

Officer's Report

Application Number	HGY/2022/4288
Type	Full planning permission
Location	18 Woodlands Park Road, Tottenham, London, N15 3RT
Proposal	Construction of rear dormer extension to facilitate loft conversion and enlargement of existing 7 bedroom HMO (sui generis) to 9 bedrooms
Case Officer	Laina Levassor
Valid Date	01/12/2022
Applicant	Mr PANOS SAVVIDES
Agent	Mrs KILIC

RECOMMENDATION

Refuse

PLANNING HISTORY

The planning history of the site has been taken into account when coming to this decision. The most recent planning history in relation to the site is as follows:

HGY/2022/3494: Construction of rear dormer extension to facilitate loft conversion and enlargement of existing 7 bedroom HMO (sui generis) to 9 bedrooms - Refuse

HGY/2021/3258: Erection of first floor rear extension - Refused

HGY/2019/3227: Erection of a rear dormer to existing mixed use HMO (consisting of 7 bedsits and one bedroom self-contained flat) and internal alterations to provide a 6 bedroom HMO for up to 6 residents (C4 Use Class) and a one bedroom self-contained flat (amended description) - Approved

SITE DESCRIPTION

The application site is a two storey building located on the south-eastern side of Woodlands Park Road. The site is not located within any conservation area.

BACKGROUND

This current application follows the refusal of a previous application (Ref: HGY/2022/3494) which proposed a similar development. The scale of the proposed roof additions has been reduced to remove the outrigger extension and reduce the size of the dormer thereby decreasing the proposed room sizes for the two additional rooms to be set within the converted loft space. The proposed layout for these rooms is similar to the initial proposal with the proposed plans showing separate accesses and individual bathroom/kitchen areas.

PROPOSED DEVELOPMENT

This application seeks permission for the erection of a rear dormer extension with associated rooflights to facilitate a loft conversion and the enlargement of the existing 7 bedroom HMO to a 9 bedroom HMO (Use Class Sui Generis).

Erection of rear dormer extension

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions, will be required to be of a high, site-specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High-quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High-Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

The proposed rear dormer extension is set in from the edge of the roof which adjoins neighbouring properties by 0.7m, set down from the ridge of the roof and with a small set in from the eaves. Externally, the appearance of the rear dormer is in keeping with development within the local residential area and is proposed to match materials used in construction of the host building, preserving visual amenity. The proposal is considered proportionate and subordinate to the host building, therefore, the local character and visual amenity of the area will be protected.

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 resident.

It is not considered that the addition of a rear dormer of this scale would result in the opportunity to present new vantage points resulting in additional overlooking to neighbouring properties. Typically, within a residential setting, the creation of rear dormers can be constructed without the need for planning permission and these additions are generally seen as a neighbourly form of development where appropriately sized and placed. It is considered that the set away from neighbouring properties reduces the likelihood of overshadowing or imposition on any windows impacting privacy of neighbours. For these reasons, the proposed roof extension is considered acceptable from an amenity perspective.

Due to the use of the property and that this enlargement would be constructed in order to facilitate the creation of an increased HMO occupation, further assessment is detailed below as to whether this resultant use would be acceptable.

Enlargement to create a 9 person HMO

On the application form provided, the existing use is described as 'HMO (Consisting of 6 bedsits, one communal dining kitchen space and a self-contained one bedroom flat). The current use is considered to be a sui generis use, falling outside any if the defined use classes, as it incorporates two separate uses – a self-contained dwelling (C3) and a C4 HMO within the same building.

Existing floorplans show 'Flat 1' includes a living room, bedroom, kitchen and shower/wc to the righthand side of ground floor level. Also at ground level is a communal kitchen, communal bathroom, communal WC and three rooms (Rooms '1, 2 & 7'). At first floor level, are rooms '3, 4, 5 & 6' with a communal bathroom and WC. As with the previous submissions, HGY/2019/3327 &

HGY/2022/3494, 'room 7' at ground floor level does not appear to be included as a bedroom as the description includes '6 bedsits'. No further clarification has been provided as part of this submission as to what this room is used for.

In creating additional floorspace at roof level, the proposal seeks to create an additional two rooms. These rooms, annotated in proposed plans as '8 & 9', would include 'kitchenettes' and access to individual bathrooms. It is considered that the proposed formation of these rooms with separated and individual access to bathrooms and kitchen facilities, would allow for an element of self-containment and use as separate residential units, amounting to individual planning units which is not characteristic of an HMO.

Details of occupancy have not been provided alongside this submission however, consideration is given to the result any additional floorspace may have on the number of occupants. An increase in the number of accessible rooms, particularly where rooms could accommodate more than 1 person and therefore result in an increase to overall number of occupants would in turn result in increased activity in the attraction of persons and vehicles to the site, to the detriment of neighbouring and local amenity.

Enforcement investigations dating back to 2013 show the property has been described as a 12 person HMO, 8 self-contained flats, a 7 roomed property with 7 tenants with own kitchens but shared bathrooms. It appears there may have been several uses within the last decade, raising uncertainty as to whether the Sui Generis, or former HMO uses could be considered lawful by the passage of time or whether such a conversion would be successful in gaining planning permission for a retrospective change of use.

REASONS FOR REFUSAL

It is not considered that the application form or provided plans are an accurate depiction of the current use of the property. The use is described as 'C4' however, plans confirm a mixed use incorporating a self-contained unit and a HMO – the use is therefore considered under the 'Sui Generis' definition.

Insufficient information is provided as to whether the current use can be established as the lawful use and as to whether the existing use or proposed increase would meet requirements of such a conversion as set out in Policy DM17 of the Development Management DPD.

Refusal Reasons:

Insufficient information has been provided to establish whether the existing use is lawful or whether the existing use or the proposed development would meet requirements for conversion of the property to an HMO as set out in Haringey's Development Management DPD. As a result it has not been demonstrated that the proposal maintains the supply of medium to large sized dwellings within this part of the borough, meets the relevant standards for the type of accommodation proposed or that the proposed development would not have an unacceptable impact on the amenities of neighbouring occupiers due to resulting increased intensity of use. The proposal is therefore considered contrary to Policies DM12, DM16 and DM17 of the Development Management DPD.

Informatives:

- **INFORMATIVE: Pre- application Advice**
Taking the reason(s) for refusal into account, you may wish to prepare a revised proposal for comment prior to submitting a further planning application. To do so we strongly recommend you seek pre-application advice and refer you to our Pre-Application Planning Advice (PAPA) Service.

<https://www.haringey.gov.uk/planning-and-building-control/planning>