

21 December 2022



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Dear Sir or Madam,

7 TENTERDEN ROAD, LONDON, N17 8BE

FULL APPLICATION FOR SUBDIVISION OF EXISTING DWELLINGHOUSE INTO TWO FLATS

On behalf of our client Mr Cesur Firat, I write to submit a full application via the Planning Portal for the subdivision of the existing dwellinghouse into two residential flats at 7 Tenterden Road. Permission is sought for:

“Subdivision of existing dwellinghouse to create two flats at lower ground level, ground and first floor level and external alterations.”

Please find enclosed the following documents which have been submitted in support of the planning application

- Application Form;
- CIL Form; and
- Internal Daylight and Sunlight Assessment.

The following drawings have also been submitted in support of the application:

- Site Location Plan
- Existing Block Plan (drawing reference: 1449-01)
- Existing Ground and First Floor Plans (drawing reference: 1449-10)
- Existing Second Floor and Roof Plans (drawing reference: 1449-20)
- Existing Section AA (drawing reference: 1449-40)
- Existing Section BB (drawing reference: 1449-50)
- Proposed Block Plan (drawing reference: 1449-60 Rev D)
- Proposed Ground and First Floor Plans (drawing reference: 1449-70 Rev D)
- Proposed Second Floor and Roof Plans (drawing reference: 1449-80 Rev B)
- Proposed East and North Elevations (drawing reference: 1449-90 Rev D)
- Proposed Section AA (drawing reference: 1449-100 Rev B)
- Proposed Section BB (drawing reference: 1449-110 Rev B)

The planning application fee of £462 (plus £32.20 Planning Portal fee) will be made in accordance with the Fee Regulations.

The Site

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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The Site comprises a semi-detached property on a row of three storey dwellings in the London Borough of Haringey (LBH). The building is currently in residential use, uniform with the prevailing land use of the surrounding area. The site is located within LBH's Family Housing Protection Zone.

There is no local or statutory listed buildings within or adjacent to the site, and the site is not located within a Conservation Area. The nearest statutory listed building is 39-51 Beaufoy Road (Grade II) approx. 100m to the west of the site.

The Site has a Public Transport Accessibility Level (PTAL) rating of 4, where 0 is worst and 6b the best, indicating good accessibility. The Site is just 0.2 miles (4 min walk) from White Hart Lane station, which is served by TfL Overground and offers frequent services towards Cheshunt, Liverpool Street and Enfield Town. The Site also benefits easy access to two bus stops located 0.2 miles and is 0.3 miles (6 min walk) which provide access to a total of 8 bus services.

There are no trees subject to Tree Preservation Orders within or adjacent to the Site.

The Site is within Flood Zone 1, where the risk of flooding is lowest and a critical drainage area.

Planning History

A review of LBH's online planning applications showed a number of previous planning applications for the Site, as outlined below:

HGY/2020/1764 – *“Subdivision of dwelling to create two self contained units and external alterations.”*

The application was refused on 24th August 2020 for the following reason:

“1. The proposed conversion would result in sub-standard accommodation by reason of inadequate unit sizes, poor access and poor quality of accommodation with regard to sunlight, daylight and outlook contrary to Policies 3.5, 7.4 and 7.6 of the London Plan 2016, Policies SP2 and SP11 of the Haringey Local Plan 2017 and DMDPD Policy (2017) DM12.”

HGY/2020/2389 – *“Subdivision of dwelling to create two flats at lower ground level, ground and first floor level and external alterations (Resubmission)”*

The application was refused 30th October 2020 for the following reason:

“1. The proposed conversion would result in sub-standard accommodation by reason of inadequate unit sizes, poor access and poor quality of accommodation with regard to sunlight, daylight, outlook and lack of privacy. As such the proposal is contrary to Policies 3.5, 7.4 and 7.6 of the London Plan (2016), Policies SP2 and SP11 of Haringey's Local Plan (2017) and Policy DM12 of Haringey's Development Management DPD (2017).”

