

PLANNING STATEMENT

Change of use of from dwelling to House of Multiple Occupancy (HMO)

80 Shelbourne Road, Tottenham, London, N17 9XY

DLA Ref: 22/567 December 2022

Relevant planning history

LPA Ref	Proposal	Outcome
HGY/2021/3066	Change of use from a dwellinghouse to an HMO	Refused Appeal dismissed
HGY/2021/0979	Certificate of Lawfulness for rooflight	Permission not required
HGY/2019/0623	Certificate of Lawfulness for rear dormer, single storey rear extension and 2 rooflights	Permission not required
HGY/2019/0370	Single storey rear extension	Prior approval refused

Application HGY/2021/3066 was refused for the following reasons:

"1. The proposed development would result in an over-intensive use of the property and an increase in levels of activity, noise and disturbance that would be detrimental to neighbouring residential amenity, contrary to Policy SP2 of Haringey Council's Local Plan 2017, Policy DM12 & DM17 of Haringey Council's Development Management DPD, and Policy 6 of the London Plan 2021 and the Mayor's Housing SPG 2016

2. The proposed change of use of existing dwelling house into multiple occupation (HMO) for 7 persons (Sui-generis) would, due to the number of occupants, lack communal living space and the lack of adequate cycle parking and refuse storage would provide a sub-standard form of accommodation, contrary to Policy SP2 of Haringey Council's Local Plan 2017, Policy DM12 & DM17 of Haringey Council's Development Management DPD, and Policy D6 of the London Plan 2021 and the Mayor's Housing SPG 2016.

3. In the absence of an appropriate legal agreement to control resident's rights to parking permits, the proposed development is likely therefore to exacerbate significantly the current on-street parking situation thereby prejudicing the safety and free flow of traffic in the area and promoting unacceptable parking stress. As such, it fails to strike an acceptable balance between sustainability and parking choice contrary to the requirements of Policy T6 of the London Plan 2021 and Policy DM32 of the Development Management DPD 2017."

A subsequent appeal was dismissed in a decision letter issued on 11 November 2022. The Inspector's main findings can be summarised as follows:

- A planning obligation is the best means of ensuring that residents cannot apply for a parking permit. In the absence of an obligation, the development would not be car-free and would conflict with Policies T6 of the Local Plan and DM32 of the DMD.
- There is no evidence to suggest that the use of the property as an HMO would be particularly noisy or detrimental to neighbouring occupiers. The proposal would also not result in a concentration of HMOs.
- There is no policy requirement for communal facilities and the kitchen/dining area is large enough for people to congregate at the same time. As such there would be suitable living conditions for occupiers of the HMO.

Planning Issues

In light of the Inspector's findings, the remaining planning concern from the previous reasons for refusal is the absence of a legal agreement to restrict resident parking. Therefore, as part of this application a S106 agreement will be provided that removes residents' rights to obtain parking permits or visitor permit vouchers. The applicants will also agree to a contribution of £4,000 towards the amendment of the Traffic Management Order (TMO).

The provision of a legal agreement will address the Inspector's findings and ensure an acceptable form of development.