

Officer's Report

Application Number	HGY/2023/0805
Type	Full planning permission
Location	6 St Margarets Road, Tottenham, London, N17 6TY
Proposal	Conversion of Ground floor into 1 self contained one-bedroom flat with a proposed rear extension of 1.m depth. Construction of dormer loft extension and continue to use first floor and proposed loft floor as HMO property.
Case Officer	Sarah Madondo
Valid Date	09/05/2023
Applicant	Mr. B Jacobs
Agent	Mr. Shaik Hussain

RECOMMENDATION

Refuse

Proposed development

Conversion of Ground floor into 1 self contained one-bedroom flat with a proposed rear extension of 1.m depth. Construction of dormer loft extension and continue to use first floor and proposed loft floor as HMO property.

Site and Surroundings

The site is mid terraced two storey dwelling located on St Margarets Road. The site is not in conservation area nor is it listed. The area is residential in character.

Principle of development

Conversion into property into residential flat

Policy DM16 advises that if the original dwelling is over 120sqm, the principle of conversion can be supported. The original house is approximately 76 sq.m and therefore the proposal cannot be supported as the proposal is contrary to Part (b) of Policy DM16 . DPD Policy DM16 set out that conversions will only be considered acceptable where they result in no net loss in the number of family sized units. The policy goes on to state that a 3-bed unit would be considered a family unit. In this instance the proposal does not re-provide a 3 family unit therefore the proposal is not acceptable. Policy DM16 states that conversions within the Family Housing Protection Zone will only be considered acceptable where they comply with criteria (b-g) and results in no net loss in the number of family sized units. In this case, there is net loss as no family unit would be provided there the proposal is not acceptable in principle. The principle of the conversion is, therefore, considered unacceptable, as it would result in the loss of a small sized dwelling for which there is an identified need. It would therefore be contrary to Policy DM17 & DM10 of the adopted Development Management, Development Plan Document (2017). The loss of small family size dwelling would also be contrary to policy SP2 of the Local Plan.

Change of use into HMO

The proposal includes the conversion of the upper floors an HMO. The applicant submits that the upper floor has been used as HMO, however no evidence has been provided to justify this claim. The applicant would need to submit a certificate of lawfulness to demonstrate that the use has been lawful for 10 years or more. As the proposal has been submitted under full application, the proposal would be assessed under Policy DM17 which amongst other things requires that the original existing floor space should be 120m² and as set out above the original floor space will be significantly below the 120 sqm, therefore the proposal for the conversion of the upper floor into an HMO would not be acceptable. Policy DM 10 states that loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. While the proposal retains the floorspace it does lead to a loss of smaller residential unit in an area where these are much needed. Furthermore, it is considered that allowing the existing dwellings to be further sub-divided would have an impact on both the overall supply of housing within the Borough and the LPA's ability to meet its housing targets set out the development plan. The need to provide a sufficient supply of family homes is high priority for the Council and is very challenging. The loss of this satisfactory accommodation to be replaced with sub-standard 3-bedroom HMO, would result in a loss of residential units and cannot be supported.

Design and appearance

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 proposal includes the expanding the the ground floor rear extension by 1 metres to provide a bigger kitchen for the ground floor flat. This is considered acceptable as the proposed extension would be proportionate and subordinate to the existing building, therefore acceptable.

In terms of the rear dormer and the back addition. The proposed dormer would be full width and the extension over the outrigger would will occupy most of the outrigger. It should be noted that dormers over existing outriggers are not normally supported, however in this case officers consider that the proposal would be acceptable, as the extensions would appear subordinate to the host building and terrace. In addition, there are some examples on this terrace. The proposed dormers are considered proportionate and subordinate to the existing building. It is considered that the proposed dormer window would not be unduly dominant and would not have any significant adverse impact on local visual amenity or the character and appearance of the area.

