

DPV Consult

Mr Gerard Coyle

78 Alexandra Road, London N8 0LJ

Planning Statement

18 November 2022

Prepared by:

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Appendices (Appended separately)

Appendix A: Building Regulations Approval for Loft Extension

- Ai: Final Certificate 4 July 2016
- Aii: Existing and Proposed Plans for a Loft Conversion drg. ref. 160111H/P1

Appendix B: Appeal Decision 67 Rutland Gardens N4 1JW (PINS ref. APP/Y5420/W/21/326853)

Appendix C: HMO License for 78 Alexandra Road, 4 October 2022

1. Introduction

- 1.1. DPV Consult on behalf of Mr Gerard Coyle ("The Applicant") has prepared this Statement in support of a full planning application for change of use from dwelling house (Use Class C3) to a house in multiple occupation (HMO) to be occupied by not more than 6 people sharing (Use Class C4).
- 1.2. For the avoidance of doubt this application pertains to the change of use of the property only. No external works are proposed noting, with reference to section 3, that previous alterations and additions to the ground floor and the roof have been implemented and in themselves constitute lawful development.

Planning Application Package

- 1.3. This application is supported by:
- This Statement
 - Completed and dated application form
 - Completed CIL Additional Questions form
 - Planning application fee of £462.00
 - Plans
 - Site Location Plan drg. ref. 221104H/LP (1:1,250@A4) Clarion Chartered Surveyors
 - Block Plan drg. ref. 221104H/BP (1:500@A4) Clarion Chartered Surveyors
 - Pre-Existing Elevations drg. ref. 221104H/E1 (1:100@A3) Clarion Chartered Surveyors
 - Pre-Existing Existing Floor Plans ref. drg. ref. 221104H/E2 (1:100@A3) Clarion Chartered Surveyors
 - Pre-Existing & Existing Plans for a loft conversion (Floor Plans, Elevations & Sections) drg. ref. drg. ref. 221104H/LOFT (1:100 & 1:50@A1) Clarion Chartered Surveyors

The submitted plans

- 1.4. To assist the Council the submitted floor plans and elevations show the property as it existed prior to the loft extension. These plans are titled "Pre-existing" i.e. prior to the loft extension and "Pre-Existing" and "Existing" to show how the property is currently laid out following the completion of the loft works in 2016. Common to both sets of plans are the ground and first floor layout arrangements which remain unchanged. For the avoidance of doubt for the purposes of this application the GIA measurement calculates the size of the dwelling as it existed prior to 1948.
- 1.5. The survey dimensions of the submitted plans have been prepared as per the RICS code of measuring practice noting that the individual room dimensions do not add up to the respective GIA floor areas of 59.2 sqm and 59.2 sqm shown for the ground and first floor plans respectively.

This is because, as per the RICS code of measuring practice, “corridors of a permanent essential nature”, “chimney breasts, stairwells”, “areas occupied by internal walls and partitions” and “voids over stairwells on upper floors” are included in the GIA, meaning the GIA is higher than the total area of each room.

Report Structure

1.6. The remainder of this Planning Statement comprises the following sections:

- Section 2 – The Site
- Section 3 – Planning History
- Section 4 – The Proposals
- Section 5 – Planning Policy
- Section 6 – Justification for the Proposals and Conclusions

2. The Site

- 2.1. The property is a two-storey mid terrace brick-built 5-bedroom dwelling located on the eastern side of Alexandra Road. Alexandra Road is predominantly residential in character and is made up of similar terraced dwellings.
- 2.2. The property sits on a plot of circa 0.025 ha.
- 2.3. The originally as built property has a gross internal area measuring approximately 118.9 sqm (as per the RICS code of measuring practice and excludes both the ground floor rear extension (circa 12.1 sqm) and loft room (circa. 16.8 sqm) which otherwise were completed at different times but in any event more than 4 years ago). The combined GIA of the house as built is circa. 174 sqm.
- 2.4. There is a large single storey outbuilding located in the rear garden. The outbuilding measures circa 29.16 sqm (5.4m x 5.4m) with a height of approximately 2m. It is a substantial structure with walls constructed of blockwork and render with wood and felt roof and window fenestration.
- 2.5. The rear garden measures approximately 122 sqm (22.6m x 5.4m).
- 2.6. Refuse storage is located in the front garden which is set back approximately 5.5m into the property from the road.

