Officer Report

Application Number:	**HGY/2026/0728**
Application Type:	**Full planning permission**
Address:	1 Mayfair Gardens, Tottenham, London, N17 7LP
Proposal:	As-built single-storey outbuilding forming a self contained dwellinghouse and proposed new windows.
Case Officer:	Eunice Huang
Valid Date:	18/08/2026
Applicant:	Mergim Loka
Agent:	Mr Bilal Ahmad

RECOMMENDATION

Refuse

1. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development
This is an application for an as-built single-storey outbuilding forming a self contained studio-type dwellinghouse and proposed new windows. The building was formerly a detached garage, at the rear of the site, which has been converted into a dwelling.

Site and Surroundings
The application site contains a two-storey end-of-terrace dwellinghouse with outbuilding the rear garden on the southern side of Mayfair Gardens, with a frontage to a private accessway that leads to residential garages. The surrounding uses are residential. The site does not contain a listed building and is not located in a conservation area.

Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows:

- HGY/2015/2655

Address: 1, Mayfair Gardens, London, N17 7LP, London
Proposal: Erection of single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 3m and for which the height of the eaves would be 3m

Decision Date: 26 October 2015
Decision: Not Required

- HGY/2021/0361

Address: 1, Mayfair Gardens, London, N17 7LP
Proposal: Erection of first floor rear extension
Decision Date: 1 November 2021
Decision: Appeal allowed

The site is currently subject to an enforcement investigation, reference ENF/2026/0123, for use of the existing outbuilding as a self-contained dwelling. This case was opened in 04/02/2026.

The proposal for the as-built single-storey outbuilding forming a self-contained dwelling from a former shed was considered under pre-application PRE/2025/0359.

3. Consultation response

- LBH Transport: Object.

The site has poor/moderate public transport accessibility (PTAL=2/3) and is located in a CPZ. There is a loss of two car spaces in the garage conversion. No parking stress surveys have been undertaken and car free development having PTAL <4 is not supported by Policy DM32 C(b).

The pedestrian access to the as-built outbuilding is via a private accessway that primarily serves garages to rear of properties. The condition of this accessway is not considered suitable/acceptable, given the very poor state of repair), or safe (without footpaths or lighting), or accessible by wheelchair or mobility/sight-impaired users.

- LBH Carbon Management: Further information needed.

The carbon reduction calculations appear to be incorrect and require clarification. The proposed 12kWp PV panels is also unrealistic for the available roof space of a small development.

4. LOCAL REPRESENTATIONS

The application has been publicised by way of letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 2
Objecting: 1
Supporting: 1

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Not suitable for local area
- Main property has multiple entrances, has been built upon more than 50% of garden space, with windows on side street
- Likely to be used as a HMO.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development
2. Design and appearance;
3. Standard and quality of residential accommodation;
4. Impact on neighbouring amenity;
5. Transport considerations;
6. Energy and sustainability.

Principle of the development

Government policy as set out in the NPPF 2026 requires Local Planning Authorities to significantly boost the supply of housing (chapter 6). Policy L1 supports the effective use of land on sites of different sizes, including small sites, which can make an important contribution to meeting the housing requirement of an area.

The principle of additional housing is supported by the London Plan (2021) Policies H1 'Increasing Housing Supply' and H2 'Small Sites'. It is also supported by Haringey's Local Plan Policy SP2 'Housing'. Policy SP2 states that the Council will seek to ensure a mix of dwelling sizes arising from development and recognises that there is a lack of family sized housing in the Borough. The Haringey Local Plan has a target of 19,820 dwellings between 2011 and 2026.

Policy DM7 covers development on infill, backland and garden land sites. Part A of the policy outlines that there will be a presumption against the loss of garden land unless it represents comprehensive redevelopment of a number of whole land plots. Part B of the policy focuses on the design quality and response to local character, amenity impact and the layout of the proposal, all of which shall be considered further in the report.

This scheme would add one new dwelling on this site, replacing a garage. As such, this proposal would make a minor contribution to the overall housing target for the Borough, as well as the housing delivery target for small sites.

The proposal would result in the loss of two car spaces for the main dwelling. The site has moderate public transport accessibility, with a PTAL rating of 3. The site is also located in Controlled Parking Zone. Policy DM32 C(b) supports car free development only in locations having a PTAL rating of 4 or more.

Further to this, the proposed development is not well considered in relation to siting and access. The proposed dwelling would be located at the rear of the site, with access from a private accessway. This is an unsealed accessway that primarily serves as vehicular access to residential garages to the rear of properties. There is no separate pavement for

pedestrians. The condition of the accessway is not considered acceptable for pedestrian access, and it would not be appropriate for wheelchair users or mobility and sight-impaired users. The proposed pedestrian route to the dwelling is therefore considered unsafe. There are also concerns about the security of users due to the lack of lighting and passive surveillance in the accessway.

The accessway is characterised by utilitarian garage and shed uses, rather than habitable uses. There would be a poor level of visual amenity from the outlook of the dwelling onto the accessway. As such, the accessway is not considered an appropriate location for the placement of new dwellings.

The garden would be subdivided between the main dwelling and the proposed dwelling. Plot sizes along Mayfair Gardens and the accessway have a consistent length. The proposal would result in small plot sizes that would be out of keeping with the character. Further to this, the plot size would be disproportionately small for the scale of the main dwelling, which is a large family dwelling.

The Design and Access Statement outlines that there is an example of an outbuilding conversion to a self-contained dwelling at No. 36 Devonshire Hill Lane N17, which is located across the accessway from the application site. However, this conversion was established without formal permission. A certificate of lawfulness for an existing use was granted in 2023, with a subsequent extension granted. Therefore, the use as a self-contained dwelling was not subject to an assessment against planning policy and does not demonstrate that the principle of development accords with policy.