HGY/2021/2669 – *“Subdivison of dwelling to create two flats at lower ground level, ground and first floor level and external alterations.”*

The application was refused on 12th October 2021 for the following reason:

“1. The proposed conversion would result in sub-standard accommodation by reason of poor quality of accommodation with regard to sunlight, daylight, outlook and lack of privacy, contrary to London Plan (2021) Policy D6, Policies SP2 and SP11 of the Haringey Local Plan 2017 and DMDPD Policy (2017) DM12.”

A subsequent appeal was submitted, reference **APP/Y5420/W/20/3265818**. The appeal was dismissed on 13th July 2021 for the following reasons:

- Failure to meet minimum space standards
- Daylight/Sunlight
- Outlook

HGY/2021/3343 – “Subdivision of dwelling to create two flats at lower ground level, ground and first floor level and external alterations.”

The application was refused on 1st February 2022 for the following reason:

“1. The proposed conversion would result in sub-standard accommodation by reason of poor quality of accommodation with regard to sunlight, daylight, outlook and lack of useable amenity space, contrary to London Plan (2021) Policy D6, Policies SP2 and SP11 of the Haringey Local Plan 2017 and DMDPD Policy (2017) DM12.”

A subsequent appeal was submitted, reference **APP/Y5420/W/22/3294200**. The appeal was dismissed on 11th November 2022 for the following reason:

“The proposal would not offer suitable living conditions to prospective future occupiers of the property with regards to the external amenity space, although I have found that there would be adequate daylight and outlook in the rooms of the ground floor flat. Overall, the proposal would be contrary to Policies SP2 and SP11 of the Haringey’s Local Plan Strategic Policies 2013 – 2026 (HLP) (adopted March 2013), Policy DM12 of the Haringey Development Management DPD (DPD) (adopted July 2017) and Policy D6 of the LP as explained in the foregoing chapters.”

Neighbouring Applications

In addition to the above, a planning application and appeal at a neighbouring site is considered to be of relevance to the proposals, as outlined below:

15 Tenterden Road

HGY/2020/2820 – “Subdivision into two flats at lower ground, ground and first floor level.”

The application was refused on 15th December 2020 for the following reason:

“1. The proposed conversion involves the over-intensive sub-division of the property resulting in substandard accommodation by reason of inadequate unit size, with poor outlook, lack of privacy and poor access to daylight and sunlight to the proposed ground floor unit. The proposal is therefore contrary to Policies 3.5, 7.4 and 7.6 of the London Plan 2016, Policies SP2 and SP11 of the Haringey Local Plan 2013 and DMDPD Policy (2017) DM12.”

A subsequent appeal was submitted, reference **APP/Y5420/W/21/3267505**. The appeal was allowed on 28th June 2021 as the proposals were found to have an acceptable standard of living for its occupiers.

The Proposal

The proposed development comprises the subdivision of the dwellinghouse into two residential flats, each with private external amenity space in the form of gardens, as outlined below:

Unit No.	Unit Size	Internal GIA	Amenity Space
Flat A	Studio	37.5sqm	13sqm
Flat B	3-bedroom / 4-person	91.2sqm	20.5sqm

The private amenity space for Flat A is accessed via the landscaped side path, which has an existing set of stairs leading to the rear garden. The private amenity space for Flat B is accessed directly from the rear of the unit at ground floor level. The two amenity spaces are separated by a fence.

The existing parking space to the front of the building will be allocated to Flat B given the larger size of the unit. Secure cycle parking storage is provided for Flat A within the landscaped side path, while storage for Flat B is within a secure, covered cycle store within the rear garden.

Within the front garden, there is also provision for appropriate waste storage to serve the two units.

Planning Policy Framework

- London Plan 2021 (LP)
- Haringey Strategic Policies DPD (SPDPD)
- Haringey Development Management DPD (DPD)

Planning Considerations – Addressing Reason for Refusal

The reason for refusal within the previous application related to residential quality, specifically daylight/sunlight, outlook and amenity space.

