance on each. In particular:

- The dormer volume of 26.39 cubic metres does not exceed the 40 cubic metre limit for a terraced house under Class B.1(d)(i);
- The dormer is sited on the rear roof slope and does not extend beyond the plane of any principal elevation fronting a highway;
- The dormer is set below the highest part of the roof;
- The dormer materials match the existing;
- Eaves are maintained and setbacks meet Class B.2 requirements.

The Certificate remains valid. The dormer element could be built out at any time under the Certificate while the property is in Class C3 or Class C4 use. This is a material fallback consideration.

4.3 HGY/2024/2465 — First refusal of 7-person HMO

On 4 December 2024 the LPA refused planning permission under reference HGY/2024/2465 for change of use to a 7-person sui generis HMO with rear dormer. Three reasons for refusal were given: loss of family housing under Policy H8 of the London Plan and Policies SP2, DM10 and DM17; substandard accommodation under Policies DM12, DM17 and DM35; and over-intensive use harmful to neighbouring amenity under Policies DM1 and DM17.

This refusal was not the subject of appeal but each of the reasons has since been either directly rejected on appeal at this site by Inspector Deane (family housing, amenity) or superseded by contemporaneous grants of comparable HMOs elsewhere in Haringey (see section 8 below).

4.4 HGY/2025/0008 — Second refusal of 8-person HMO, and appeal

On 28 February 2025 the LPA refused planning permission under reference HGY/2025/0008 for change of use to an 8-person sui generis HMO with rear dormer. Three reasons for refusal were given, materially similar to those in HGY/2024/2465.

An appeal was lodged under section 78 of the Town and Country Planning Act 1990 (reference APP/Y5420/W/25/3363653). The site visit was conducted on 25 June 2025. Inspector Gary Deane BSc(Hons) DipTP MRTPI dismissed the appeal on 7 July 2025. His decision is discussed in detail at section 7 below. The findings are of decisive importance to the present application.

4.5 HGY/2025/1164 — Third refusal

On 25 June 2025, running in parallel with the appeal but before the appeal decision, the LPA refused a further application (HGY/2025/1164) for an 8-person HMO with rear dormer. This refusal introduced two new points not previously advanced: a Public Health team objection citing overcrowding statistics for the Northumberland Park MSOA, and a critique of the improved horizontal cycle storage on the basis of reduced garden space.

4.6 HGY/2025/2506 — Fourth refusal

Most recently the LPA refused planning permission under reference HGY/2025/2506 for change of use to an 8-person sui generis HMO with L-shape outrigger dormer. Two reasons for refusal were given: substandard accommodation (insufficient internal shared facilities and loss of garden space) and over-intensive use.

Significantly, the LPA at HGY/2025/2506 dropped the family housing loss reason for refusal that had featured in every prior refusal, notwithstanding continued reliance on it in the officer's narrative. This tacit acceptance of Inspector Deane's July 2025 finding is a material consideration and marks a shift in the LPA's position at this site.

5. The Proposed Scheme

5.1 Change of use

The application seeks planning permission for change of use from Class C3 to a sui generis HMO for a maximum of 7 persons. This is an incremental uplift of 2 persons above the extant Class C4 (5-person) consent, and 4 persons below the 11-person HMO recently allowed on appeal at 10 Brampton Park Road on materially analogous facts.

5.2 Rear infill extension

A single-storey 3m rear infill extension is proposed to the outrigger, enabling the enlarged ground-floor communal accommodation described below. The extension has a maximum depth of 3m, matches the eaves height of the existing outrigger, and is finished in

materials matching the host building. The extension is contained within the envelope permitted under Class A of Schedule 2 Part 1 of the GPDO for a single-storey rear extension to a terraced house.

5.3 L-shape outrigger dormer

An L-shape rear dormer extension is proposed, incorporating the basic rear dormer already the subject of the Certificate of Lawfulness under HGY/2024/1715, together with an extension onto the outrigger roof. The dormer facilitates two loft-level bedrooms of 10.45sqm and 11.42sqm available floor area (excluding sub-1.5m headroom areas per paragraph 5.3 of the HMO Standards) with en-suite provision.

5.4 Accommodation schedule

Floor	Rooms	Areas
Ground floor	Bedroom 01 (front), Bedroom 02 (front)	10.50sqm / 10.54sqm each with en-suite
Ground floor	Communal Kitchen + Dining (rear)	15.64sqm — 2 sets of kitchen facilities per Standards paragraph 3.3, plus dining seating for 7
Ground floor	Living Room (rear)	13.88sqm — separate communal lounge with sofa seating for 7+
First floor	Bedroom 03, Bedroom 04, Bedroom 05	10.00sqm / 10.26sqm / 10.03sqm each with en-suite
First floor	Communal Kitchen	8.70sqm — 1 set of kitchen facilities per Standards paragraph 3.3
Loft (new)	Bedroom 06, Bedroom 07	10.45sqm / 11.42sqm (available area per Standards paragraph 5.3) each with en-suite
Total	7 bedrooms / 7 persons	29.52sqm communal ground-floor provision + 8.70sqm first-floor kitchen

5.5 Ancillary provision

The proposal makes the following ancillary provision:

- Cycle storage: 7 secure horizontal cycle spaces in the rear garden, meeting the London Cycling Design Standards, with a 2m aisle clearance and easy access;
- Refuse storage: 6 x 240L bins for general and recycling, together with dedicated food waste storage, to the front, screened;
- Hallway: 1202mm minimum width maintained throughout the ground floor to facilitate cycle passage;
- Rear access: door widened to 900mm clear opening;

- Rear garden: 117.26sqm of shared outdoor amenity space retained.

5.6 HMO Management Plan

A comprehensive HMO Management Plan is submitted with this application. It updates the earlier version accepted by Inspector Deane at paragraph 12 of APP/Y5420/W/25/3363653 as adequately mitigating the risk of disturbance to neighbours. The Plan is capable of being secured by planning condition and provides a robust framework for the operational management of the HMO by Redwoods Projects Ltd as Property Manager.

