

# Officer's Report

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|---------------------------|-------------------------------------------------------------------|
| <b>Application Number</b> | <b>HGY/2023/0211</b>                                              |
| <b>Type</b>               | <b>Change of use</b>                                              |
| <b>Location</b>           | 112 Granville Road, Wood Green, London, N22 5LX                   |
| <b>Proposal</b>           | Planning permission to retain existing use as an HMO (small size) |
| <b>Case Officer</b>       | Zara Seelig                                                       |
| <b>Valid Date</b>         | 23/01/2023                                                        |
| <b>Applicant</b>          | Mr Zhifu Fang                                                     |
| <b>Agent</b>              | Mr David Sparrow                                                  |

## **RECOMMENDATION**

**Refuse**

### **PROPOSED DEVELOPMENT AND LOCATION DETAILS**

#### Proposed Development

Planning permission to retain existing use as an HMO (small size). The application form states the use began on 01/10/2021 and would therefore not benefit from time immunity.

#### Site and Surroundings

The application relates to a two storey mid-terrace dwelling on the south side of Granville Road. The site does not fall within a conservation area and does not relate to any listed building. The site does, however, fall within the designated Family Housing Protection Zone and is subject to an Article 4 direction restricting permitted development rights for conversions to HMOs.

#### Relevant Planning and Enforcement history

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

HGY/2016/2437 - Erection of single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 3.175m and for which the height of the eaves would be 2.850m – Prior Notification Refused

### **CONSULTATION RESPONSE**

The responses below were received following consultation on the application:

Internal:

1) LBH Private Sector Housing: The team has received a licence application for this HMO and we support the use as such.

2) LBH Transportation Team:

- The site has moderate public transport accessibility (PTAL=3) and is located within a CPZ.

- The proposal is car free. A car free s106 agreement is required to restrict eligibility of all occupiers from applying for CPZ parking permits. The applicant will also be responsible for the cost (£4000) of amending the CPZ TMO.
- Cycle parking provision is required for 6 bicycles. This must be secure, sheltered and accessible (independently by each occupier). The applicant should refer to London Cycling Design Standards for further guidance
- Details of provision for refuse storage is required.

## **LOCAL REPRESENTATIONS**

The application has been publicised by way of 11 letters.

The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses:

Objecting: 0

Supporting: 0

## **MATERIAL PLANNING CONSIDERATIONS**

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Standard and quality of residential accommodation;
3. Impact on neighbouring amenity;
4. Transport considerations.

### Principle of development

Development Management Development Plan Document (DPD) Policy DM17 (Houses in multiple occupation) states that the conversion of larger homes to Houses in Multiple Occupation (HMO), including small HMOs (3-6 unrelated people) within the area covered by the Article 4 Direction, will only be permitted where:

- a) The gross original internal floor space of the existing dwelling is greater than 120m<sup>2</sup>;
- b) They do not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an over[1]concentration of HMOs within an area;
- c) They are accessible by public transport, cycling and walking;
- 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; and
- e) Where non self-contained, have exclusive use of a kitchen or space within a shared kitchen for each household.

The current property has been subject to extensions of which there are no records; however, under Policy DM17, the floor space requirement relates to the gross original internal floor space.

Based on the submitted plans, the gross original floor space measures approximately 54.92m<sup>2</sup> at ground floor level and 52.89m<sup>2</sup> at first floor level, having a total internal floor space of 107.81m<sup>2</sup>, which falls far short of the minimum 120m<sup>2</sup> required by the policy.

Policy SP2 (Housing) of the Haringey Local Plan 2017 states that the Council will aim to provide homes to meet Haringey's housing needs and to make the full use of Haringey's capacity for housing by maximising the supply of additional housing to meet and exceed the minimum target of 19,802 homes from 2011-2026 (820 units per annum from 2011-2014 and 1,502 units per annum from 2015-2026).

Policy DM16 (Residential Conversions) states that conversions within the Family Housing Protection Zone will only be considered acceptable where the following criteria are met:

- the gross original internal floor space is 120m<sup>2</sup> ;
- provides good residential amenity including minimum internal space standards and convenient refuse storage and collection;
- practical and fit for purpose internal configurations; good external design; appropriate balance of hard and soft landscaping on the forecourt;
- a mix of unit sizes in line with Policy DM11.

In addition to these criteria, the development must not result a net loss in the number of family sized units; where existing garden land is available the Council will seek to optimise the total amount of private amenity space and access to this space for residents; and all residential conversions should be supported by a car parking survey which demonstrates that there is residual car parking supply to meet the need created by the proposal.

As previously noted, the net original floor space is below 120m<sup>2</sup> and the proposal does not comply with this part of Policy DM16. The existing dwelling is a family[1]sized unit (3 bedrooms or more) and therefore the proposed conversion to an HMO would result in the net loss of a family-sized unit, contrary to policy.

Policies DM16 and DM17 aim to prevent residential conversions of small dwellings that would result in sub-standard living conditions for the occupants through inadequate floor space. Policy DM16 aims to prevent the loss of existing family[1]sized units within the Family Housing Protection Zone and Policy SP2 aims to meet Haringey's housing needs. In this instance the proposed conversion fails to comply with key requirements of these policies and is therefore unacceptable in principle.

#### 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 proposed development meets London Plan requirements in terms of individual bedroom sizes and the overall layout of the property and would provide adequate communal space, outdoor amenity space, light, outlook and privacy for the occupants. As such, the development complies

with Policy DM1 and London Plan Policy D6. Haringey's HMO team was consulted on the proposals and confirmed that they meet HMO standards.

#### 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.

No external works are proposed as part of this application, the changes are internal. In terms of overlooking/privacy, the proposal would have no more of an impact than the existing situation. The proposal would not adversely impact neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy.

#### 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 and has provided the following comments and recommendations:

- The site has moderate public transport accessibility (PTAL=3) and is located within a CPZ.
- The proposal is car free. A car free s106 agreement is required to restrict eligibility of all occupiers from applying for CPZ parking permits. The applicant will also be responsible for the cost (£4000) of amending the CPZ TMO.

- Cycle parking provision is required for 6 bicycles. This must be secure, sheltered and accessible (independently by each occupier). The applicant should refer to London Cycling Design Standards for further guidance
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### Conclusion

The proposal is considered unacceptable due to its failure to comply with the minimum net original floor space requirements of Policy DM17, and would result in the loss of a family-sized unit within the Family Housing Protection Zone.

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

### **RECOMMENDATION**

REFUSE PERMISSION For the following reason(s):

#### **Refusal Reasons:**

The proposed conversion would result in the loss of a family sized unit within the Family Housing Protection Zone for which there is an identified need, contrary to Policy SP2 of the Haringey Local Plan 2017 and Policy DM17 of Haringey's Development Management DPD 2017.

The proposed conversion relates to a property with gross original internal floor space less than 120sq.m, resulting in sub-standard accommodation by reason of inadequate space contrary to Policy DM17 of the Development Management DPD 2017.