

Design, access and fire statement

For

**Change of use of vacant commercial space to
form two self-contained flats**

At

**Commercial unit 1, Altitude Point,
Hampden Road, London,
N8 0EH**

By

Rahul Taheem *BSc (Hons), Grad Dip Arch, MA Arch*
ARCHITECTURAL CONSULTANT

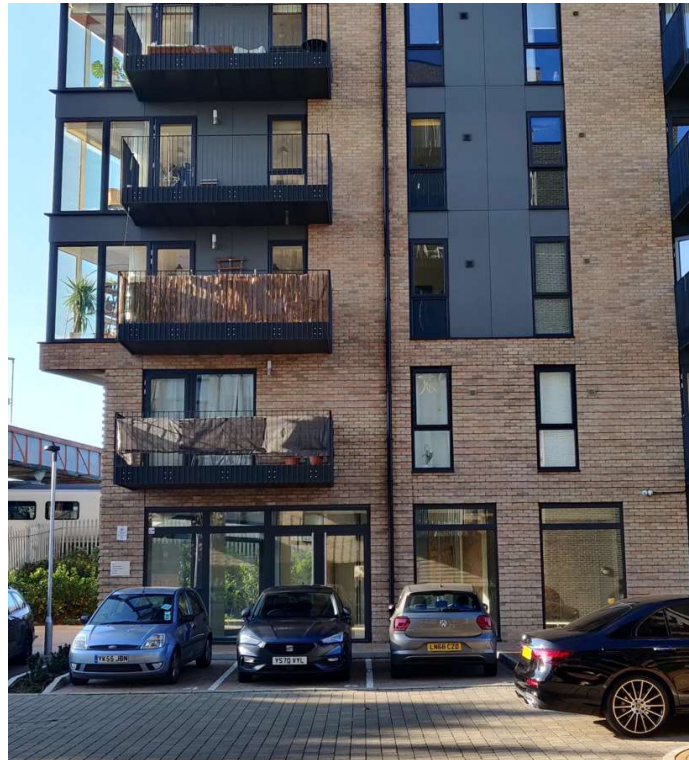
For and on behalf of

RAHUL TAHEEM LTD

39 Wakemans Hill Avenue, London, NW9 0TA

T: 07980883228

E: rahulkaheem@hotmail.co.uk



Introduction

This design and access statement is written in support of the following proposal: -

Change of use of vacant commercial space to form two self-contained flats

This report should be read in conjunction with: -

- **Appeal decision ref: APP/Y5420/W/22/3305205**
- **Drawings by RAHUL TAHEEM LTD**
- **Marketing report by Henshall and Partners**
- **Marketing review by BNP Paribas Real Estate**

Preliminary matters

This submission is a follow up application to ref **HGY/2022/0525** which was submitted on 20th January 2022 but determined by the planning inspectorate on 24th January 2023 following non determination by the local authority. The appeal was dismissed. According to the inspector, the Council would have refused the development for the following reasons:

1. *The proposed development by reason of the location of the windows of habitable rooms in close proximity with the adjacent pedestrian walk and car park, would give rise to an unacceptable level of overlooking/loss of privacy to the detriment of the living amenity of future occupants of the residential premises. As such, the proposal is contrary to Policy D6 of the London Plan 2021, Policy SP2 of the Haringey Local Plan 2017 and Policies DM2 and DM12 of the Haringey Development Management DPD 2017.*
2. *The proposed development by the absence of a sunlight and daylight study would result in inadequate levels of daylight and sunlight that is required for the habitable rooms of the flats, therefore resulting in unsatisfactory internal living conditions to the detriment of future occupants of the residential premises. No daylight and sunlight studies have been undertaken to assess the levels of daylight and sunlight within the proposed residential units. As such, the proposal is contrary to Policy D6 of the London Plan 2021, Policy SP2 of the Haringey Local Plan 2017 and Policies DM2 and DM12 of the Haringey Development Management DPD.*

The appeal inspector goes onto state: -

"The only windows proposed to serve the flat 1 bedrooms would be immediately next to a footpath running alongside the carpark at the front of the unit. Although the plans show low hedges would be planted in front of these windows, given their height, those shown on the plans would not prevent views into the bedrooms from the footpath and carpark. Given the number of flats within Altitude Point, the size of the car park and that the footpath provides the route between the entrance to the development from the road and the building lobby, I have no reason to conclude that footfall beside these windows would not be considerable. Therefore, views into these bedrooms from the footpath and nearest parts of the carpark would be both readily available and likely to occur often".