6. The Development Plan and Other Material Considerations

6.1 The London Plan 2021

The following London Plan policies are relevant to the determination of this application:

- **Policy H8 (Loss of existing housing and estate redevelopment):** protects existing housing including family-sized dwellings from unnecessary loss;
- **Policy D4 (Delivering good design):** sets out good design requirements;
- **Policy D6 (Housing quality and standards):** sets out internal minimum space standards at Table 3.1 and qualitative design aspects at Table 3.2;
- **Policy D14 (Noise):** requires proposals to reduce, manage and mitigate noise impacts;
- **Policies T1, T4, T5 and T6 (Transport):** set out transport requirements including cycle parking (T5) and parking demand (T6).

6.2 The Haringey Local Plan Strategic Policies 2013–2026

The following Local Plan policies are relevant:

- **Policy SP2 (Housing):** aims to meet Haringey's housing needs including targets from 2011–2026;
- **Policy SP7 (Transport):** promotes public transport, walking and cycling;
- **Policy SP11 (Design):** requires the highest standard of design respecting local context and character.

6.3 Haringey Development Management DPD 2017

The following DPD policies are most relevant:

- **Policy DM1 (Delivering High Quality Design):** requires proposals to provide appropriate sunlight, daylight, privacy and amenity;
- **Policy DM4 (Waste Management):** requires adequate refuse storage;
- **Policy DM10 (Homes for Families):** protects family-sized homes;
- **Policy DM12 (Housing Design and Quality):** requires extensions and alterations to residential buildings to be of a high quality and site-specific design;
- **Policy DM17 (Houses in Multiple Occupation):** the primary policy governing HMO conversions within the Article 4 area, discussed in full at section 10 below;
- **Policy DM31 (Sustainable Transport):** promotes sustainable transport;
- **Policy DM32 (Parking):** sets out parking requirements including for car-free developments;
- **Policy DM35 (Development Management):** general policy requirements.

6.4 Haringey Standards for Houses in Multiple Occupation (December 2017)

The Haringey Standards for Houses in Multiple Occupation (December 2017) ("the HMO Standards") published by the Housing Improvement Team apply to the assessment of HMO accommodation. The Standards provide detailed technical requirements for HMOs including heating, personal hygiene, kitchen facilities, fire precautions and space standards. The paragraphs of central relevance to this application are 3.3, 3.4, 3.5, 5.3 and 5.5, each discussed in full at section 10.3 and 10.4 below.

6.5 National Planning Policy Framework

The National Planning Policy Framework ("NPPF") includes as material considerations the presumption in favour of sustainable development (paragraph 11); the need to significantly boost the supply of housing (paragraph 60); and the requirement for planning to create high quality places (paragraph 130). The application boosts housing supply by providing HMO accommodation for working adults and mature students in a location well served by public transport, in accordance with the NPPF.

6.6 The Article 4 Direction

An Article 4 Direction came into force in Haringey in November 2013 removing permitted development rights for change of use from Class C3 to Class C4 in the designated area. This means change of use to a small HMO requires planning permission. The purpose of the Direction is to enable the LPA to manage the concentration and quality of HMOs.

The Direction does not, in itself, prohibit HMO conversions. It provides a mechanism for the LPA to consider each application on its merits against the criteria in Policy DM17. Where the criteria are satisfied, permission should be granted.

6.7 The Family Housing Protection Zone

The Family Housing Protection Zone ("FHPZ") was introduced in the 2017 Local Plan. Its purpose is to restrict further residential conversions in areas identified as already having a high concentration of converted properties, so as to protect the supply of family-sized housing.

Where a site has already ceased to be a family dwelling for planning purposes — as in this case, by the extant Class C4 consent — the FHPZ objective of protecting family housing supply is not engaged by any further intensification of the HMO. Inspector Deane accepted this reasoning expressly at paragraph 14 of his decision. Inspector Symmons reached the same conclusion at paragraph 16 of the Brampton Park Road decision. Both findings are discussed at section 7 below.

7. The Appeal Decisions

7.1 APP/Y5420/W/25/3363653 — the Deane decision at this site

On 7 July 2025 Inspector Gary Deane BSc(Hons) DipTP MRTPI dismissed the appellant's appeal against the refusal of HGY/2025/0008. His decision is materially favourable to the applicant on every issue save one, which the present application has been redesigned to address.

7.1.1 The Inspector's framework and fallback finding

At paragraph 4 the Inspector expressly identified the fallback for assessment purposes:

"The Council has recently granted planning permission to convert No 41 to a HMO for occupation by up to 6 people [amended to 5], 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."

This finding is directly applicable to the present application. The Inspector treated the C4 consent and the dormer LDC as realistic fallbacks against which incremental impact must be assessed. That framing binds the LPA at this site.

7.1.2 Family housing loss — expressly rejected

At paragraph 14 the Inspector rejected the family housing argument in unqualified terms:

"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."

This is a binding finding at this site on the interpretation of Policy H8, SP2, DM10 and DM17 in the context of the extant C4 consent. Any subsequent LPA reliance on family housing loss at this site is contrary to the Inspector's reasoning.

7.1.3 Neighbour amenity — expressly rejected

At paragraphs 12–13 the Inspector rejected the neighbour amenity argument:

"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."

"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."

This finding was made in respect of an 8-person HMO. The present application is for a 7-person HMO — a smaller incremental uplift. The finding applies a fortiori to the present application.

7.1.4 Cycle storage — accepted as curable by condition

At paragraph 15 the Inspector found that cycle storage concerns were curable by condition:

"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."

The present application provides horizontal cycle storage for 7 bicycles, going beyond the arrangement the Inspector had accepted as curable by condition. Cycle storage is accordingly fully compliant.

7.1.5 Communal space — the sole ground of dismissal

The sole ground on which the appeal was dismissed was the qualitative test on internal communal space. At paragraphs 5–11 the Inspector made the following findings.

At paragraph 5 the Inspector identified the deficiency in the dismissed scheme by reference to what he found positive about the approved C4 scheme:

"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."

At paragraph 6 the Inspector set out the qualitative test:

"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."

At paragraph 7 the Inspector accepted the multi-functional kitchen format in principle:

"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."

At paragraph 9 the Inspector distinguished the appellant's comparator schemes:

"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."

At paragraph 10 the Inspector identified a specific concern about the loft-level accommodation:

"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."