“1. The proposed conversion would result in sub-standard accommodation by reason of poor quality of accommodation with regard to sunlight, daylight, outlook and lack of useable amenity space, contrary to London Plan (2021) Policy D6, Policies SP2 and SP11 of the Haringey Local Plan 2017 and DMDPD Policy (2017) DM12.”

The subsequent appeal, reference **APP/Y5420/W/22/3294200** found that the daylight/sunlight and outlook were acceptable within the proposals, leaving just amenity space to resolve:

“The proposal would not offer suitable living conditions to prospective future occupiers of the property with regards to the external amenity space, although I have found that there would be adequate daylight and outlook in the rooms of the ground floor flat. Overall, the proposal would be contrary to Policies SP2 and SP11 of the Haringey’s Local Plan Strategic Policies 2013 – 2026 (HLP) (adopted March 2013), Policy DM12 of the Haringey Development Management DPD (DPD) (adopted July 2017) and Policy D6 of the LP as explained in the foregoing chapters.”

The proposals have therefore been amended with due consideration to how to amenity space can be improved. While the Inspector concluded internal daylight/sunlight and outlook were adequate within the proposals, these have been amended within this application in order to address concerns of Planning Officers and provide a higher quality development in these regards. As such, each of these topics is addressed individually below:

Amenity Space

The previous application and appeal were refused on the grounds of lack of usable amenity space, in relation to the lower ground unit which was allocated amenity space within the side path. Provision of amenity space within the side path was considered unacceptable to both Officers and the Inspector at appeal. As such, this has been considered within this revised planning application and amended, taking account of previous Officer and Inspector concerns, as well as policy.

The DPD also highlights the importance of providing appropriate external amenity space for all residential developments. Standards for private amenity space are set out within the London Plan Policy D6 and require a minimum of 5sqm for 1-2 person dwellings and an additional 1sqm per additional occupant. As such, the amenity space has been amended within this proposal. The rear garden has been subdivided, to provide garden space proportional to each residential flat. The proposed amenity space is set out below:

Unit No.	Amenity Space	London Plan Requirement
Flat A (1 person dwelling)	20.5sqm	5sqm
Flat B (4 person dwelling)	13sqm	8sqm

The amount of private amenity space provided for each unit therefore significantly exceeds London Plan requirements and is therefore a significant benefit of the proposals, further improved by the fact the amenity space is well screened and benefits from high levels of sunlight.

Direct access is also provided from each flat, with Flat B being directly accessed from the rear door while Flat A has access via a side door which accesses the side path, leading to the rear garden. As such, the proposals offer high quality private amenity space for each unit which significantly exceeds London Plan requirements, to contribute to high levels of residential amenity for future occupants.

The proposed amenity space therefore successfully addresses the reason for refusal of the previous planning application and the reason for dismissal of the appeal which both related to a lack of usable amenity space for the lower ground unit. Given this was the only reason for dismissal of the appeal, the application is therefore considered to be acceptable in planning terms and should be granted permission.

Daylight & Sunlight

While daylight/sunlight was considered acceptable within the appeal, it is noted that this formed a reason for refusal of the planning application and as such has been considered within this amended proposal in order to satisfy Officer concerns.

It is noted that the matter of daylight and sunlight was commented on within an earlier appeal decision (ref. APP/Y5420/W/20/3265818) which states:

“On my site visit, I was able to gauge the amount of daylighting to the lower apartment afforded by the installation of the side windows. I found that the light levels in the kitchen and dining area, and to the rear of the property, were poor giving a gloomy appearance and requiring supplementary electric lighting during the day and in summer.”

