LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/0598 **Ward:** West Green

Date received: 29/02/2016

Drawing number of plans: Site Location Plan; 140A1; 140A2; 140A3; 140A4; 140A5.

Address: 183 Downhills Way N17 6AH

Proposal: Conversion of dwelling house into two flats, alongside the associated construction of a rear dormer extension.

Applicant: Mr Ismet Dinc

Ownership: Private

Officer contact: David Farndon

2. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

Reasons for Refusal:

1. The proposed conversion of the dwellinghouse to provide two residential units, by reason of the inadequate size of the ground floor rear bedroom and of the upper floor flat, will provide a sub-standard level of accommodation, contrary to policy SP2 of Haringey Council's Local Plan 2013, draft policy DM12 of Haringey Council's Development Management DPD, and policy 3.5 of the London Plan 2016 (Minor Alterations).

2. The proposed development, in the absence of a legal agreement securing the provision of on-site affordable housing or a financial contribution in lieu, is contrary to policy SP2 'Housing' of the Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan 2015.

3. The proposed conversion of the dwellinghouse to provide two residential units, by reason of its original internal floorspace falling below 120m^2, will result in the loss of a family home within the Family Housing Protection Zone, contrary to saved policy HSG6 of Haringey's Unitary Development Plan (2006) and draft policy DM16 of Haringey's Development Management DPD (2016).

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

The application is for the conversion of a dwelling house into two flats, alongside the associated construction of a rear dormer extension.

Site and Surroundings

The subject site is a terraced property located on the western side of Downhills Way. The area is characterised by two storey residential dwellings. The application building is not listed and is not located within a conservation area. The site is also located within the Family Housing Protection Zone.

Relevant Planning and Enforcement history

- No relevant planning history

4. CONSULTATION RESPONSE

The following were consulted regarding the application:

Haringey's Transport comments:
It is considered that the proposed development would not have any significant adverse impact on the surrounding highway network or car parking demand at this location. Therefore, there are no highways and transportation objections to the above development proposal, subject to the imposition of the following conditions:

1. Prior to the commencement of use of the development hereby permitted the applicant must provide secure covered cycle storage for (4) four bicycles.

Reason: To promote the use of sustainable modes of transport to and from the site.

Informative:

The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

Haringey's Waste comments: general comments provided – *inter alia*: appropriate sized bins and storing facilities

London Fire and Emergency Planning Authority: recommends sprinklers be used.

5. LOCAL REPRESENTATIONS

- No representations received.

6. MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the proposed development are:

1. Principal of conversion into two flats
2. The impact of the proposed development on the character and appearance of the area

3. The impact on the amenity of adjoining occupiers
4. Living conditions for future occupants
5. Parking and highway safety
6. Affordable Housing

Principal of conversion

The building is located within the Family Housing Protection Zone established under draft policy DM16 (Residential Conversions) of Haringey's Development Management DPD (2016). This policy states that, given the shortage of small family dwellings, the Council will only permit the conversion of homes where the gross original floor space of the existing dwelling is greater than 120m^2. Whilst acknowledging that this proposal is not for a HMO, saved policy HSG6 of Haringey's Unitary Development Plan (2006) provides a similar principal for consideration in terms of the size of homes that are acceptable for conversion. Policy HSG6 specifically refers to restricting conversions of dwellings to HMOs if they have a floor area of less than 120 m^2.

The original internal floor space of the existing dwelling falls just below 95m^2. When taking into account the historic single storey extension, the dwelling provides just under 110m^2 of floorspace. Given that the original internal floor space of the existing dwelling falls well below the required 120m^2, the conversion of the property will see the loss of a small family dwelling and therefore is considered unacceptable in principal.

Character and appearance of the area

Policy SP11 requires development to enhance and enrich Haringey's built environment and Saved Policy UD3 seeks to ensure that development proposals are of a high design quality and are of a nature and scale that is sensitive to the surrounding area. Local Plan Policy SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment. CSV5 states that the Council requires applications within Conservation Areas to preserve or enhance the character of the conservation area. Draft DM Policy DM1 'Delivering High Quality Design' continues this approach and requires development proposals to relate positively to their locality, with draft policy DM 12 'Housing Design and Quality' stating that new housing/residential extensions should be of a high quality.

The proposed dormer is the sole addition to the building. This is set off the main rear elevation and the flanks of the roof. There is a similar dormer on a neighbouring property and therefore the dormer is considered to be in keeping with the character of the area. The rooflight to the front is acceptable so long as it does not protrude more than 0.15m from the main roof plane.

The application is therefore considered acceptable in design terms.

Impact on the amenity of adjoining occupiers

The London Plan 2015 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy overlooking, aspect noise, pollution and of fume and smell nuisance. Draft DM Policy DM1 'Delivering High Quality Design' requires

developments to ensure a high standard of privacy and amenity for its users and neighbours. Draft DM12 'Housing Design and Quality' also requires residential extensions to be of a high quality, taking account of the privacy and amenity of neighbouring uses.

The proposed dormer sits within the roofslope of the existing building and maintains the same outlook as that which currently exists. It is therefore considered to not harm the amenity and privacy of neighbouring occupiers.