In response flat 1 is now a one-bedroom unit. The main bedroom has been relocated so that its main windows are situated on the flank elevation. High level obscure glazed window remains situated facing the car park. The flank elevation would have less foot fall than the car park at the front of the unit. The bedroom windows would be angular thus providing oblique views. In addition, the windows are set behind a terraced area with railings and planting in front. The windows would have internal louvered shutters which can be deployed in the evenings to maintain privacy. In this regard views into the bedroom would not be readily available nor would they be often.

The inspector further mentions: -

The recess of the glazed doors behind the amenity spaces of both flats 1 and 2 would provide for some separation of the rooms from the footpath and landscaped space. However, it would be only a modest set-back, and the internal spaces would remain closely situated beside places people would be passing-by. Therefore, given the availability of the views into the flats and the frequency at which it would be likely to occur the future occupants of the flats would be provided with inadequate privacy.

In response the set back of the habitable rooms to the footpath has now been increased from 1m to approx. 1.7m. As per the measures outlined above all habitable rooms located off of the footpath have angular windows which only provide indirect views, a good degree of separation from the footpath, railings, the provision of planting and internal louvered shutters.

It is considered that the issue of privacy associated with the dismissed appeal has been overcome.

In relation to sunlight and daylight the inspector makes the following remarks: -

Each flat would be served by windows or glazed doors within more than one elevation which would permit sunlight and daylight to enter the flats and at different times of the day. Although the sliding doors within each flat would be recessed they would be large and contain a significant expanse of glazing. Therefore, they would maximise light entry into the flats. Each bedroom would be served by a dedicated window or glazed door whilst the living, dining and kitchen space would be open plan in nature which would assist in ensuring that both daylight and sunlight entry into the flats would not be hindered very much by dividing walls and doors. Therefore, I find that the levels of sunlight and daylight which would enter each flat would be acceptable. In turn, the absence of a sunlight or daylight study is not determinative and, furthermore, it has not been shown to me that such studies are a necessary requirement in order to comply with the development plan.

In this current submission the flats continue to have a dual aspect arrangement. The amount of glazing is considerable to each unit meaning that rooms would continue to maximise light entry. Each bedroom is served by dedicated windows and doors. The same applies to the living spaces. Given the appeal inspectors comments a sunlight and daylight report is not necessary in this case.

Finally, it should be pointed out that the appeal inspector remained neutral on the need for this to be 1 large flat as insisted by the council during the last application.

Site location

The site location is in the centre of the borough, to the south of Wood Green, east of Hornsey and west of Green Lanes. It is part of the Wood Green and Haringey Heartlands designated Growth Area. The site is located on land between the New River and Hampden Road. The site contains two parallel buildings ranging in height between 4 and 14 storeys comprising 174 residential units and commercial floorspace on the ground floor. The tallest building of 14 storeys fronting Hampden Road is on the western side facing the railway and the lower building of 11 storeys fronting Hampden Road is on the eastern side. Both buildings have a stepping form from south to north towards to the New River and include slight variations in articulation along the full length of the blocks. Each building fronting Hampden Road has a two-storey base at ground and first floor level and three storey base at the top floors. The primary material throughout the development is brick using three different shades, where the stair cores use a contrasting brick and the base is treated differently. The brick facade is articulated with the addition of panelled elements and balconies that are either recessed or projecting with steel balustrades. The windows are constructed using grey UPVC and the doors in steel.

The proposal also includes the CHP at basement level and 294 sqm of commercial floorspace at ground floor level for both buildings fronting Hampden Road. 52 car parking spaces as well as 287 cycle parking spaces are proposed either within the central courtyard or located in the undercroft of both buildings. The commercial units have their own separate entrance and refuse stores.