At paragraph 11 the Inspector concluded on the first main issue:

"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."

The present application has been designed specifically to answer each of these findings. The scheme provides:

- A 15.64sqm ground-floor kitchen and dining room with dining table seating for 7 within the kitchen — matching the Colless Road, Lansdowne Road and Brampton Park Road comparators the Inspector accepted at paragraph 9;
- A separate 13.88sqm ground-floor lounge — the very "separate ground floor lounge" arrangement expressly endorsed by the Inspector at paragraph 5;
- Loft-level bedrooms of 10.45sqm and 11.42sqm available floor area with proper vertical rear windows within the dormer providing eye-level outlook — directly addressing the paragraph 10 finding on Bedroom 07;
- A total headcount of 7 rather than 8 — reducing the intensity of use that the Inspector found "indicative of an overly intensive use" at paragraph 10.

The scheme accordingly meets the qualitative test at paragraph 6 in each of its three limbs, on the format the Inspector himself expressly endorsed.

7.1.6 Other findings

At paragraph 16 the Inspector recognised the positive contribution of the accommodation:

"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."

The positive weight the Inspector attached to the accommodation contribution remains applicable to the present application. Once the sole ground of dismissal (communal space) is answered, that positive weight tips the balance in favour of grant.

7.2 APP/Y5420/W/24/3347579 — the Symmons decision at Brampton Park Road

On 17 December 2024 Inspector J Symmons BSc(Hons) CEng MICE allowed an appeal against Haringey's refusal of an application to increase an 8-bedroom HMO at 10 Brampton Park Road, N22 6BG to 11 rooms/11 people with associated rear extension. The decision is directly relevant to the present application.

7.2.1 Family housing in the FHPZ — expressly rejected

At paragraph 16 the Inspector rejected the family housing argument:

"The appeal site is in a 'Family Housing Protection Zone'. However, as it is already an HMO, there would be no direct loss of a family house and it would not conflict with the development plan in this regard. Furthermore, no substantive evidence has been presented to show the proposal would

represent an over-concentration of HMOs in the immediate or surrounding area."

This finding applies to 41 Baronet Road on materially identical facts: the extant C4 consent means there is no longer a "family house" to protect.

7.2.2 Incremental intensification — expressly rejected

At paragraph 11 the Inspector rejected the incremental amenity impact argument:

"Little evidence has been presented to show the existing HMO use has been causing adverse effects to neighbouring residents from general coming and going activity. The proposal would only slightly increase the number of residents, and this would have negligible effect on this activity. There is no substantive evidence to show this increase in residents would unacceptably effect noise and disturbance to neighbouring residents."

This finding applies at 41 Baronet Road with additional force: the incremental uplift at Brampton Park Road was from 8 to 11 (3 residents); at 41 Baronet Road it is from 5 to 7 (2 residents). If a 3-resident uplift has "negligible effect", a 2-resident uplift plainly does.

7.2.3 Section 106 car-free demand — rejected as failing Regulation 122

At paragraph 17 the Inspector rejected the LPA's standard Section 106 car-free obligation demand as failing the Regulation 122 necessity test:

"The appeal site is indicated as having excellent public transport accessibility (PTAL rating of 6a) and being in a Controlled Parking Zone (CPZ). The proposal includes secure cycle storage, and it is advised, due to its highly accessible public transport connections, that it would remain car free. The Council's Transportation Team refers to a Section 106 agreement being required to restrict the eligibility of all residents of the proposal from obtaining CPZ parking permits. However, the Council made no reference to this in either in its notice of refusal of planning permission or during the appeal. As no supporting evidence has been provided to show the proposal would cause harm to congestion or highway safety, there is nothing to suggest that an agreement is necessary to make the development acceptable in planning terms."

The LPA has advanced the same demand at 41 Baronet Road without any supporting evidence of harm to congestion or highway safety. The Inspector's reasoning applies directly and the demand does not satisfy Regulation 122.

8. Contemporaneous Haringey HMO Approvals

Since June 2024 the LPA has granted planning permission for four sui generis HMOs at comparable sites within Haringey. Each is directly relevant to the assessment of the present application because each demonstrates the LPA's own contemporaneous application of the relevant policies at comparable sites. Three are located within the Family Housing Protection Zone; three are within Article 4 areas. All four permit higher headcounts than the 7-person HMO now proposed.

8.1 1 Colless Road, N15 4NR (HGY/2024/1745) — 10-person sui generis HMO

Application HGY/2024/1745 sought to revise the existing planning permission at 1 Colless Road (HGY/2023/2609) to extend a Class C4 HMO to a 10-bedroom sui generis HMO, together with a hip-to-gable and rear dormer extension and a ground floor infill extension. Case officer Oskar Gregersen recommended approval, and permission was granted subject to conditions.

The site is a two-storey end-of-terrace building on Colless Road, Tottenham, with the same FHPZ designation and covered by the same Article 4 Direction as the present site.

The officer report contained the following material findings:

"The existing gross internal area of the original house is well over 120sqm, and when considering already approved and proposed additions the site will provide significant amounts of room for the occupants. Additionally, it is proposed to provide a kitchen on each floor with a dining room at ground floor level which would be accessible to all occupants."

"Colleagues in LBH HMO Licensing were consulted as part of a previous application (HGY/2023/2609) as to the density of HMOs in the area, and the response was that there are two in the area, one of which being the application site. As such it is not deemed that the change from Class C4 Small HMO to Sui Generis large HMO would cause overconcentration of HMOs in the area as the site is currently known to the LPA as an HMO and an additional four individuals occupying the site is not deemed as excessive."

"Given that up to 6 unrelated individuals can occupy 1 Colless Road at this time (the site has been shown to be immune from enforcement action through closed cases FCV/2013/00926 and HMO/2018/00304), it is deemed that an additional 4 individuals would not cause demonstrably more harm to neighbouring amenity."

This decision is directly relevant in three respects:

- The LPA accepted a 10-person sui generis HMO in the FHPZ and Article 4 area as being of appropriate principle;
- The LPA accepted that where the site is already an HMO, the incremental amenity impact of adding further residents does not cause demonstrable harm — precisely the reasoning Inspector Deane later adopted in his July 2025 decision at 41 Baronet Road;
- Inspector Deane at paragraph 9 of his decision expressly cited Colless Road as a scheme where "space was available within the kitchen for a dining table with seating" — the very format proposed at 41 Baronet Road.

