

Officer's Report

Application Number	HGY/2022/4377
Type	Full planning permission
Location	105 Whittington Road, Wood Green, London, N22 8YR
Proposal	Conversion of dwelling house to two self contained flats.
Case Officer	Zara Seelig
Valid Date	09/12/2022
Applicant	Mr & Mrs Brakiovski
Agent	Mrs Helen Fadipe

RECOMMENDATION

Approve with Conditions

SUMMARY OF RECOMMENDATION

GRANT PERMISSION with conditions:

- 1) Time limit
- 2) In accordance with approved plans
- 3) Refuse storage in accordance with plans
- 4) Parking provision and cycle storage details to be submitted and approved

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the conversion of a single dwellinghouse into 2 self contained flats consisting of 2 x 3 bedroom self-contained flats.

Site and Surroundings

The application site is an end of terrace dwelling situated on the Western side of Whittington Road. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site.

Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows.

Planning Applications & Certificates:

HGY/2017/0795 – Part single part two storey rear extension – Granted permission.

HGY/2017/2488 – Certificate of Lawful development for an outbuilding – Permission required – subsequently dismissed at appeal.

HGY/2019/0335 – Conversion of dwelling house to three self-contained flats, retention of outbuilding to be used as communal store/playroom. – Refused permission for the following reasons:

1. The proposed flat conversion, by virtue of the upper floor flats failing to meet minimum London Plan floor space standards, and an insufficient proportion of the loft flat having floor-to-ceiling heights to meet London Plan standards, would provide a sub-standard form of accommodation for future occupants of the development, contrary to policy 3.5 of the London Plan 2016, policy SP2 of the Haringey Local Plan 2017 and policies DM12 and DM16 of the Haringey Development Management DPD 2017.

2. The proposed outbuilding, by virtue of its excessive footprint, scale, massing, solid materiality and design, is not subservient in appearance to the host building and out of keeping with its suburban rear garden setting, contrary to policies 7.4 and 7.6 of the London Plan 2016, policy SP11 of the Haringey Local Plan 2017 and policy DM1 of the Haringey Development Management DPD 2017.

3. The excessive bulk, scale, massing and siting of the outbuilding and inclusion of flank glazing would be visually overbearing in appearance and result in an unacceptable loss of privacy when viewed from the rear gardens and windows of neighbouring occupants. The proposal is therefore contrary to policy 7.6 of the London Plan 2016 and policy DM1 of the Haringey Development Management DPD 2017.

4. In the absence of a parking stress survey, officers cannot conclude that the proposed development would not result in an unacceptable impact on on-street parking conditions in the locality, contrary to policy SP7 of the Haringey Local Plan 2017 and policy DM16 of the Haringey Development Management DPD 2017.

HGY/2019/2296 – Certificate of Lawfulness: for the existing use of an outbuilding in the rear garden (Gym, Hobby and Storage room). – Refused permission – subsequently dismissed at appeal.

HGY/2022/1808 - Conversion of dwelling house to three self contained flats– Refused permission for the following reasons:

The proposed flat conversion, by virtue of the upper floor flat failing to meet minimum London Plan floor space standards, the studio unit being located over two floors and an insufficient proportion of the loft flat having floor-to-ceiling heights to meet London Plan standards, would provide a sub-standard form of accommodation for future occupants of the development, contrary to policy D6 of the London Plan 2021, policy SP2 of the Haringey Local Plan 2017 and policies DM12 and DM16 of the Haringey Development Management DPD 2017.

The proposed outdoor amenity space fails to provide a high quality amenity for residents contrary to policy DM1 and DM16 of the Haringey Development Management DPD 2017.

Enforcement Cases:

UNW/2019/00095 – Unauthorised outbuilding, case closed appeal allowed.

Internal/External Consultation

LBH Transportation Team: consulted, response in the transport section below

LOCAL REPRESENTATIONS

One representation received from neighbours, local groups, etc in response to notification and publicity of the application:

We have no objection to the proposed conversion into two flats. However, we would like to request that any new gate for garden access is of a design that minimises noise. The current gate is connected to our wall, right next to our bedroom and it makes a loud metallic noise when used, which vibrates inside our bedroom. Given the garden gates will likely be in more use with two flats using the separate parts of the garden building, we would like the new gate to be designed so that it avoids creating vibrations inside our house. We assume that the bike storage in the proposed plans will be in the front and therefore not touch our wall or cause any vibrations when in use.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of Development
2. Design and appearance;
3. Standard and quality of residential accommodation;
4. Impact on neighbouring amenity; and
5. Transport considerations.

