

Officer's Report

Application Number	HGY/2022/4521
Type	Full planning permission
Location	17 St Pauls Road, Tottenham, London, N17 0NB
Proposal	Change of use to an HMO (Use Class C4) for 5 persons.
Case Officer	Zara Seelig
Valid Date	26/01/2023
Applicant	goldeneye estates
Agent	Mr David Barnard

RECOMMENDATION

Refuse

SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

Reasons for Refusal:

- 1) Over concentration of HMO's

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

- Planning permission to change the use to an HMO (small size - 5 person).

Site and Surroundings

- The application relates to a two storey semi detached dwelling situated on the western side of St Johns 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/2016/0949 -Erection of single storey extension which extends beyond the rear wall of the original house by 5.9m, for which the maximum height would be 2.8m and for which the height of the eaves would be 2.7m – Prior Approval Not Required

HGY/2016/1270 - Certificate of Lawfulness for a rear dormer extension - Lawful

HGY/2018/2636 - Conversion of existing dwelling house into 2no self-contained flats - Refused

HGY/2018/3724 -Conversion of house into 2no self-contained flats: 1no 3 bed and 1no 2 bed - Granted permission (with conditions)

HGY/2019/1270 - Certificate of lawfulness (proposed use) for outbuilding in rear of garden - Lawful

HGY/2022/4526 - Conversion into 2no s/c flats - Current Application

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

1) LBH Private Sector Housing: We have no objection to this. The house is licenced as an HMO already for 5 people. The licence runs until January 2025.

2) LBH Transportation Team:

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

b. The site is also located within the Family Housing Protection Zone.

c. The proposals is car free. A car free s106 agreement is required to restrict eligibility of all occupiers from obtaining CPZ parking permits. The applicant will be responsible for corresponding cost (£4000) of amending the TMO.

d. Provision for 5No. bicycle storage is required. This must be secure, sheltered and accessible.

e. Details of provision for refuse storage is required

External:

None

LOCAL REPRESENTATIONS

The application has been publicised by way of 15 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: 1

Supporting: 1

The following local groups/societies made representations:

- None

The following Councillor(s) made representations:

- Cllr John Bevan

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Concerns over acceptable standards of light/single aspect issues
- Concerns over reduction/provision of amenity space
- Loss of a family housing unit

The following issues raised are not material planning considerations:

- None

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 120m² ;
- b) They do not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an overconcentration 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 71.94m² at ground floor level and 71.45m² at first floor level, having a total internal floor space of 143.39m², which exceeds the minimum 120m² required by the policy.

Policy DM17 part (b) states 'They do not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an overconcentration of HMOs within an area;' According to Haringey's HMO register, there are already 9 licenced HMOs or over 10% of houses in St Paul's Road. Research conducted by the private consultancy London Property Licensing estimated in 2020 that 75% of all HMOs in London are unregistered. So, the total number of existing HMOs in St Paul's Road is likely to be significantly higher. The proposal would therefore exacerbate the over concentration of HMOs in the area, resulting in adverse impacts on local character and amenity. No information on existing conversions has been submitted by the applicant to support their application.

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).

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. As stated in the 'Principles of Development' section above, the proposal would result in an overconcentration of HMO's within the street, impacting local amenity. The proposal would adversely impact neighbouring amenity.

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:

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

- b. The site is also located within the Family Housing Protection Zone.
- c. The proposals is car free. A car free s106 agreement is required to restrict eligibility of all occupiers from obtaining CPZ parking permits. The applicant will be responsible for corresponding cost (£4000) of amending the TMO.
- d. Provision for 5No. bicycle storage is required. This must be secure, sheltered and accessible.
- e. Details of provision for refuse storage is required.

Conclusion

The proposal is considered unacceptable due to it resulting in an overconcentration of HMOs in the area, resulting in adverse impacts on local character and amenity.

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

CIL APPLICABLE

The development is less than 100 square metres and as such regulation 42 'minor development exemptions' applies and in addition the proposal is not for a whole new unit (a unit created entirely from new floorspace).

RECOMMENDATION

REFUSE PERMISSION For the following reason(s):

Refusal Reasons:

The proposed conversion of the property to an HMO will exacerbate the over-concentration of HMO uses in this area, resulting in adverse impacts on local character and amenity and contrary to Policy DM17 of Haringey's Development Management DPD (2017).