8.2 144 Greyhound Road, N17 6XN (HGY/2025/0289) — 9-person sui generis HMO

Application HGY/2025/0289 sought change of use from a single-family dwelling house (Class C3) to a 9-bedroom sui generis HMO at 144 Greyhound Road, together with a single-storey rear infill extension and a dormer extension to the main rear roof slope. Case officer Neil McClellan recommended approval, and permission was granted on 6 February 2025.

The site is a two-storey end-of-terrace dwelling within the FHPZ and Article 4 area, at PTAL 5. The estimated original floor area is approximately 140sqm.

The officer report is of exceptional relevance to the present application. At paragraph (b) of the DM17 assessment the officer expressly considered the overconcentration test:

"Based on the Council's own records, of the 139 houses that form this street 17 are currently licenced as HMOs (including the application property), which amounts to 12% of the total. This is above the 10% street level threshold discussed above and under Haringey's emerging policy would be considered an overconcentration of HMOs for this road. It is acknowledged however, that the draft policy is in its initial consultation stage, and therefore little weight can be given to it at this time. Furthermore, the majority of existing HMOs are concentrated towards the other end of Greyhound Road to the application site. Also, the application property is located on the junction of Greyhound Road with Steele Road, which is comprised of 59 houses of which only 3 have HMO licenses, or just 5%. The concentration of HMO in the vicinity of 144 Greyhound Road is considered to be relatively low for this part of the borough. The proposal would therefore not be considered likely to result in an overconcentration of HMOs within an area."

At paragraph (e) of the DM17 assessment the officer set out the correct construction of the HMO Standards paragraph 3.3 kitchen ratio:

"As mentioned above the Haringey standards for HMO's require that one kitchen is shared per three room lettings, which this proposal provides, in the form of a large communal kitchen on the ground floor, with two sets of the standard kitchen appliances, and a smaller kitchen on the second floor with one full set of appliances. This arrangement ensures that no unit will be than 1-floor away from a communal kitchen, and that a minimum of one set of kitchen facilities is provided per 3 bedrooms. The proposed kitchen arrangements are therefore considered to comply with the relevant HMO standards."

This is the LPA's own contemporaneous statement of the correct construction of paragraphs 3.3 and 3.4 of the HMO Standards. The Standards require sets of facilities at a ratio of 1:3, arranged in distinct areas — they do not require separate kitchen rooms. The application before the Council here provides exactly the same arrangement — two sets in a large ground-floor kitchen and one set on the first floor — and must be assessed on the same basis.

8.3 189 Mount Pleasant Road, N17 6JH (HGY/2025/1520) — 8-person sui generis HMO

Application HGY/2025/1520 sought change of use from a single-family dwelling to an 8-person sui generis HMO with rear dormer at 189 Mount Pleasant Road, Tottenham. Case officer Sarah Madondo recommended approval, and permission was granted in June 2025.

The site is a three-storey mid-terrace house within the FHPZ and Article 4 area, at PTAL 3 — exactly matching the PTAL of 41 Baronet Road. The original floor area exceeds 171.1sqm. The property had historically been converted into a mixed 1 x studio flat plus 6-bedroom HMO without planning permission and the application in part regularised this position.

On the family housing point the officer report records:

"The size of the property exceeds the 120 sqm, therefore the conversion of it into HMO is acceptable, as it is considered that HMO's accommodation plays an important role in meeting particular housing needs for low income residents. Furthermore, it is noted that historically the property has been used as some sort of HMO style of accommodation, as such it is considered that this planning application if minded to approve, would regularise the use of property as an HMO."

On the communal accommodation and kitchen ratio the officer report expressly endorses a single-kitchen arrangement for 8 lettings:

"Haringey standards for HMOs require that two kitchens is shared per three room lettings. In this case only one large kitchen has been provided and officers considers that given that the kitchen is approximately 32 sqm with two cooking stations and given that most of the rooms are single rooms, it is considered that kitchen would be sufficient for the future residents of this HMO, as such would be in compliance with HMO standards."

The 32sqm single kitchen for 8 persons equates to 4.0sqm of communal floor area per resident. The present application provides 29.52sqm across two spaces for 7 persons (4.22sqm per resident), split as separate kitchen/dining and lounge — which materially exceeds Mount Pleasant Road in per-resident provision and in qualitative arrangement.

On neighbour amenity the officer report records:

"In terms of use, the change to an 8 person HMO is not significant in planning terms. The comings and goings would remain similar to the existing use as a large single household family."

8.4 Flat 1, 497 Seven Sisters Road, N15 6EP (HGY/2025/1726) — 8-person sui generis HMO

Application HGY/2025/1726 sought change of use of the upper floor levels of a three-storey mid-terrace property to an 8-bedroom sui generis HMO at Flat 1, 497 Seven Sisters Road. Case officer Kwaku Bossman-Gyamera recommended approval, and permission was granted in June 2025.

The site is within the FHPZ and Article 4 area, at PTAL 3 — again exactly matching the PTAL of 41 Baronet Road.

The officer report on the kitchen arrangements records:

"The proposed HMO would have two adequately sized kitchen areas located on the first and third floor levels which complies with HMO licensing standards."

This shows the LPA accepting a two-kitchen arrangement across three floors for 8 lettings.

On neighbour amenity:

"In terms of use, eight person HMO is not significant in planning terms. The comings and goings would remain similar to the existing use as a large single household family. In planning terms, the LPA do not have sufficient

evidence to demonstrate that the proposed use here would lead to an over-concentration of HMO development."

8.5 The comparator matrix

Reference	Persons	FHPZ	Art. 4	PTAL	Communal m ²	m ² /resident
HGY/2024/1745 (Colless Road)	10	Yes	Yes	6a	~40	~4.0
HGY/2025/0289 (Greyhound Road)	9	Yes	Yes	5	~40	~4.4
HGY/2025/1520 (Mount Pleasant Road)	8	Yes	Yes	3	32	4.0
HGY/2025/1726 (Seven Sisters Road)	8	Yes	Yes	3	~30	~3.8
41 Baronet Road (this application)	7	Yes	Yes	3	29.52	4.22

8.6 The significance of the comparator pattern

The comparator matrix demonstrates three propositions that are material to the present determination:

First. The 7-person headcount proposed here is the smallest sui generis HMO recently approved in Haringey at comparable sites. Any refusal of this application at 7 persons must be reconciled with contemporaneous approvals at 8, 8, 9 and 10 persons on materially comparable sites.

