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DESIGN AND ACCESS STATEMENT

RETROSPECTIVE APPLICATION – AMALGAMATION OF TWO ONE-BEDROOM FLATS INTO A SINGLE TWO-BEDROOM FLAT AT GROUND FLOOR LEVEL

1.0 INTRODUCTION

- 1.1 This Design and Access Statement supports a retrospective application under section 73A of the Town and Country Planning Act 1990 for planning permission for the amalgamation of two self-contained one-bedroom flats (Flat 1 and Flat 2) at ground floor level of 112 Muswell Hill Road, London N10 3JD into a single self-contained two-bedroom flat.
- 1.2 The works were carried out in June 2025 and are complete. They were confined to the interior of the building and involved no alteration to its external appearance, footprint, roof or fenestration.
- 1.3 The application is accompanied by drawing 403/1 (August 2026), comprising the location plan at 1:1250, the site plan at 1:500 and the ground floor plans as existing and as proposed at 1:100. No elevations were submitted because no external alterations are involved.
- 1.4 Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 does not require a Design and Access Statement for an application for a material change of use. This statement is provided voluntarily, in a form proportionate to wholly internal works, to set out the response to Policy DM1 of the Development Management DPD and the access matters identified in the Council's Local Validation List.
- 1.5 Agent: NS Surveying & Design, Teazle House, Avening Road, Stroud GL6 0BS; 01453 882 986; info@nssurveyors.co.uk.

2.0 SITE AND SURROUNDINGS

- 2.1 112 Muswell Hill Road is a mid-terrace house on the east side of Muswell Hill Road, a short distance north of its junction with Onslow Gardens, in the London Borough of Haringey. It stands in a terrace of houses of similar age and design.
- 2.2 The house is of traditional solid-brick construction with a bay-fronted principal elevation to the street and a rear outrigger, typical of the late nineteenth and early twentieth-century development of Muswell Hill. It has been converted into self-contained flats served by the original front door, common hallway and staircase; the upper floors contain further flats. A long rear garden extends eastwards behind the house.
- 2.3 The surrounding area is wholly residential in character, comprising terraced houses of similar age along Muswell Hill Road and the streets running east from it. Highgate Wood and Queen's Wood lie a short distance to the south. Muswell Hill Broadway, with its shops and services, lies to the north and Highgate Underground station (Northern line) to the south, and bus routes run along Muswell Hill Road past the site.

- 2.4 The site is not within a conservation area and the building is not listed. It lies within Flood Zone 1. No other designation on the Council's Policies Map bears on the development, which is in any event confined to the interior of the building.

3.0 PLANNING HISTORY

- 3.1 There is no planning history the subdivision of the house into flats is long established.

4.0 THE DEVELOPMENT

- 4.1 Before the works the ground floor comprised two flats. Flat 1 (38.6 m²) occupied the front and rear rooms of the original house: a bedroom in the bay-fronted front room, a shower room, and a kitchen/living room in the rear reception room, entered by a door from the common hallway. Flat 2 (26.3 m²) occupied the rear outrigger and was entered from the rear end of the common hallway beside the staircase; it comprised a kitchen/living room, a bedroom and a shower room, with a rear door to the garden.
- 4.2 The works of June 2025 closed up the doorway from the common hallway into Flat 2 and enclosed the rear section of the hallway alongside the staircase within the flat with a new partition; connected the former Flat 1 rooms to the outrigger internally; and re-fitted the rooms as a single home. The front room is now Bedroom 1, with the adjoining shower room retained; the rear reception room is the living room; and the outrigger contains the kitchen, Bedroom 2 and a second shower room, with the rear door to the garden retained. The works comprised partitions, doors, finishes, kitchen and sanitary fittings and services only.
- 4.3 The amalgamated flat has a gross internal area of 60.6 m² and is a two-bedroom, three-person home with a double bedroom to the front, a single bedroom to the rear, a separate living room and kitchen, and two shower rooms. It is entered from the common hallway through the retained Flat 1 entrance door and is dual aspect, its principal rooms being lit from the front and rear of the house.