Accessibility

- 2.7. The site is in an area with a public transport accessibility rating of 26a (PTAL 6a) where 1 is poor and 6a is excellent and is therefore very well served by means of public transport. It is also within a Controlled Parking Zone (Wood Green Inner Zone (WG) - CPZ) which is operational from Monday to Sunday: 8am to 10pm

Site Designations

- 2.8. The property is not located within any conservation area and does not fall within the curtilage of any listed building.

3. Planning History

- 3.1. Investigations of the Council's planning records indicate that there is no relevant planning history of direct relevance to the site.

On-site

- 3.2. The property itself has been the subject to 2 modest extensions which are understood to have been constructed with the benefit of permitted development rights which in any event were completed more than 4 years ago.
- 3.3. The first of which was a single storey rear extension was built in circa 2005. The proposals were the subject of final buildings regulations approval notice BN/0007/5260 dated 29 June 2005. Evidence of the Building Regulations approval is recorded on the Council's applications portal.
- 3.4. In 2015/2016 the applicant undertook works to form a loft conversion. The proposals are detailed on the submitted plans and were completed in July 2016. A copy of the Final Certificate issued on the 4 July 2016 from Building Control Service (Approved Inspectors) Ltd certifying that works for the loft conversion were completed in accordance with Section 51 of the Building Act 1984 is attached at **Appendix A**.

Off-site

- 3.5. According to the Council's online planning register we are not aware of any recent change of use planning applications along Alexandra Road involving the conversion of residential properties to HMOs.
- 3.6. We are aware of a recent appeal decision at 67 Rutland Gardens N4 1JW in which an inspector granted planning permission on the 14 December 2021 for a change of use from C3 (single family dwelling) to C4 (House in Multiple Occupation) (PINS ref. APP/Y5420/W/21/3268532). In the case of this appeal the GIA was measured at 121 sqm i.e. just 2.1 sqm greater than the current application proposals. The decision is attached at **Appendix B**.

Other History

- 3.7. The property currently benefits from a license granted on the 4 October 2022 under the provisions of the Housing Act 2004 Part 2 and Schedule 5(1) in respect of a House in Multiple Occupation (HMO) under licence number HAR-504512288282. This allows the building or part of the building to be occupied by non-family members as non-self-contained accommodation for the benefit of 6 or more residents. A copy of the licence is attached at **Appendix C**.

- 3.8. The site falls within the ward of Noel Park, which is the subject of an Article 4 Direction, which came into force on the 30 November 2013). The Direction withdraws permitted development rights prescribed by Town and Country Planning (General Permitted Development) Order 1995 (as amended) consisting of a change of the use of a building to a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) from a use falling within Class C3 (dwellinghouses).

4. The Proposals

4.1. The proposals are for:

“Change of use from dwelling house (Use Class C3) to a house in multiple occupation (Use Class C4)”

4.2. The property will not be occupied by more than 6 people sharing

4.3. No external physical works are proposed, and the internal configuration is depicted on the plans submitted as part of the application.

4.4. Internally the property is arranged as shown on the submitted plans noting that the proposals already benefit from a license granted on the 4 October 2022 under the provisions of the Housing Act 2004 Part 2 and Schedule 5(1) in respect of a House in Multiple Occupation (HMO) under licence number HAR-504512288282.

4.5. All future residents will have access to a large rear garden.

4.6. Provision is to be made in the existing outbuilding to accommodate cycle storage which is capable of accommodating at least 12 no. bicycles. The applicant is anticipating that details of provision will be subject to a planning condition.

4.7. Provision is to be made for refuse collection in the front garden and will be designed to meet the requirements of ENV.08/162. Again, the applicant is anticipating that details of provision will be subject to a planning condition.