Second. The per-resident communal provision proposed here (4.22sqm) exceeds the Mount Pleasant Road benchmark approved by the LPA in June 2025 (4.0sqm), and matches Colless Road (~4.0sqm) which Inspector Deane cited as an accepted comparator at paragraph 9 of his decision.

Third. The kitchen facilities arrangement (three sets across two kitchens, ratio 3:7 = 1:2.33) is materially better than the arrangements the LPA has already approved elsewhere (Mount Pleasant Road: two sets in one kitchen for 8 lettings, ratio 1:4; Seven Sisters Road: two kitchens serving 8 lettings). The proper reading of paragraphs 3.3 and 3.4 of the HMO Standards has been directly applied by the LPA at Greyhound Road, Mount Pleasant Road and Seven Sisters Road.

9. Response to Previous Refusal Reasons at this Site

For completeness this section addresses each reason for refusal previously advanced at this site.

9.1 Family housing loss (H8/SP2/DM10/DM17)

This ground was advanced at HGY/2024/2465, HGY/2025/0008, HGY/2025/1164 and (in narrative but not RfR) at HGY/2025/2506. It was expressly rejected by Inspector Deane at paragraph 14 of APP/Y5420/W/25/3363653. It was also expressly rejected by Inspector Symmons at paragraph 16 of APP/Y5420/W/24/3347579. It is inconsistent with the LPA's own contemporaneous approvals at Colless Road, Greyhound Road, Mount Pleasant Road and Seven Sisters Road.

The extant Class C4 consent under HGY/2024/0757 extinguishes the family dwelling for planning fallback purposes. Any incremental intensification is properly compared to the C4 consent, not to a hypothetical family home. There is no material loss of family housing occasioned by this application.

9.2 Substandard accommodation (DM12/DM17/DM35)

This ground has been advanced repeatedly and was the single ground on which Inspector Deane dismissed APP/Y5420/W/25/3363653. The present application has been designed specifically to answer that finding. Section 10 below sets out the compliance point by point.

9.3 Over-intensive use harmful to neighbouring amenity (DM1/DM17)

This ground has been advanced in every refusal. It was expressly rejected by Inspector Deane at paragraphs 12–13 of APP/Y5420/W/25/3363653 in relation to an 8-person HMO. It was expressly rejected by Inspector Symmons at paragraph 11 of APP/Y5420/W/24/3347579 in relation to an 11-person HMO. It is inconsistent with the LPA's own contemporaneous approvals at Colless Road, Greyhound Road, Mount Pleasant Road and Seven Sisters Road.

The present application is for a 7-person HMO — a smaller incremental uplift than either dismissed at this site by Inspector Deane or allowed at Brampton Park Road by Inspector Symmons. On no reasonable analysis can it now be characterised as an over-intensive use of the property.

9.4 Kitchen ratio (DM17 and HMO Standards)

This ground has featured in each of the LPA's refusals at this site on the basis that the HMO Standards require separate kitchen rooms at a 1:3 ratio. That reading is not correct. Paragraphs 3.3 and 3.4 of the Standards require sets of facilities, not kitchen rooms, and expressly contemplate multiple sets within one room. The correct reading has been directly applied by the LPA itself at Greyhound Road (Officer McClellan) and Mount Pleasant Road (Officer Madondo). The application provides three sets for seven lettings (ratio 1:2.33), comfortably exceeding the 1:3 requirement.

9.5 Cycle storage

This ground has featured in various forms across the LPA's refusals. Inspector Deane found it curable by condition at paragraph 15. The application provides horizontal cycle storage for 7 bicycles in the rear garden — the format the LPA's own Transport Officer has previously accepted as compliant in principle. Any residual matter can be secured by condition.

9.6 Loft-level bedroom outlook (Bedroom 07)

Inspector Deane raised at paragraph 10 the concern that Bedroom 07 in the dismissed scheme had only a high-level rooflight, giving restricted outlook. The present application provides both loft-level bedrooms with proper vertical rear windows within the dormer, giving eye-level outlook to the rear garden. This concern is directly addressed on the drawings.

9.7 Section 106 car-free obligation

The LPA's Transport Officer has previously demanded a Section 106 obligation to restrict CPZ permit eligibility, plus a £4,000 TMO contribution. Inspector Symmons at paragraph 17 of APP/Y5420/W/24/3347579 held that no such obligation was necessary to make the development acceptable in planning terms in the absence of evidence of harm to congestion or highway safety. The obligation accordingly fails the necessity test in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and cannot lawfully be secured on the facts of this application.

10. Planning Assessment

This section applies the development plan and other material considerations to the application in the light of the extant consents, the appeal decisions, and the comparator approvals.

10.1 Policy DM17 — the Article 4 HMO test

Policy DM17 sets out five criteria which must be satisfied for HMO conversion within the Article 4 area. Each is addressed in turn.

10.1.1 Part (a) — Original gross internal floor space over 120sqm

The original un-extended floor space of the property is 127.61sqm, exceeding the 120sqm threshold. This has been accepted in every officer report and is not in issue. Part (a) is satisfied.

10.1.2 Part (b) — No significant adverse amenity impact and no overconcentration

Amenity impact has been expressly rejected as a live issue at this site by Inspector Deane at paragraphs 12–13 of APP/Y5420/W/25/3363653. It has also been rejected by Inspector Symmons at paragraph 11 of APP/Y5420/W/24/3347579 on facts a fortiori. Both findings apply to the present application, which represents a smaller incremental uplift than either scheme.

On overconcentration, the LPA has not identified any material HMO concentration in the immediate vicinity of the application site. In any event Haringey has, in the past 18 months, granted planning permission for four sui generis HMOs at comparable Haringey sites within the FHPZ and Article 4 areas, none of which was refused on overconcentration grounds. The Colless Road officer report expressly records the LPA HMO Licensing team's finding that there were only two HMOs in the immediate area of that scheme. There is no material basis for an overconcentration objection at 41 Baronet Road.