The rooflight is situated on the front roofslope and therefore will not provide any opportunity for overlooking that would damage the privacy of neighbouring occupiers.

Living conditions for future occupants

Policy DM12 of Haringey Council's Development Management DPD, states that all new housing must be of a high quality. The Minor Alterations to the London Plan ('intend to publish'), which were accepted by the London Assembly on 10 February 2016, includes Policy 3.5 Housing Standards which states that housing developments must be of a high-quality internally and externally. This policy also includes Table 3.3 which sets out space standards for dwellings (the relevant standards are discussed below with regard to each of the proposed units).

The ground floor flat will be 61m^2 in area and therefore matches the required 61m^2 (2 bedroom/3 person/1 storey) as set out in the Housing Standards in the Minor Alterations to the London Plan 2016. It should be noted, however, that the proposed bedroom at the rear of the property is only 7.27m^2 in area. This is below the 7.5m^2 floorspace area recommended by the DCLG's 'Technical housing standards – nationally described space standards' document explicitly referenced within the London Plan and is therefore of an unacceptable size.

The first floor/loft flat is also problematic will be 65.34m^2 in area and fall below the required 70m^2 (2 bedroom/3 person/2 storey) and/or the 79m^2 (2 bedroom/4 person/2 storey) as set out in the Housing Standards in the Minor Alterations to the London Plan 2016. This difference (between proposed and required) is significant and will result in a sub-standard level of accommodation for the host occupiers.

For these reasons the application cannot be supported.

Parking and highway safety

Haringey's Transport Officer was consulted on the application. They noted that the application site is poorly served by public transport and has a low PTAL of 1. Further to this, the site does not fall within a controlled parking zone and it is highly likely that the prospective residents would use private vehicles for journeys to and from the site.

Nevertheless, they believe that the proposed development would not have any significant adverse impact on the surrounding highway network or car parking demand at this location. As such, the Transport Officer raised no objections subject to the imposition of a condition related to the provision of adequate cycle storage.

Affordable Housing

The NPPF states that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic and market trends and the needs of different groups should be provided. Policy 3.8 'Housing Choice' of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types. This approach is continued in Haringey Local Plan SP2 Housing, which is supported by the Council's Housing SPD.

The NPPF states that where it is identified that affordable housing is needed, planning policies should be set for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. However, such policies should be sufficiently flexible to take account of changing market conditions over time (para. 50).

Similarly policy 3.12 of the London Plan (2015) states that Boroughs should seek "the maximum reasonable amount of affordable housing […] when negotiating on individual private residential and mixed-use schemes", having regard to their affordable housing targets, the need to encourage rather than restrain residential development and the individual circumstances, including development viability. Local Plan Policy SP2 states that affordable housing shall be provided on-site subject to viability and schemes below the ten unit threshold are required to provide 20% affordable housing on site, based on habitable rooms, or provide financial contributions towards affordable housing provision subject to viability.

The application is for a conversion of an existing dwelling and therefore it is not practical to provide affordable housing on-site. A financial contribution is therefore sought under such circumstances. Haringey Council's Planning Obligations SPD (October 2014) sets out the rates for the provision of off-site financial contributions on sites of 1-9 net units, which for the West Green Ward is £224 per sq.m. As there is 20.47sq m of additional floorspace being proposed in this conversion, the financial contribution required would be 224 x 20.47 = £4585.28.

In the absence of a legal agreement securing a financial contribution in lieu of the provision of on-site affordable housing or a viability assessment, the proposal is considered to be contrary to policy SP2 (Housing) of the London Borough of Haringey's Local Plan: Strategic Policies March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan 2015.

7. Conclusions

1. The proposed conversion of the dwellinghouse to provide two residential units, by reason of the inadequate size of the ground floor rear bedroom and of the upper floor flat, will provide a sub-standard level of accommodation, contrary to policy SP2 of Haringey Council's Local Plan 2013, draft policy DM12 of Haringey Council's Development Management DPD, and policy 3.5 of the London Plan 2016 (Minor Alterations).

2. The proposed development, in the absence of a legal agreement securing the provision of on-site affordable housing or a financial contribution in lieu, is contrary to policy SP2 'Housing' of the Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan 2015.

3. The proposed conversion of the dwellinghouse to provide two residential units, by reason of its original internal floorspace falling below 120m^2, will result in the loss of a family home within the Family Housing Protection Zone, contrary to saved policy HSG6 of Haringey's Unitary Development Plan (2006) and draft policy DM16 of Haringey's Development Management DPD (2016).

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

8. CIL APPLICABLE

The proposal results in the creation of an additional dwelling and therefore would be liable for the Mayoral and Haringey's CIL charge.

Mayoral CIL is: 35 x 1.229 x additional sq.m (20.47).
Haringey CIL is: 165 x 1.054 x additional sq.m (20.47).

9. RECOMMENDATION

REFUSE permission (see 'Summary of Recommendation')

Registered No. HGY/2016/0598

Applicant's drawing No.(s) Site Location Plan; 140A1; 140A2; 140A3; 140A4; 140A5.