This application only concerns commercial unit 1 located at ground floor.



The application site

Planning legislation

The proposal has been considered against planning policy at a national, regional and local level.

The National Planning Policy Framework

There is a presumption in favour of sustainable development (Paragraph 14) which particularly applies to housing applications (paragraph 49). Local Planning Authorities should adopt a positive approach looking for solutions rather than problems (Paragraph 187). It also emphasises good design (Paragraph 56). It confirms the Government's commitment to delivering a wide choice of quality homes that people want and need, creating sustainable, inclusive, and mixed communities (Paragraph 50).

Technical housing standards – Nationally Described Space Standard

This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor to ceiling heights.

The London Plan

The New London Plan places significant emphasis on the role of small sites in increasing housing provision across London. The emphasis is on good design. The mayor has increased housing targets in London from 49,000 to 66,000 per year in response to the most recent Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). In particular, the mayor has identified sites close to a rail or tube station or town centre boundary and small sites as particularly important in meeting these targets.

The London Borough of Haringey DPD policies

The London Borough of Haringey Local Plan

Use

This application is subject to the Housing Delivery Test. The 2020 Housing Delivery Test (HDT) results were published on 19 January 2021 and as a result the LPA is now subject to the **'presumption in favour of sustainable development'** and paragraph 11d of the NPPF is relevant. The Council's delivery of housing over the last three years is **substantially below its housing target** and so paragraph 11d) of the NPPF is engaged by virtue of footnote 7 of the NPPF. The 'presumption in favour of sustainable development' means that policies relating to the supply of housing in the Local Plan will be considered "out of date" and means that the Council would be expected to **grant planning permission for schemes** unless their adverse impacts "significantly and demonstrably" outweigh their benefits, giving the delivery of homes greater weight in the assessment. This reduces the ability of the planning authority to negotiate benefits and good design within schemes as Local Plan policies would have less weight. The Council has not met the targets and as such there is considerable weight afforded to housing delivery as a consideration in the decision-making process, weighing in favour of future housing developments.

London Plan (2021) Table 4.1 sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 – 2028/29) **for Haringey of 15,920, equating to 1,592 dwellings per annum**. Policy H1 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites with existing or planned **public transport access levels (PTALs) 3-6** or which are located within 800m of a station or town centre boundary.

The London Plan (2021) sets out a minimum target in Table 4.2 for boroughs (Haringey –10 year target is 2,600). London Plan Policy D6 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.

The principle of additional housing is supported by the National Planning Policy Framework (NPPF) 2018 chapter 5 Delivering a sufficient supply of homes. It is also supported by Haringey Local Plan Policy SP2 'Housing' which states that the Council will seek to ensure a mix of dwelling sizes arising from development.

The proposal is located within an area which has a **PTAL of 5**. The site is close to the local bus network and Hornsey Station. The nearest designated retail use is the Local Shopping Centre on Turnpike Lane a short distance to its north, with the Metropolitan Town Centre of Wood Green a fairly short distance further north. On this basis the site is clearly in a sustainable location and the principle of development is acceptable. The principle is further supported on the basis that the commercial unit has been vacant since it was constructed in 2020. The councils independently reviewed marketing study confirmed that:-

"In conclusion, we consider the market exposure Unit 1 received during its marketing campaign to be reasonable. Furthermore, the asking rents were relatively low in comparison to the wider local office market, clearly reflecting the constraints of Unit 1. The low level of interest and enquiries indicates a lack of interest from potential occupiers despite low asking rent. Therefore, we consider the proposal to change the use of Unit 1 to two C3 units to be reasonable in the context of the low demand for its current commercial use".

Amount

The existing site area of the commercial unit is 146m².

Regarding the proposal this facilitates 2 no self-contained flats with a total occupancy of 4 no additional occupants. This intensification of 4 no persons is considered unlikely to have any significant or harmful impact on the amenities of neighbouring properties in terms of increase noise, nuisance and disturbance.