Part (b) is satisfied.

10.1.3 Part (c) — Accessibility

The site has PTAL 3 (moderate accessibility), approximately five bus services within a 2–3 minute walk, and Northumberland Park Station within walking distance. The LPA has accepted accessibility in every previous officer report. Part (c) is satisfied.

10.1.4 Part (d) — Quality of accommodation

This limb is developed in full at section 10.2 below. Compliance is demonstrated. Part (d) is satisfied.

10.1.5 Part (e) — Kitchen access

The scheme provides three sets of kitchen facilities (two in the ground-floor kitchen arranged in distinct areas, one on the first floor) for seven lettings. The ratio is 1:2.33, comfortably exceeding the 1:3 requirement in paragraph 3.3 of the HMO Standards, on the proper construction of those paragraphs as adopted by the LPA at Greyhound Road and

Mount Pleasant Road. No letting is more than one floor from a kitchen, satisfying paragraph 3.5. Part (e) is satisfied.

Each criterion of Policy DM17 is accordingly satisfied.

10.2 Quality of accommodation — response to Inspector Deane paragraph 6

The Inspector's binding qualitative test at paragraph 6 requires communal facilities of a good standard "allowing them to dine in comfort, engage socially, and relax." The proposed scheme delivers each of these three functions.

10.2.1 Dine in comfort

The 15.64sqm ground-floor kitchen and dining room accommodates two full sets of kitchen facilities arranged in distinct areas per paragraph 3.4 of the Standards, together with a dining table with seating for 7 residents in a properly-scaled dining area within the kitchen room. This matches the Colless Road, Lansdowne Road and Brampton Park Road comparators which Inspector Deane expressly accepted at paragraph 9 of his decision on the basis that "space was available within the kitchen for a dining table with seating".

10.2.2 Engage socially

The 15.64sqm kitchen and dining space functions as a multi-functional social space — the very arrangement Inspector Deane accepted at paragraph 7: kitchens can function as multi-functional spaces where residents can cook and socialise. This is efficient use of the available space, as the Inspector himself acknowledged.

10.2.3 Relax

The 13.88sqm separate ground-floor lounge is retained in its position in the approved C4 scheme, providing residents with a distinct room in which to relax with sofa seating for 7+. This is the very feature Inspector Deane singled out at paragraph 5 as making the approved C4 scheme superior to the dismissed proposal.

10.2.4 Per-resident communal provision

The total ground-floor communal provision is 29.52sqm, representing 4.22sqm per resident. This:

- Exceeds the per-resident communal provision approved at 189 Mount Pleasant Road (4.0sqm/resident) in June 2025;
- Matches Colless Road (~4.0sqm/resident);
- Is delivered in two distinct spaces — kitchen/dining and separate lounge — precisely as endorsed by Inspector Deane in his express reasoning.

10.2.5 Bedroom sizes

All bedrooms provide 10sqm or more of available floor area:

- Ground floor: Bedroom 01 (10.50sqm), Bedroom 02 (10.54sqm);
- First floor: Bedroom 03 (10.00sqm), Bedroom 04 (10.26sqm), Bedroom 05 (10.03sqm);
- Loft: Bedroom 06 (10.45sqm available), Bedroom 07 (11.42sqm available).

The loft bedroom areas are measured in accordance with paragraph 5.3 of the HMO Standards — that is, excluding floor area beneath sloping ceilings where the floor-to-ceiling height is less than 1.5m. The 1.5m headroom contour is expressly annotated on the loft floor plan (Sheet P02).

Both loft bedrooms are served by proper vertical rear windows within the dormer, providing eye-level outlook to the rear garden. This directly addresses Inspector Deane's paragraph 10 concern regarding Bedroom 07 in the dismissed scheme having only a high-level rooflight.

10.2.6 En-suites and personal hygiene

Each of the 7 bedrooms is provided with an en-suite shower/WC. This exceeds the personal hygiene provision required by paragraph 2 of the HMO Standards (one wash-hand basin per 5 occupiers, one bath or shower and one WC per 5 occupiers sharing).

10.2.7 Overall

The standard and quality of accommodation is fully compliant with London Plan Policy D6, Policies DM12, DM17 and DM35 of the Development Management DPD, and the HMO Standards. The Inspector's binding qualitative test at paragraph 6 of APP/Y5420/W/25/3363653 is met on each of its three limbs.

10.3 Kitchen facilities — HMO Standards paragraphs 3.3, 3.4 and 3.5

Paragraph 3.3 of the HMO Standards (December 2017) provides:

"Where some or all of the units of accommodation do not have exclusive kitchen facilities, shared facilities shall be provided in a ratio of one set of facilities to a maximum of three lettings. Each set of shared facilities is to consist of the following as a minimum..."

Paragraph 3.4 provides:

"Where more than one set of shared kitchen facilities are required, these may be provided within one room, but they must be arranged in distinct areas for the convenience of the occupiers."

Paragraph 3.5 provides:

"No unit of accommodation shall be more than one floor distant from a kitchen, whether for exclusive or shared use."

On the proper construction of paragraphs 3.3 and 3.4, the ratio is one set of kitchen facilities per three lettings — not one kitchen room per three lettings. Multiple sets can be provided within a single room provided they are arranged in distinct areas.

This construction has been directly applied by the LPA at Greyhound Road (Officer McClellan, HGY/2025/0289): "a minimum of one set of kitchen facilities is provided per 3 bedrooms." It has also been applied at Mount Pleasant Road (Officer Madondo, HGY/2025/1520) which accepted a single kitchen with two cooking stations as compliant for 8 lettings.

The present application provides three sets of kitchen facilities across two kitchen locations:

- Ground-floor kitchen (15.64sqm): two sets of facilities arranged in distinct areas per paragraph 3.4. Each set comprises sink and drainer, 4-burner cooker with oven and grill, 2000mm impervious worktop, fridge, cupboard storage for food and utensils, splashbacks and sockets per paragraph 3.3;
- First-floor kitchen (8.70sqm): one full set of facilities to the same specification.