5.0 DESIGN

- 5.1 **Use.** The use of the ground floor remains residential (Use Class C3) throughout. The number of self-contained units on the ground floor reduces from two to one, and the number of households in the building reduces by one.
- 5.2 **Amount.** No floorspace has been added to or removed from the building. The whole of the ground-floor residential floorspace formerly occupied by Flats 1 and 2 remains in residential use within the amalgamated flat; no residential floorspace has been lost to any other use.
- 5.3 **Layout.** The layout follows the plan of the original house. The two principal rooms provide the main bedroom and the living room, and the outrigger houses the kitchen, the second bedroom and a shower room. A single entrance from the common hallway replaces the two former flat doors, and the closing-up of the second door simplifies the common hallway.
- 5.4 **Scale.** The height, footprint, massing and roof of the building are unchanged.
- 5.5 **Appearance.** There is no change to any elevation, window, door, boundary treatment or external material. The building and the street scene appear exactly as they did before the works.
- 5.6 **Landscaping.** The front forecourt and rear garden are unaltered.
- 5.7 **Haringey Development Charter (Policy DM1).** The five principles of the Charter are addressed as follows:
- (a) Relationship to neighbouring structures: there is no external change, so the relationship of the building to its neighbours and to the terrace is preserved intact.
 - (b) Contribution to place: the works consolidate substandard accommodation into a home of proper size, sustaining the residential character of the street without any visible change to it.

- (c) Consultation: the works are internal and have no effect on any neighbour; the application will be publicised by the Council in the usual way and the applicant will respond to any representations.
- (d) Securing quality: the works are complete and can be inspected.
- (e) Inclusive and sustainable design: the development re-uses the existing building fabric with no new construction, and provides accommodation on a single level at ground floor.

6.0 ACCESS

- 6.1 **Entrance.** The flat is reached from Muswell Hill Road through the existing common front door and hallway and through the retained Flat 1 entrance door. A second external door at the rear of the outrigger gives access to the garden. Neither the entrance to the building nor the common parts have been altered.
- 6.2 **Inclusive access.** The flat is formed within an existing early twentieth-century terraced house whose entrance, hallway and structure are fixed. Optional requirement M4(2) (accessible and adaptable dwellings) applies only where it is imposed by a condition of planning permission and is not practicable within the fabric of a converted house of this kind. The accommodation is nonetheless all at ground floor level, with the bedrooms, living room, kitchen and shower rooms reached from the flat entrance without any stair, and it is more adaptable than the two small units it replaces.
- 6.3 **Transport and parking.** The site is served by bus routes on Muswell Hill Road and is within walking distance of Muswell Hill Broadway and Highgate Underground station. No off-street parking is provided or proposed. The development removes one household from the site and so reduces its parking demand.
- 6.4 **Refuse and cycle storage.** The building's existing refuse, recycling and cycle storage arrangements are unchanged, and with one household fewer the demand on them is reduced.
- 6.5 **Fire safety (London Plan Policy D12).** The flat is at ground floor level. Its entrance door opens onto the common hallway close to the front door to the street, and the rear door of the outrigger gives an alternative escape route to the garden. Access for fire appliances from Muswell Hill Road is unchanged.

7.0 PLANNING POLICY CONSIDERATIONS

- 7.1 The development plan comprises the Haringey Local Plan: Strategic Policies (2013, as altered 2017), the Development Management DPD (July 2017), the Site Allocations DPD (2017) and the London Plan (March 2021). The National Planning Policy Framework (revised August 2026) and the London Plan Guidance on Housing Design Standards (2023) are material considerations. The emerging Haringey Local Plan, consulted on in draft under Regulation 18 in late 2025 with the Proposed Submission version programmed for later in 2026, carries limited weight at its present stage.
- 7.2 **Whether permission is required.** Internal alterations to a building are not development (section 55(2)(a) of the 1990 Act). Whether the amalgamation of two flats amounts to a material change of use is a question of fact and degree, turning on whether the loss of a unit has planning consequences of significance in the light of the development plan and local housing circumstances: *Richmond upon Thames LBC v SSETR* (QBD, 2000), *R (RBKC) v SSCLG* [2016] EWHC 1785 (Admin) and *LB Lambeth v SSLUHC* [2024] EWHC 1391 (Admin). The applicant has chosen to regularise the position by this application. It is made without prejudice to the applicant's position that the loss of a single substandard unit, with no loss of residential floorspace, does not amount to a material change of use.
- 7.3 **Loss of a residential unit.** Policy DM10 C of the Development Management DPD resists the loss of existing housing unless it is replaced with at least equivalent new residential floorspace, and London Plan Policy H8 A applies the same test of floorspace and density. The development satisfies both. All of the residential floorspace of the ground floor remains in residential use within the amalgamated

flat, and the building continues to provide self-contained homes on its upper floors. The London Plan does not prohibit amalgamations: the supporting text to Policies H1 and H2 (paragraphs 4.1.9 and 4.2.8) contemplates them, and in Lambeth the High Court upheld an Inspector's conclusion that Policy H8 was satisfied where two flats were amalgamated with no loss of residential floorspace overall.