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 proposal comprises of a mixed use development that is 1 bed 2 person flat on the ground floor and 4 bedroomed HMO on the upper floors. The applicant submits that the self contained flat on the ground floor would be 42 sqm and Table 3.1 of London Policy D6 sets out that the internal

minimum standard for 1 bed 2 person flat should be 50 sqm so therefore this flat would fail to comply with this policy. It is considered that this flat would provided a poor standard of accommodation. In terms of HMO, the proposal would comprise of 4 rooms, 3 single persons letting and 2-person letting would therefore be capable of accommodating 5 residents. The HMO has 1 double room and 3 single rooms, however all the single rooms are undersized, the requirement is that double room should (15sq.m) and single (10 sq.m) so therefore the single occupancy rooms would be undersized and not acceptable. The room in the loft is under the roof, so therefore it is considered that the usable floor space for this room be limited and applicant has not provide any sections so therefore this room would be undersized as well. The shared kitchen is approximately 7.6 sqm, does not show a 2000mm work plan, therefore is not sufficient size to enable a safe and practical layout. The HMO guidance states that where some or all of the units of accommodation do not have exclusive kitchen facilities, shared facilities shall be provided in a ratio of one set of facilities to a maximum of three lettings. The proposal would fail to comply with requirements set out in HMO guidelines which requires one set of facilities to a maximum of three lettings. The proposal therefore results in a cramped and sub-standard accommodation and does not provide high quality standard of residential accommodation contained in the London Plan.

The HMO does not have any access to shared dining area nor would the occupants of this HMO have any access to private amenity space therefore, this HMO is likely to result in a cramped and substandard form of accommodation, exacerbated by the lack of easily accessible amenity space. In these respects, the development would conflict with one of the core planning principles in the National Planning Policy Framework, which is that planning should always seek to secure a good standard of amenity for all existing and future occupiers of land and buildings.

The applicant submits that 4 bins would be provided however, it is not considered that adequate refuse and recycling bins or cycle parking has been provided to meet the likely increase in intensity of use that would result mixed use development.

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.

It is considered that overall conversion of this property into a mixed used development would result in an intensity of use that would be detrimental to the residential amenity of neighbouring occupiers by reason of increased noise.

It in terms of the external alterations, it is considered that the increase in depth of the existing extension by 1 metre given that the neighbouring property no. 8 has a deeper extension and given the gap on the boundary with no. 4 it is considered that the impact would not be that significant. In terms of the dormer given the existing degrees of mutual overlooking from first floor windows the degree of additional overlooking created by the dormer glazing is not significant.

Transport consideration

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 application is proposed as a car free development and the Council's Transportation Team has been consulted and advises that the site is located CPZ and has a transport accessibility level of 5 which denotes good connectivity.' The transportation officer's comments on the requirement of s106 are acknowledged. However, it is considered that given the accessibility of this site is good with different modes of transportation easily available it is not expected that the occupiers of this development would require a car and also bearing in mind the type of accommodation (mixed development comprising of HMO and self contained flat), it is likely to result in a net reduction in onstreet parking demand. Therefore, it is considered that the proposed conversion into HMO plus self contained flat is not expected to create a significant material transport and highway impacts. Notwithstanding, Highways officers' comment, the proposal is unlikely to have any significant impact upon the surrounding highway network. Transportation officers have however, pointed out that no parking stress survey has not been submitted for the new development, which would normally be required to effectively assess a development of this type.

With regards to cycle parking it is not clear if there is any provision for 4no. bedroom HMO, therefore not acceptable. Additionally, cycle parking for the 1no. bedroom flat appears to be located in the rear garden. This found to be unsatisfactory as residents will have to drag the bike through dwelling to the front to retrieve/store them. Should the applicant appeal against the Council's decision then a condition would be attached requiring the applicant to provide accessible, sheltered, and secure cycle parking for 5no. bicycles.

Waste Management

Drawing no. 03 indicates that 4 bins would be provided which is not acceptable as previously stated. Should applicant appeal against the LPA's decision then a condition would be attached requiring details of secured bin store.

Conclusion

The proposed development would not provide acceptable living conditions for future occupiers and development would result in an over-intensive use of the property.

Refusal Reasons:

The proposed conversion of this single-family dwelling into an self contained flat and HMO would result in unacceptable loss of family housing for which there is an identified need, undermining the Council's ability to meet its housing targets as set out in the London Plan. The proposal is therefore contrary to London Plan Policy H8, Policy SP2 of the Haringey Local Plan (2017) and Policies DM10 and DM17 of Haringey's Development Management DPD (2017)

The proposed change of use to a house in multiple (HMO) would by reason of the lack adequate cycle parking provision and lack of sufficient shared facilities internally, provide substandard quality of accommodation for future occupiers, contrary to Policies D12, DM17 and DM35 of the Council's Development Management DPD (2017) and Policy D6 of the London Plan (2021).

The proposed development would result in an over-intensive use of the property and an increase in levels of activity and noise that would be detrimental to neighbouring residential amenity, contrary to Policies DM1and DM17 of Haringey Council's Development Management DPD (2017).