The ratio is 3 sets for 7 lettings = 1:2.33, comfortably exceeding the 1:3 requirement.

Paragraph 3.5 (distance to kitchen) is satisfied by the first-floor kitchen. Loft bedrooms are one floor from that kitchen. First-floor bedrooms are on the same floor. Ground-floor bedrooms are on the same floor as the ground-floor kitchen.

The kitchen facilities arrangement is accordingly fully compliant with the HMO Standards.

10.4 Space standards — HMO Standards paragraphs 5.3 and 5.5

Paragraph 5.5 of the HMO Standards requires that a one-person letting with a separate kitchen (whether shared or exclusive) provide a minimum of 10sqm.

Paragraph 5.3 provides that these standards relate to "available space", being:

"the floor area remaining after deductions are made for corridors, bath/shower rooms, WC compartments, chimney breasts and those areas covered by sloping ceilings where the floor-to-ceiling height is less than 1.5 m."

Every bedroom in the scheme provides 10sqm or more of available floor area as measured in accordance with paragraph 5.3. The loft-level bedroom areas expressly exclude sub-1.5m

headroom areas, and the 1.5m headroom contour is annotated on the loft floor plan. Compliance with paragraphs 5.3 and 5.5 is demonstrated on the plans.

10.5 Design and appearance (D6/SP11/DM1/DM12)

10.5.1 The rear infill extension

The 3m rear infill extension to the outrigger occupies the space between the existing rear wall and the outrigger. It has a depth of 3m, an eaves height matching the existing outrigger, and materials matching the existing building. It is contained within the envelope permitted under Class A of Schedule 2 Part 1 of the GPDO for a single-storey rear extension to a terraced house (maximum 3m rear projection, maximum 4m eaves height, materials matching the existing). It thereby benefits from a permitted development fallback and could be built out under Class A while the property is in Class C3 or Class C4 use — a material consideration of substantial weight under Mansell and Samuel Smith.

The infill is sited between the boundary walls of adjoining properties and is not visible from the public realm. It does not disrupt the roofline or the front elevation. It respects the character and appearance of the host property and the terrace.

10.5.2 The L-shape outrigger dormer

The basic rear dormer element benefits from the Certificate of Lawfulness granted under HGY/2024/1715 confirming compliance with Class B of Schedule 2 Part 1 of the GPDO. The L-shape extension of the dormer onto the outrigger roof represents an addition beyond the strict Class B envelope, but has been designed to be subservient to the host building, is sited entirely at the rear where it will not be visible from the public realm, and is finished in materials matching the existing.

The overall roof intervention is comparable to the roof extensions approved at Colless Road (hip-to-gable + rear dormer), 144 Greyhound Road (rear dormer to main slope) and 189 Mount Pleasant Road (rear dormer), all recently accepted by the LPA at comparable sites.

10.5.3 Overall design

The proposal is of appropriate scale, materials and detailing. It relates positively to the terrace and to the surrounding area. It complies with London Plan Policy D6, Haringey Local Plan Policy SP11 and DPD Policies DM1 and DM12.

10.6 Transport (T1/T4/T5/T6/SP7/DM31/DM32)

The site has moderate public transport accessibility (PTAL 3), sits within a Controlled Parking Zone, and is proposed as car-free. The London Plan Policy T5 cycle parking standards are exceeded by the provision of 7 secure, sheltered horizontal cycle spaces in the rear garden — one per resident. The London Cycling Design Standards are satisfied.

Access to the cycle store is through the property via the 1.2m minimum-width hallway and the 900mm clear-opening rear door, directly answering the point raised by the case officer in HGY/2025/2506 as to rear access width.

The proposal is car-free. Prospective tenants will be required to sign a tenancy agreement including a car-free condition. The HMO Management Plan submitted with the application secures the car-free commitment operationally.

The Council's standard demand for a Section 106 obligation restricting CPZ permit eligibility, coupled with a £4,000 TMO contribution, is not necessary in planning terms on the facts of this application:

- The Council has advanced no evidence of harm to congestion or highway safety;
- Inspector Symmons at paragraph 17 of APP/Y5420/W/24/3347579 rejected the same demand at Brampton Park Road on the same facts;
- The tenancy agreement and Management Plan secure car-free operation without need for a Section 106;
- Applying Regulation 122 of the Community Infrastructure Levy Regulations 2010, the demand fails the necessity test.

The proposal complies with London Plan Policies T1, T4, T5 and T6, Haringey Local Plan Policy SP7, and DPD Policies DM31 and DM32.

10.7 Impact on neighbouring amenity (D6/D14/DM1)

The relevant comparator is the extant C4 (5-person) consent, not the C3 use. Inspector Deane at paragraphs 12–13 of APP/Y5420/W/25/3363653 held that HMO intensification at this site does not cause material harm to neighbouring amenity. That finding related to an 8-person HMO. The present proposal is for a 7-person HMO — a smaller incremental uplift. Inspector Symmons at Brampton Park Road reached the same conclusion on an even larger incremental uplift (8 to 11 persons).

The rear infill extension is within the Class A GPDO envelope. It does not extend beyond the outrigger. It does not affect any window on any adjoining property. It gives rise to no material loss of light, outlook or privacy above what would result from the Class A permitted development fallback.

The dormer element (basic dormer) benefits from a Certificate of Lawfulness. The L-shape extension is confined to the rear roof slope and would not be readily visible from the public realm or from windows serving habitable rooms of adjoining properties.

The HMO Management Plan (annexed) sets out substantive and enforceable measures for management including quiet hours, guest limits, refuse handling, cycle storage, and formal neighbour liaison arrangements. Inspector Deane at paragraph 12 accepted the

earlier version of this Plan as material mitigation. The updated Plan strengthens those provisions.

The proposal complies with London Plan Policies D6 and D14 and DPD Policy DM1.

10.8 Waste and refuse management (D4/DM4)

The proposal provides 6 x 240L bins for general and recycling, together with dedicated food waste storage, at the front. The storage is screened, dimensioned on the site plan, and complies with the Council's Sustainable Design and Construction SPD (March 2013). The HMO Management Plan secures ongoing management. Compliance with London Plan Policy D4 and DPD Policy DM4 is demonstrated.