This concern was addressed within the subsequent planning application through the submission of an Internal Daylight Assessment, however Officers still considered that the lack of internal rearrangement meant the proposals were unacceptable in this regard. However, at the recent appeal (APP/Y5420/W/22/3294200), it was concluded by the Inspector that:

“The submitted ‘Internal Daylight Assessment’ concludes that the habitable rooms within the proposed ground floor dwelling would receive satisfactory levels of daylight. From my observations on the site visit, the rooms were somewhat dim, however they did benefit from some natural light. As such, I see no reason to conclude against the assessment and in that regard the proposal would be acceptable.”

As such this demonstrates levels of internal light are acceptable at the Site and the application should not be refused on these grounds.

Even so, as part of this planning application, improvements have been made that will increase internal light levels to the lower ground flat. This includes the provision of a lightwell to the rear of the unit which will make the unit triple aspect, as well as an additional window and glass door within the side elevation. An Internal Daylight and Sunlight Assessment has also been submitted with this planning application, which measures Flat A against the latest BRE guidelines (July 2022). The report concludes the flat would meet internal daylight/sunlight standards, and therefore ensure a well-daylit environment for future occupants.

The proposals should therefore not be refused on the grounds of daylight and sunlight.

Outlook

The reason for refusal of the previous planning application also considered the outlook of the proposals to be unacceptable. At appeal, the Inspector considered outlook to be acceptable. As such, the application should not be refused on these grounds. Even so, some amends have been made to the proposals to further improve outlook from Flat A to satisfy Officer concerns. This includes landscaping along the side path, retention of the stairs within the side path and provision of a lightwell.

Officer concerns with outlook related primarily to the side elevation which looks towards a side path and retaining wall. It is considered that providing windows and glass door in this side elevation is beneficial to future occupants given it increases levels of internal daylight and sunlight, providing a triple aspect unit, and therefore improving quality of residential accommodation.

The comments raised within the previous application have, however, been considered and measures have been taken to improve the outlook towards the side path. This includes the incorporation of a strip of landscaping along the retaining wall which will break up the blank façade and allow for a more pleasant view for future occupants. The landscaped strip can be secured by planning condition, but is likely to include smaller, narrow evergreen trees or shrubs which can grow in shaded conditions. It is also considered that should the future occupant wish to further enhance the outlook this can be achieved through simple measures such as putting in plant pots and/or lights, as is commonplace for residents wishing to enhance the visual appearance of their homes.

It is additionally noted that the previous application and appeal included the removal of the stairs within the side path which was considered to further exacerbate the predominance of the retaining wall. This application does not propose the removal of the stairs and as such will reduce any potential feeling of overbearing of the wall on the outlook of future occupants, as it will further break up the visual appearance and overall height of the wall, which will appear significantly smaller in size as a result of the stairs.

With regards to the lightwell, this is not considered to significantly impact upon outlook given there will be limited opportunities to view out the lightwell. The lightwell will however provide some positive outlook for residents who will be able to view upwards to the sky within a close range of the lightwell. It is also noted that within the appeal at no.15 Tenterden Road (ref. APP/Y5420/W/21/3267505) the lightwell was considered acceptable with regards to outlook. The current proposals offer a lightwell of the same dimensions and as such are acceptable in this regard.

The proposals are therefore considered to have significantly enhanced outlook from the previous application. Given this, alongside outlook being accepted at appeal, outlook is therefore no longer considered to be a valid reason for refusal of the application.

Planning Considerations – Other Relevant Matters

Principle of Development

Policy H2 of the LP outlines a presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target of net housing completions on small sites in Table 4.2. For Haringey the 10 year target is 2,600. Furthermore, Policy D3 of the LP seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

Policy DM12 of the DPD relates to residential conversions and sets out a number of criteria which must be considered. Part B requires that any residential conversions within Family Housing Protection Zones must result in no net loss of family sized units, as well as according with all criteria in parts (b – g) of the policy. The proposals meet all parts of the criteria, including retaining a family sized unit.