For the above reasons, the principle of the development is not supported, as per the provisions of Policy DM7.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

Policy DM7 in meeting the design expectations of Policies DM1 and DM2, require development proposals for backland/ infill sites to meet specific criteria; specifically to relate appropriately and sensitively to the surrounding area as well as the established street scene,

to provide a site specific and creative response to the built and natural features of the area and to safeguard privacy and amenity to neighbouring occupiers.

It is proposed to alter the existing outbuilding, to brick up the existing garage roller doors on the side elevations, and alter the window and door openings to the front elevation. The building will retain a single storey, hipped roof appearance. The proposed building alterations are deemed acceptable for the appearance of the site and accessway. However, due to the uncharacteristic plot division that would result from the annexing of the rear garden area, the proposal would be unacceptable with regards to failing to respect the prevailing character of the wider locality.

Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

The proposed studio dwelling would have a gross internal are (GIA) of 44.16m^2. This would be meet the requirements of a 1 bed, 1 person dwelling as per Table 3.1 of the London Plan.

The dwelling would be dual aspect, with openings to the rear garden (north) and the rear accessway (south). However, the south-facing window has an outlook onto the accessway and neighbouring garages, of poor visual amenity and sense of security on the ground floor level. There will also be direct overlooking from the upper level rear windows of the main dwelling into the north-facing windows of the proposed dwelling and its garden.

The living conditions of occupants of this dwelling would therefore be considered poor and unacceptable.

The design and size of the studio dwelling is unlikely to give rise to its use as a HMO, as outlined as a concern in neighbour objections.

Impact on neighbouring amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 ‘Delivering High Quality Design’ states that development proposals must ensure a high standard of privacy and amenity for a development’s users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring residents.

Although the sense of overlooking from the main dwelling into the proposed dwelling would feel more pronounced due to the elevation of the upper windows; there would also be reduction of privacy on the main dwelling due to the proposed north-facing windows that would direct face the main dwelling in proximity.

Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

From viewing aerial imagery it is possible to see that the outbuilding was built sometime between 2020 and 2021, and appeared to replace an existing single garage. At most, the erection of the outbuilding has resulted in the loss of one off-street parking space, although it cannot be confirmed in the absence of pre-existing plans if the pre-existing structure had sufficient dimensions to accommodate a standard vehicular parking space.

The location has a PTAL rating of 3, which is considered a moderate level of public transport accessibility. The site is also located in Controlled Parking Zone. Policy DM32 C(b) supports car free development only in locations having a PTAL rating of 4 or more. No off-street parking has been proposed. No parking stress survey has been provided as part of the submission, but it is not considered that the proposed addition of 1 1 1-bed 1-person dwelling would result in an unacceptable impact on on-street parking conditions in the wider locality.

As outlined above in this report, the access to the dwelling along the private accessway is not suitable for pedestrian safety and security.

Details of cycling and bin storage have not been outlined on the plans. The studio dwelling would require one secure and sheltered cycle space, as per the London Plan requirements. If the application was to be consented the cycle and bin storage would be secured through a condition.

Energy and sustainability

The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.

DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.

An energy report has been submitted to support the application. It outlines that the site could achieve a 103.62% reduction in regulated CO2 emissions, over the Part L (2021) baseline. The energy strategy incorporates both an ASHP system and a PV system. However, the carbon reduction calculations contain errors, which require clarification. Further to this, additional clarification is required about whether the proposed development can practically achieve the proposed U-values and the 12kWp PV array for the small available space. As submitted, the energy strategy thus cannot be supported.

Conclusion

The scheme is considered unacceptable for the reasons outlined above, in summary as the siting and access to the development would not be appropriate for a new dwelling and the annexation of the plot would have an unacceptable impact on the character of the wider locality. The scheme would fail to provide an acceptable quality of accommodation for future occupiers. The application also does not provide a coherent energy strategy for the new dwelling.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

7. CIL APPLICABLE

Based on the information provided, the Mayoral CIL charge is estimated to be £3,211.76 (72.73 x 44.16) and the Haringey CIL charge is estimated to be £2,660.20 (44.16 x 60.24) . This would be collected by Haringey after/should the scheme is/be implemented and could be subject to relief, surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the RICS CIL index. An informative will be attached advising the applicant of this charge.

8. RECOMMENDATION

REFUSE PERMISSION for the following reasons:

Refusal Reasons:

The siting and access to the proposed development on the private accessway would not be acceptable for pedestrian safety and accessibility, nor the security for future occupants, contrary to Policy D3 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1, DM2 and DM7 of the Haringey Development Management DPD (2017).

The proposed design of the dwelling and close proximity to the main dwelling, with windows directly facing the main dwelling and the rear accessway, would not provide an acceptable quality of accommodation for existing/future occupiers of the outbuilding or the occupants of the existing dwelling no. 1 Mayfair Gardens, in terms of outlook and privacy, contrary to Policy D6 of the London Plan (2021), Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1 and DM7 of the Haringey Development Management DPD (2017).

The proposed development, by virtue of the annexation of the rear garden and plot division to form a separate backland residential unit, would represent an uncharacteristic form of development that would be out of keeping with the wider locality, contrary to policy SP11 of the Haringey Local Plan 2017, policies DM1, DM7 of and DM12 of the Haringey Development Management DPD 2017 and policy DM3 of the London Plan 2021.

In the absence of sufficiently accurate information, officers cannot make an informed assessment on the energy performance of the residential unit, to determine if it would adequately reduce energy use and carbon emissions, contrary to policy SP4 of the Haringey Local Plan 2017 and policy DM21 of the Haringey Development Management DPD 2017.