Principle of the development

Additional housing

Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development. Permission will be granted by the Council unless any benefits are significantly outweighed by demonstrable harm caused by the proposal. Local Plan Policy SP1 sets out the strategic vision to provide up to 20,410 new homes by 2026, which aligns with the aspirations of Policy SP2 which has a current target of providing 1,502 new homes a year in Haringey between the period 2015 to 2026, in line with the London Plan (MALP) 2021.

The creation of an additional housing unit here is supported by Local Plan Policies SP1, SP2 and London Plan Policy H1. The principle of additional housing in the borough is therefore supported.

Residential conversion

With regards to the principle of conversion, DM policy DM16 states that the Council will only permit conversion of larger family homes to small self-contained homes where it is located outside of the Family Housing Protection Zone (FHPZ) and the gross original internal floor space of the existing dwelling is greater than 120m². When the property is located within the FHPZ, there must not be any net loss of family-sized units (3 bedroom or more).

The property is located within the Family Housing Protection Zone, from reviewing plans from planning application HGY/2017/0795, the property has an original un-extended floor space of 153.45m² which exceeds the minimum 120m². The proposed conversion scheme includes a 3-bedroom family-sized unit. As such, the principle of conversion complies with adopted policy.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

The proposal is to convert the dwelling into 3 self-contained units and so the works required are largely concentrated inside the building, therefore there would be no concerns regarding design resulting from this proposal.

Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting 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. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

The previous application was refused on the grounds that by virtue of the upper floor flats failing to meet minimum London Plan floor space standards, and the outdoor amenity space was of a substandard quality, resulting in the proposal failing to meet London Plan standards. This application has been revised from proposing 3 x substandard flats, to providing 2 x flats of a good standard.

The ground floor 3 bedroom flat provides 102m² of floor space and the first/second floor 3 bedroom flat provides 93.5m² of floor space. Both self contained units comply with the governments Nationally Described Space Standards.

The amenity space provided as part of this proposed scheme consists of the subdivision of the existing rear garden into two separate areas. The amenity space has been divided to be used for the 2 x 3 bed units. The outbuilding in the rear garden is large in size and occupies a large proportion of the garden space, however, it is considered the amenity space to be provided is of an acceptable standard and complies with policy D6.

In conclusion, officers consider the quality of accommodation is acceptable and complies with relevant planning policy.

Impact on neighbouring amenity

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.

The works required by this proposal would largely be internal and it is not considered there would be any adverse impacts on neighbouring amenity by way of overbearingness, loss of daylight/sunlight or loss of privacy compared to the existing situation due to an increase in occupants of the building.

Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan Policy SP7 'Transport' states that the Council 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. This is supported by DPD Policy DM31 'Sustainable Transport'.

DPD Policy DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people; and parking is designated for occupiers of developments specified as 'car capped'.

The Council's Transportation Team has been consulted, the comments are as follows:

- a. The site has good public transport accessibility (PTAL=4) and is located within a CPZ.
- b. The application form indicates that the existing site has car parking provision for two cars and are proposed to be retained. Parking stress surveys have been submitted and indicates high levels of existing parking stress on adjacent road.
- c. The application seeks to avoid having a car capped s106 agreement to restrict eligibility of all occupiers from obtaining CPZ parking permits. However, in context of the retained provision for car parking onsite, also allowing occupiers to obtain CPZ permits would potentially result in the proposals cumulatively exceeding Maximum London Plan Car Parking standards.
- d. Cycle parking provision for 6 bicycles is in the front yard in three enclosures, however the Planning Statement indicates that cycle parking for 5 bicycles is in the out-building in the rear garden. Please clarify what is proposed regarding cycle parking.
- e. The plan of proposed ground floor layout plan only illustrates one car parked in the front yard and not the two retained spaces. This is required to demonstrate that the car parking, cycle parking and refuse storage can be accommodated.

As per the transport officers comments above, a condition will be added requiring details of parking provision and cycle storage to be submitted to and approved in writing by the LPA.

Conclusion

The proposal is considered acceptable for the reasons set out above and does comply with relevant planning policy.

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

CIL APPLICABLE

The increase in internal floor area would not exceed 100 sqm. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

RECOMMENDATION

GRANT PERMISSION with conditions.

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the approved plans, prior to the occupation of the development, full details and layout of the parking provision for 2 vehicles and 6 cycle spaces, together with associated front boundary wall/gate treatment, details and materials, shall be submitted and approved by the local planning authority.

Reason: In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and consistent with Policy 6.13 of the London Plan 2017 and Policy DM33 of The Development Management DPD 2017.

- 4 Prior to the first occupation of the approved development, the proposed waste/refuse storage shall be provided in accordance with approved plan number PL-100 and retained thereafter.

Reason: In order to ensure appropriate waste management, consistent with Policy DM4 of the Development Management DPD 2017.

Informatives:

- INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

- **INFORMATIVE: Hours of Construction Work**
The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.
- **INFORMATIVE: Party Wall Act**
The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.