In addition, Part C of Policy DM12 states that where existing garden land is available, this should be used to optimise the total amount of private amenity space and access for residents. All future occupants will have access to generous sized private amenity space in accordance with this part of the Policy.

It is additionally highlighted the Haringey SHMA (June 2021) sets out that single person households are projected to increase by 4,300 over the 15-year period, while families with dependent children make up very little of the growth with an increase of 300 households. As such, the proposals offer an additional single person household which is an identified need within the Borough.

The application is therefore acceptable in principle, as it accords with Policies H2 and D3 of the LP and Policy DM12 of the DPD, as well as providing a housing type which comprises an identified need.

Design and Appearance

Policy DM12 of the DPD requires that any extension or alteration is of a high quality design, which is sensitive to the site, while Policy DM1 requires proposals to relate positively to their locality. Policy SP11 of the SPDPD and Policy D3 of the LP require the highest standard of design to be met which respects local context and character.

A rear lightwell is proposed, which will be located to the rear of the building and subterranean, meaning it would not have a significant or detrimental impact upon the character and appearance of the property. It is additionally noted that neighbouring properties have recently had lightwells approved including no.15 Tenterden Road (ref. APP/Y5420/W/21/3267505) and no. 19 Tenterden Road (ref. HGY/2020/0832). As such, lightwells can be considered characteristic of the area.

The proposals also provide additional ground floor side elevation windows and glass door. This is a minor design change which will improve the appearance of the existing side façade and is therefore considered acceptable in design terms.

Landscaping is proposed to the front garden as well as the side path adjacent to proposed Flat A. The landscaping within the front garden will improve the proposals in design terms from the street. With regards to the landscaping within the side path, this will not be seen from the public realm however will improve the appearance of the wall which runs along the side of the property for future occupants (as discussed under 'Outlook' above).

As such, the proposals are considered to be in accordance with Policies DM1 and DM12 of the DMD, SP11 of the SPDPD and D3 of the LP and will offer high quality design which enhances the existing property.

Residential Standard of Accommodation

Policy D6 of the LP requires housing developments to be of high quality design, providing comfortable and functional layouts, benefitting 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. Developments must meet national space standards. The sections below outline how each of these requirements are met within the proposals, save for private amenity space, daylight and sunlight and outlook which have been addressed above.

Space Standards

The SPD requires developments to meet or exceed the minimum residential space standards. As indicated below, the internal GIAs for each residential unit significantly exceed the nationally described space standards:

Unit No.	Internal GIA	National Standards
Flat A (studio)	37.5sqm	37sqm

Flat 2 (3b4p / duplex)	91.2sqm	84sqm
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Additionally, the proposals meet the private internal space standards set out at Parts 1) – 8) of the LP Policy D6. As such, the proposals will provide a generous sized living environment for future occupants.

Dual Aspect

The LP requires developments to maximise dual aspect provision, avoiding single aspect units. In accordance with these requirements, Flat B is dual aspect, while Flat A is triple aspect, with windows to the front and side elevation and a lightwell to the rear elevation, to create well-lit environments for future occupants.

Privacy and Overlooking

Overlooking is not expected to be an issue as a result of the proposals, given they retain existing windows to the front and rear. While additional windows have been included on the side elevation, this is not expected to result in overlooking given it looks out towards the side path and wall, and the space will only be used by residents of the unit.

With regards to the lightwell, there will be limited opportunities for any overlooking to occur both to users of the rear garden for Flat B, and towards future occupants of Flat A. This is firstly due to the length of the rear garden, which extends approx. 7 metres from the lightwell meaning opportunities for overlooking would only occur when in close proximity such as when entering and exiting the garden. In addition, Flat A will provide an oblique view which will result in less overlooking to the garden and not towards the primary rear part of the garden. Additionally, the lightwell is located away from the proposed bed space and living/dining space of the unit meaning there are very limited instances of any overlooking. Finally, given the rear garden is subdivided, half of the lightwell will face towards the garden for Flat A, therefore further limiting opportunities for overlooking by occupants of Flat B.

