

# Officer's Report

|                           |                                                                                                                                                                             |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number</b> | <b>HGY/2022/2793</b>                                                                                                                                                        |
| <b>Type</b>               | <b>Full planning permission</b>                                                                                                                                             |
| <b>Location</b>           | 119, High Road, London, N22 6BB                                                                                                                                             |
| <b>Proposal</b>           | Rear extension and associated alterations for the change of use from ancillary retail storage (use class E) to provide two self-contained residential flats (use class C3). |
| <b>Case Officer</b>       | Emily Whittredge                                                                                                                                                            |
| <b>Valid Date</b>         | 04/10/2022                                                                                                                                                                  |
| <b>Applicant</b>          |                                                                                                                                                                             |
| <b>Agent</b>              | Mr Stuart Minty                                                                                                                                                             |

## **RECOMMENDATION**

### **Approve with Conditions**

#### **SUMMARY OF RECOMMENDATION**

GRANT PERMISSION

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

##### Proposed development

Planning permission is sought for the change of use of the first and second floors of the building from ancillary retail storage (use class E) to two self-contained residential flats (use class C3), along with a rear extension at first floor level.

The proposed new residential units comprises one 2-bedroom 3-person maisonette and one 1-bedroom flat. An extension is proposed to the rear of the existing rear projection at first floor level.

##### Site and Surroundings

The application site contains a three-storey mid-terrace building on the south east side of the High Road within the Wood Green Primary Shopping Centre. The building is currently commercial with a shopfront at the ground floor and ancillary storage on the first and second floors. The local area is predominantly commercial at ground floor with residential above.

The application site is not located within a conservation area and does not relate to any listed building.

##### Relevant Planning and Enforcement history

Planning history:

HGY/2023/1048 - Internally illuminated fascia sign and internally illuminated projecting sign -  
Granted 27/06/2023

HGY/2020/2371 Change of use of upper floors from ancillary retail storage to 5-bed HMO, and erection of rear dormer. Refuse 27/11/2020

## CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

1) LBH Transportation Team:

1. The site has excellent public transport accessibility (PTAL=6a) and is located within a CPZ.
2. The proposal is car free and the applicant has indicated willingness to enter into a car free s106 agreement to restrict eligibility of all occupiers from obtaining CPZ parking permits. This is welcome and the applicant will then also be responsible for cost (£4000) for amending the CPZ TMO.
3. Details of provision for cycle parking are required. This should meet London Plan standards and the layout / access should meet LCDS guidance – the cycle storage should be secure, sheltered, and accessible.
4. Details of provision for refuse storage / collection is required – for all occupiers on this site..
5. The access to the proposed flats (from the rear of the site) along Hazel Mews is constrained and considered to be of poor standard / condition. It is not clear whether Hazel Mews is used by vehicles and there are concerns regarding the absence of footways and adverse implications for pedestrian safety / amenity.
6. A condition is recommended for a construction method plan / statement to be submitted for approval, prior to start of any construction works.

## LOCAL REPRESENTATIONS

The application has been publicised by way of letters. No representations have been received from neighbours and/or local groups, in response to notification and publicity of the application.

## 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;
5. Transport considerations;

### Principle of development

The Haringey Borough Plan sets out an ambitious target to Deliver 1,000 new council homes at council rents by 2022. Local Plan Policy SP2 and DM13 seek to deliver 19,802 homes from 2011-2026. The National Planning Policy Framework (NPPF) promotes the effective use of land by anticipating the re-use of land that has been previously developed, provided that it is not of high environmental value. As space ancillary to the existing commercial unit, the application site is considered to be previously developed land and therefore complies with this policy.

The application seeks to convert existing ancillary commercial storage space into two self-contained flats within an established mixed-use area that is predominantly commercial with residential uses above. The loss of ancillary storage space is unlikely to affect the viability of the ground floor commercial unit, as the commercial units in the area largely operate without the need for storage space on the upper floors. The proposal is considered to make full and efficient use of the land for residential purposes and would not harm the viability of the shopping area. Therefore,

the principle of introducing 2 additional residential units is supported by the Council, proving all other policy objectives are met.