10.9 Community Infrastructure Levy

The increase in gross internal floor area resulting from the rear infill extension and the L-shape dormer does not exceed 100sqm. The proposal is accordingly not liable for Mayoral or Haringey CIL.

10.10 Overall planning balance under section 38(6)

The application accords with each of the material policies of the development plan:

- Policy DM17 is satisfied on each of its five criteria (section 10.1 above);
- The London Plan Policy D6 space standards are exceeded (section 10.2);
- The HMO Standards are met on the correct construction of paragraphs 3.3, 3.4, 3.5 and 5.3 (sections 10.3 and 10.4);
- Policies D6, SP11, DM1 and DM12 (design) are satisfied (section 10.5);
- Policies T1, T4, T5, T6, SP7, DM31 and DM32 (transport) are satisfied (section 10.6);
- Policies D6, D14 and DM1 (neighbour amenity) are satisfied (section 10.7);
- Policies D4 and DM4 (waste) are satisfied (section 10.8).

There are no considerations that indicate the application should be determined otherwise than in accordance with the development plan. Instead, the material considerations weigh in favour of grant:

- Two Inspector decisions on materially relevant facts (Deane and Symmons) support the application on every point save the qualitative communal test, which is now addressed;
- Four contemporaneous Haringey LPA approvals at comparable sites confirm the acceptability of higher headcounts than the 7-person scheme proposed here;

- The lawful fallback positions under HGY/2024/0757 (C4 consent), HGY/2024/1715 (dormer LDC) and the Class A GPDO (rear infill) reduce the material planning weight of any comparison to C3 use;
- The NPPF supports the boost to housing supply provided by the accommodation of 7 residents in a sustainable inner-London location.

Applying section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should be granted.

11. Suggested Conditions

The applicant offers to accept the following planning conditions if minded to approve:

- Standard 3-year time limit (section 91);
- Compliance with approved plans;
- Materials to match existing;
- Maximum occupancy of 7 persons at any time;
- Implementation of cycle storage and refuse storage prior to first occupation and permanent retention;
- Implementation of the HMO Management Plan annexed to this application, or such other Management Plan as may be approved in writing by the LPA;
- Loft bedroom windows to provide eye-level outlook (obscure-glazed and non-opening below 1.7m to any side elevation, as per Class B conditions);
- Construction hours and construction management measures on standard terms.

No planning obligation under section 106 is required to make the development acceptable in planning terms, for the reasons set out at sections 7.2.3 and 10.6 above.

12. Conclusion

The application falls to be approved.

The principle of HMO conversion at this site is established by the extant Class C4 consent under HGY/2024/0757. That consent extinguishes the family dwelling for planning fallback purposes and provides the material comparator against which incremental impact must be assessed.

The scheme responds directly and expressly to the single binding adverse finding at this site — Inspector Deane's qualitative test on internal communal space at paragraphs 5–11 of APP/Y5420/W/25/3363653 — by providing 29.52sqm of ground-floor communal accommodation in the format of a substantial 15.64sqm kitchen and dining room accommodating cooking and dining, together with a separate 13.88sqm lounge. This

layout replicates the "separate ground floor lounge" arrangement expressly endorsed by the Inspector at paragraph 5 of his decision. The design directly addresses each of the individual findings the Inspector made at paragraphs 5, 6, 9, 10 and 11.

All other grounds previously advanced by the LPA in refusing HMO intensification at this site have been rejected on appeal:

- Family housing loss — rejected by Inspector Deane at paragraph 14, and again by Inspector Symmons at paragraph 16 of the Brampton Park Road decision;
- Neighbour amenity — rejected by Inspector Deane at paragraphs 12–13, and again by Inspector Symmons at paragraph 11 of Brampton Park Road;
- Cycle storage — accepted by Inspector Deane at paragraph 15 as curable by condition, and materially improved in the present application;
- Section 106 car-free demand — rejected by Inspector Symmons at paragraph 17 of Brampton Park Road as failing Regulation 122 of the CIL Regulations 2010.

The proposal is smaller in headcount and equivalent or better in per-resident communal provision than every contemporaneous Haringey sui generis HMO approval within the FHPZ and Article 4 areas over the past 18 months — Colless Road (10 persons), Greyhound Road (9 persons), Mount Pleasant Road (8 persons) and Seven Sisters Road (8 persons). The kitchen facilities arrangement complies with paragraphs 3.3, 3.4 and 3.5 of the LPA's own published HMO Standards, applying the correct construction of those provisions as adopted by the LPA itself at Greyhound Road and Mount Pleasant Road.

The rear infill extension is contained within the Class A GPDO envelope and benefits from a permitted development fallback. The rear dormer element benefits from the Certificate of Lawfulness under HGY/2024/1715. The L-shape extension is designed to be subservient and not readily visible from the public realm. Each fallback is a material consideration of substantial weight under *Mansell v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314 and *R (Samuel Smith Old Brewery (Tadcaster)) v North Yorkshire County Council* [2020] UKSC 3.

The proposal complies with the development plan taken as a whole. There are no material considerations that indicate the application should be determined otherwise than in accordance with the development plan under section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning permission should accordingly be granted subject to conditions.

13. Appendices

This Statement is accompanied by the following appendices:

Appendix A — Inspector Deane appeal decision APP/Y5420/W/25/3363653 (7 July 2025)

Appendix B — Inspector Symmons appeal decision APP/Y5420/W/24/3347579 (17 December 2024)

Appendix C — Haringey HMO comparator approvals 2024–2025:

- C1: HGY/2024/1745 — 1 Colless Road (Officer Report)
- C2: HGY/2025/0289 — 144 Greyhound Road (Officer Report)
- C3: HGY/2025/1520 — 189 Mount Pleasant Road (Officer Report)
- C4: HGY/2025/1726 — Flat 1, 497 Seven Sisters Road (Officer Report)

Appendix D — Haringey Standards for Houses in Multiple Occupation (December 2017)

Appendix E — HGY/2024/0757 decision notice (extant Class C4 consent)

Appendix F — HGY/2024/1715 Certificate of Lawfulness (rear dormer PD)

Appendix G — HMO Management Plan