It is also noted the lightwell has been designed to match that approved at no.15 Tenterden Road, within appeal ref. APP/Y5420/W/21/3267505. Paragraph 9 of the appeal decision states *“At my site visit I was able to confirm that views into the bedroom window from above the lightwell are not easily attainable. As such, the Council’s concerns in these regards are not well founded.”* Given the current proposals provide a lightwell which matches that of no.15, and an internal layout where the bed is to be located away from the lightwell, the lightwell is considered wholly acceptable with regards to privacy and overlooking, while also significantly benefitting the proposals in terms of internal light.

Car and Cycle Parking

Car Parking

Policy DM32 of the DPD states that the Council will support proposals with limited or no on-site car parking where there is a PTAL rating of at least 4. The Site benefits from a PTAL rating of 4 and offers 1no. car parking space to serve the 3-bedroom unit (Flat B). Given the Site’s accessibility, Flat A will be car free. This is considered to accord with Local Policy as well as London Plan Policy T6 which states car-free development should be the starting point for all development proposals.

Cycle Parking

Policy SP7 of the SPD aims to promote cycling as a sustainable transport mode, and is supported by DPD Policy DM31. Cycle parking should be provided in accordance with London Plan guidance, as set out in Policy T5. A bicycle store for 2 bikes is provided in the rear garden to serve the 3-bed unit, while the remaining 1-bed unit is served by a cycle store within the side path, for 1 bike in accordance with Policy T5.

Waste Provision

Waste provision is provided for each unit in the front garden.

Summary

The proposals comprise an amended development which addresses the reason for refusal as set out within the previous planning application (ref. HGY/2021/3343) as well as the reason for dismissal of the recent appeal (ref. APP/Y5420/W/22/3294200).

The reason for refusal of the planning application states:

"1. The proposed conversion would result in sub-standard accommodation by reason of poor quality of accommodation with regard to sunlight, daylight, outlook and lack of useable amenity space, contrary to London Plan (2021) Policy D6, Policies SP2 and SP11 of the Haringey Local Plan 2017 and DMDPD Policy (2017) DM12."

As a result, the proposals have improved the daylight/sunlight situation through additional windows on the side elevation as well as a lightwell to the rear to result in a triple aspect unit. An internal daylight assessment submitted alongside the application also confirms the proposals are acceptable in this regard. As such this reason falls away.

Outlook has been improved through a strip of landscaping along the retaining wall which will improve views out of the windows on this elevation, as well as the retention of the stairs which will reduce the appearance of overall height of the wall for future occupants. As such, this reason falls away.

Finally, the lack of usable amenity space has been addressed through splitting the rear garden to provide 13sqm amenity space for the 1-bed unit (Flat A), while retaining 20.5sqm for the 3-bed unit. Both spaces therefore significantly exceed London Plan standards and as a result, this reason falls away.

With regards to the Appeal, it is highlighted that daylight/sunlight and outlook were considered acceptable. As such, the only reason for dismissal related to amenity space, which has both been addressed above.

Finally, the Appeal decision at no.15 Tenterden Road is highlighted as a precedent for this planning application. The current application has been amended with consideration to no.15, by way of the incorporation of a lightwell of the same dimensions which was considered to provide good levels of internal light, outlook and retain privacy for occupants of both flats. The current planning application is further considered to be an improvement to the development at no.15 by way of inclusion of private amenity space for both flats, and provision of additional windows to further improve light levels. As such, the proposals will offer an even higher quality residential accommodation to that approved at no.15.

In conclusion the proposals are considered to meet the test for achieving sustainable development as required under Paragraph 11 of the NPPF and as such planning permission should be granted.

I trust that the information submitted is sufficient to assess the application and I look forward to receiving confirmation that the application has been validated. In the meantime if you require any further information please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Zoe Tozer".

Zoe Tozer
Savills