### 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.

This section of the commercial parade is highly variable to the rear with extensions and additions of different heights and lengths. The proposal seeks to extend the existing part width first floor rear projection to align with the ground floor extension. The extension would have a pitched roof and tapers towards the rear, and a side passage would be retained. There is an extension of a larger scale at neighbouring 121 High Road and other sites to the west. To the rear, the extension would not be visible from within the street scene. As such, the proposal would be proportionate and in keeping with the existing character and scale of development in the terrace and would not be harmful to 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 units proposed comprise the following:

FLAT A: 2 bed 3 person 2 storeys 66m<sup>2</sup> London Plan requirement: 70m<sup>2</sup>

FLAT B: 1 bed 1 person 1 storey 40.45m<sup>2</sup> London Plan requirement: 39m<sup>2</sup>

While the floor area of Flat A would fall 4m<sup>2</sup> below the required standard, the original proposal sought a large 1-bed flat with an office room at the second floor level. While a unit of this size would normally be unacceptable, officers have taken into account the overall quality of the accommodation, the size of the top floor, and note that a second room would likely be used as a bedroom notwithstanding planning permission.

Both units would provide convenient layouts and adequate light and outlook. Due to the constraints of the layout, the access to Flat A passes in front of the windows of Flat B, but this is unavoidable, and it is unlikely foot traffic on this route would be frequent. In order to ensure that the occupant of Flat B is not unduly disrupted by noise, a condition will be added for noise mitigation measures to Flat B, and this will also address the insulation of the bedroom walls.

Access would be from the rear of the site via Hazel Mews, which has a secure gated access. The transport officer raised concerns about the safety of the rear access, but since Hazel Mews is now gated and provides access to other residential units, this route is unlikely to be a risk to pedestrians. Furthermore, there are established residential uses above the shopping parade and to the other side of Hazel Mews.

The London Plan Housing SPG states that a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1-2 person dwellings and an extra 1m<sup>2</sup> should be provided for each additional occupant. While no outdoor space is proposed, given the location and nature of this commercial area, and as no family units are being provided, it is considered that outdoor space is not required.

#### 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.

Council tax records indicate that there is a residential unit on the first and second floors of 117 High Road and another residential maisonette at 121 High Road. The proposed extension at first floor level would measure 9m long and 4.3m tall adjacent no. 117. While this is substantial, no. 121 beyond has a larger extension, and the structure would be located to the north west of 117 and would therefore not affect sunlight from the south. It is noted that the one window to the rear of 117 affected by the proposal already has its outlook restricted by an existing structure attached to the rear of the application property's outrigger at first floor level. The proposed extension would not be considered to be materially more harmful to neighbouring amenity than the existing situation.

#### 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 proposal is car free, although given the small scale of development a legal agreement is not considered necessary in this instance. Details of provision for cycle parking have not been included, but it is recognised that a commercial unit occupies the ground floor and there is no space on site to the front or rear where secure cycle parking could be provided. A condition will be added to secure details for provision of refuse storage / collection.

### Conclusion

The proposed conversion would provide a good standard of accommodation, and would not adversely impact upon neighbouring amenity.

The proposal is therefore considered to be in accordance with policies DM1 and DM12 of the Council's Development Management Document (2017) and Policy SP11 of Haringey's Local Plan and Policy D4 of the adopted London Plan (2021).

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 but is for an extension in connection with a new residential unit and as such is liable for Mayoral CIL and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £1,210.96 (18.76 sqm x £64.55) and the Haringey CIL charge will be £4,597.89 (18.76 sqm x £245.09 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. This will be collected by Haringey should the scheme be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

### **RECOMMENDATION**

GRANT PERMISSION subject to the following condition(s):

#### **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 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:
- a) parking and management of vehicles of site personnel, operatives and visitors;
  - b) loading and unloading of plant and machinery;
  - c) details of measures to protect pedestrians and other highways users from construction activities on the highway;

Reason: To protect the amenity of neighbouring properties and to maintain traffic safety.

- 5 The approved dwellings shall not be occupied until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy D4 of the London Plan 2021.

#### **Informatives:**

- **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.
- **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: Thames Water** will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- **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: Building Regulations**  
Your attention is drawn to the need to comply with the relevant provisions of Building Regulations.
- **INFORMATIVE: The new development will require numbering.** The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 3472) to arrange for the allocation of a suitable address.
- **INFORMATIVE : Community Infrastructure Levy**  
The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £1,210,96 (18.76 sqm x £64.55) and the Haringey CIL charge will be £4,597.89 (18.76 sqm x £245.09 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. This will be collected by Haringey should the scheme be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

**Note:** The CIL rates published by the Mayor and Haringey in their respective Charging Schedules have been inflated in accordance with the CIL regulations by the inflation factor within the table below