5. Planning Policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan

- 5.2. The Development Plan comprises:

- The London Plan (2021)
- Haringey Local Plan – Development Management DPD (July, 2017)

The London Plan (2021)

- 5.3. The relevant policies of the London Plan comprise:

- H9 Ensuring the best use of stock
- D6 Housing quality and standards
- D7 Accessible Housing
- H10 Housing Mix
- T5 Cycling
- T6 Car Parking

Development Management Document (2014)

- 5.4. The relevant policies comprise:

- DM1 – Delivering High Quality Design (Haringey Development Charter)
- DM4 – Provision and Design of Waste Management Facilities
- DM12 – Housing Design and Quality
- DM16 – Residential Conversions
- DM17 – Houses in Multiple Occupation
- DM31 – Sustainable Transport
- DM32 - Parking

Other Policy Considerations

- National Planning Policy Framework (NPPF, 2021)
- National Planning Practice Guidance (NPPG)
- Nationally Described Space Standard (NDSS)
- London Housing Design Guide (draft February 2022)

- 5.5. It is demonstrated in Section 6 that in overall conclusion on national, strategic and local policies that the proposals have been formulated with full regard to all relevant policies and would not conflict, nor would cause harm, to any interest of acknowledged importance. Furthermore, the proposals are wholly sustainable with regard to making best use of urban land and encouraging development opportunities in sustainable locations.

6. Justification for the Proposals and Conclusions

- 6.1. This Section of the Planning Statement outlines the key issues in respect of the determination of this planning application having regard to national planning policy, the development plan and other material considerations.
- 6.2. The 2004 Housing Act defines HMOs as either:
- i. Small, shared dwelling houses occupied by between 3 and 6 unrelated individuals who share basic amenities and occupied as the main residence i.e. Class C4 of the Use Classes Order
 - ii. Large houses occupied by more than 6 people sharing i.e. Use Class sui generis of the Use Classes Order.
- 6.3. In the Applicant's case planning permission is sought for change of use to accommodate a small, shared dwelling house to be occupied by no more than 6 unrelated individuals (Use Class C4).
- 6.4. The principal planning issues of relevance to this proposal are assessed regarding the following:
- Principle of development
 - Amenity of neighbouring properties
 - Accessibility
 - Living conditions of occupants
- 6.5. Accordingly, the proposals are assessed as **compliant** against the 5 criteria of DM17 (and other relevant Development Management policies and guidance) as follows:

“a The gross original internal floor space of the existing dwelling is greater than 120m²”

- 6.6. The applicant acknowledges that in strict arithmetic terms the gross original internal floor space of the existing dwelling is 2.1 (and a tiny fraction) sqm below the threshold of greater than 120 sqm. However, when expressed in terms of a percentage deficit (just 1.75% in this case) this cannot be considered materially significant in any respect, particularly given the fact for the reasons set out below that the proposals are in full compliance with the 4 remaining criteria.

“b They do not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an overconcentration of HMOs within an area”

- 6.7. With reference to Section 3 there appear to be very few, certainly less than 20% of properties along the entirety of Alexandra Road that are in use other than as C3 dwellinghouses. Furthermore, there are no external alterations proposed and so the residential character of the area will remain unchanged. Accordingly, there can be no conflict with criteria a of Policy DM17 as there is no substantive evidence that the proposed development would lead to an over-concentration of HMOs. Accordingly, it is submitted that the development would not result in harm from the unacceptable loss of family sized accommodation.
- 6.8. As described in Section 4 there are no physical changes to the exterior of the building. The existing property accommodates 5 bedrooms with the number of occupants as a single family being unrestricted. The proposed use as a HMO will be restricted to no more than 6 occupants using the property as their home. Consequently, the level of noise and disturbance should not be materially greater than if the property was to remain as a C3 dwellinghouse.
- 6.9. Consequently, there would be no impact on the character and appearance of the area in this respect and accordingly there is no conflict with criteria b of DM17 or policies DM1 and DM12 of the Development Management Plan.