- 7.4 The unit lost is Flat 2, a 26.3 m² one-bedroom flat in the rear outrigger. Table 3.1 of London Plan Policy D6 sets a minimum gross internal area of 37 m² for a one-bedroom, one-person dwelling with a shower room (39 m² with a bathroom). Flat 2 fell some 30 per cent below that minimum and could not be permitted as a new unit under Policy DM12 A or Policy D6. Flat 1 (38.6 m²) itself only marginally exceeded the one-person minimum and fell well short of the 50 m² required for a one-bedroom, two-person home. The amalgamation removes a substandard unit and replaces two cramped one-person flats with a two-bedroom home. That is the outcome the space standards exist to secure, and the loss of a unit which does not meet them carries little weight in the planning balance.
- 7.5 **Housing mix.** Policy SP2 and Policy DM11 seek a mix of dwelling sizes that meets Haringey's needs, and Policy DM11 C resists an over-concentration of one and two-bedroom units. London Plan Policy H10 asks boroughs to have regard to the need for larger homes. Converting two one-bedroom flats into a two-bedroom flat moves the mix in the direction the policies favour: it introduces a home capable of accommodating a couple with a child, or two sharers, into a building otherwise made up of small flats, at ground floor level and with its own door to the garden. The Council's own evidence (Development Management DPD, paragraph 3.19) identifies a shortfall in one and two-bedroom dwellings; the development does not reduce the stock of policy-compliant one-bedroom homes, because Flat 2 was not one, and it adds a two-bedroom home. No family-sized (three or more bedroom) unit is lost, so Policy DM16 B and the Family Housing Protection Zone, whether or not the site lies within it, are not engaged. Policy DM16 otherwise governs the subdivision of houses into flats, the reverse of this development.
- 7.6 **Housing quality.** Policy DM12 A and London Plan Policy D6 require new housing to meet or exceed the minimum space standards. The amalgamated flat provides 60.6 m² against the 61 m² standard for a two-bedroom, three-person home; the difference of 0.4 m², under one per cent, reflects the fixed dimensions of the existing house and is immaterial in a conversion of this kind. The flat has a double bedroom to the front and a single bedroom to the rear, separate living and kitchen rooms, two shower rooms and a dual aspect. The quality of the accommodation is far higher than that of the two units it replaces.
- 7.7 **Residential amenity and character.** There are no external works, so there is no effect on the daylight, sunlight, outlook or privacy of any neighbour, and the character and appearance of the building and the street are unchanged. One household fewer on the ground floor reduces activity in the common parts, noise transfer between units, and demand for refuse storage and parking. The development accords with Policy DM1 D and Policy DM12 A.
- 7.8 **Transport.** No parking is provided and the number of households is reduced, so the development is consistent with Policies DM31 and DM32 of the Development Management DPD and London Plan Policy T6.
- 7.9 **National policy.** The revised National Planning Policy Framework (August 2026) supports the effective use of existing buildings and the provision of homes that meet the needs of different groups. Policy HO7 directs decision-makers to give substantial weight to the benefits of providing homes that contribute to the evidenced accommodation needs of the local community; a two-bedroom home of policy-compliant size, formed from accommodation that was substandard, is such a benefit.
- 7.10 **Retrospective nature of the application.** Policy DM8 of the Framework requires substantial weight to be given to an intentional breach of planning control. There was no such breach here. The works were internal alterations, which are not development, and whether the resulting amalgamation is a material change of use is a question on which, as the case law above shows, informed views differ. The applicant carried out the works in the belief that no planning permission was required and has

submitted this application promptly on being advised that the Council may take a different view. The Council is invited to determine the application on its planning merits.

8.0 CONCLUSION

- 8.1 The development is complete, wholly internal and invisible from outside the building. It removes a 26.3 m² flat that fell well below the minimum space standard and replaces two cramped one-person units with a dual-aspect two-bedroom home of 60.6 m², with no loss of residential floorspace and no effect on neighbours, the street scene or the historic environment.
- 8.2 The development accords with Policies DM1, DM10, DM11 and DM12 of the Development Management DPD, Policy SP2 of the Strategic Policies, Policies D6, H8 and H10 of the London Plan, and the National Planning Policy Framework. The Council is respectfully requested to grant planning permission.