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 importance of ensuring that all new residential development is of a high quality with good living conditions has been a paramount consideration in the planning of the new residential units. It is noted that minimum floor area standards ensure an adequate amount of space is provided in residential development. Considering this, the proposed dwelling floor areas and room sizes go beyond the Technical Housing Standards and standards set in The London Plan. Flat 1 as proposed is a 1B2P unit with a floor area of 63m². It requires at least 50m². Flat 2 as proposed is a 1B2P unit with a floor area of 53m² which exceeds the 50m² minimum required. Both flats have good sized bedrooms (minimum 12m²) and facilitate built in storage. In addition, both have a dual aspect arrangement.

It is acknowledged that the nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The London Plan sets this standard at 2.5m² in height. Both new flats would exceed this standard.

The two new units would provide good quality outdoor usable amenity space of which will be screened to protect neighbouring amenity. This is in the form of recessed terraces set at a minimum of 5m² for a 1B2P unit as per the London Plan.

The property has a PTAL value of 5 where 0 is the lowest and 6 is the highest. The site benefits from 1 formal parking space with 1 shared disabled space. The formal parking space would be allocated to flat 1. No additional parking is proposed for the other 1 bed unit owing to the good access to public transport connections. This promotes the use of public transport, walking and cycling in line with Local Plan Policy SP7 '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.

Both units would have secure and covered cycle parking facilities within the existing cycle store which facilitates the development. Further to the above the site provides space for refuse and recycling provision within 10m of an allocated collection point as per the existing situation.

In all it is considered that the design provides good quality accommodation.

Layout

The internal layout of the residential units has been planned around the sites access arrangements. All of the new flats would have a dual aspect arrangement achieving acceptable levels of light and outlook. It is noted that the residential units would be located directly below existing residential units. However, the proposal would need to comply with modern day building regulations (AD'E') in relation to sound insulation as not to result in excessive noise disturbance to existing occupiers. A fire and sound proofed separating floor has already been installed between the existing and new units to ensure this is met.

The following additional design criteria has also governed the design: -

- Ensuring hallways and other circulation spaces inside the home have with a width of no less 900mm.
- Ensuring a double bedroom is at least 2.75m wide and has a floor area of at least 12m².
- Ensuring that a Lounge kitchen dining room is at least 3m wide with a floor area sufficient for its occupancy.
- Making sure that the minimum floor to ceiling height is 2.5m for at least 75% of the Gross Internal Area.
- Providing an accessible bathroom in each unit.
- Ensuring that the general arrangement of the flats is such that it does not give rise to any overlooking, nor does it create any loss of privacy onto neighbouring occupiers.

Scale and appearance

There are no extensions or alterations proposed in terms of scale. Minimal external alterations are required to facilitate the conversion. All new materials would match the existing building to ensure a continuity in appearance. Please refer to the proposed plans for more information.

Access

London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all. The proposal would involve works to an existing building which already has a level access. In terms of inclusive design, the proposed residential unit is compliant, where appropriate with Part M of the Building Regulations. The following has been considered through careful design considerations:

- Enable ease of use of all entrances for the widest range of people.
- Enable convenient movement in hallways and through doorways.
- Enable convenient movement in rooms for as many people as possible.
- Enable people to have a reasonable line of sight from a seated position in the living room and to use at least one window for ventilation in each room.
- Locate regularly used service controls, or those needed in an emergency, so that they are usable by a wide range of household members - including those with restricted movement and limited reach.

Energy and sustainability

The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation. DPD Policy DM21 also requires new development consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.

The proposed development would be required to achieve a 35% reduction in CO2 emissions above Part L1B of the 2013 regulations. This can be achieved through a fabric first approach creating very good fabric U – Values, high performance gas combi boilers and advanced heating controls. Given that the application relates to minor development, the proposal would not be subject to a carbon off-set contribution.

Fire safety

The building exists and involves a change of use at ground floor from commercial to residential. The works are minor in nature. The guidance in approved document B (as updated in December 2022) will be followed to ensure that building is fire safe and compliant with current legislation.