“c They are accessible by public transport, cycling and walking”

- 6.10. Policy DM31 seeks to implement the Council's strategic 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. Parking standards referred to in Policy DM32 reflect the standards set out in the London Plan.
- 6.11. The site has the highest PTAL rating of 6a given its proximity to Turnpike Lane and Wood Green underground stations in metropolitan centres including Wood Green station). There are bus routes within walking distance.
- 6.12. London Plan Policy T5 Cycle Parking and Table 10.2 Minimum cycle parking standards prescribes 1.5 spaces for residents per 2-person 1 bedroom dwelling with no visitor spaces required for less than 5 dwellings for uses both within C3 and C4. As noted in Section 4 provision can be made for up to 12 cycle spaces to the rear of the property (policy requirement 6) and in this context the proposals comply with the cycle parking standards of the Development Plan.

- 6.13. There are no prescribed car parking standards for either C4 or sui generis HMOs contained within the Development Plan.
- 6.14. The proposals are car free and accordingly accord with the maximum standards allowed also noting the whole of Alexandra Road falls within a CPZ.
- 6.15. Within this context the proposals meet the policy requirements of criteria c of policy DM17 and policies DM31 and DM32 of the Development Management Plan, noting policy DM32 defers required car and cycle parking standards to those set out in Policy T6 of the published London Plan.

“d They provide high quality accommodation that satisfies the relevant policies of the Local Plan, including internal space standards, provision of a satisfactory level of amenity space for occupants, and adequate and convenient refuse storage and Collection”

- 6.16. The proposals are assessed as compliant against criteria d of DM17 for the following reasons:
- As set out in Section 3 the property has been inspected by the Council's housing team who have satisfied themselves that the accommodation is of sufficient high quality to be occupied as an HMO. Accordingly, it already benefits from a license granted on the 4 October 2022 under the provisions of the Housing Act 2004 Part 2 and Schedule 5(1) in respect of a House in Multiple Occupation (HMO) under licence number HAR-504512288282. This allows the building or part of the building to be occupied by non-family members as non-self-contained accommodation for the benefit of 6 or more residents.
 - The property is appropriately located, taking account the nature of the surrounding area and land uses, access to local amenities
 - The property is of appropriate scale, bulk and massing.
- 6.17. There is no material change in terms of the nature of the use i.e. it remains a house and no material external alterations to the property are proposed. Accordingly, the proposals will preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance.
- 6.18. All 4 of the letting rooms comfortably exceed the minimum space standards set out in the London Housing Design. The proposals also meet the internal space standards of the Nationally Described Space Standards.

6.19. Accordingly, the proposals:

- Meet or exceed minimum space standards in the London Plan and draft London Housing Design Guide
- Provide a well-designed, flexible and functional layout, with adequately sized rooms in accordance with the draft London Housing Design Guide

6.20. The proposals will meet the M4 (1) requirement (visitable dwellings) noting that in accordance with London Plan Policy D7 there is no requirement to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% of new dwellings should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

6.21. As set out in Section 4 the proposals will provide a total of 122 sqm of external private amenity space. As such the proposals accord with criteria d of Policy DM17 and the provision of high-quality amenity space as part of the development.

6.22. Matters relating to access, parking and refuse storage have been addressed above with reference to criteria d of Policy DM17 and Policy DM4.

6.23. It is further worth noting that the house has been newly refurbished to a high standard in line with HMO licensing requirements and meets with all the relevant Fire Regulations.

“e Where non-self-contained, have exclusive use of a kitchen or space within a shared kitchen for each household.

6.24. Under the terms of the HMO Licence the occupants have exclusive use of a kitchen or space within a shared kitchen for each household in compliance with criteria e of DM17. Residents also have shared use of the living room, utility and dining area with full use of the garden.

6.25. Within this context the proposals will provide an excellent quality future living environment for future residents whilst at the same time protecting the amenity of existing neighbouring residents. At the same time the character of the area and the street scene will remain unchanged. Accordingly, there is no conflict with Policy DM17 whilst satisfying the policy tests of London Plan Policy D6 and other relevant Development Management policies and supplementary planning guidance referred to above.

6.26. The Council is respectfully asked to grant planning permission for this well considered change of use planning application.