

Officer's Report

Application Number	HGY/2023/0183
Type	Full planning permission
Location	First And Second Floor Flat, 505 Green Lanes, Hornsey, London, N4 1AL
Proposal	Change of use from C3 to C4 (HMO 6 Person)
Case Officer	Gareth Prosser
Valid Date	19/01/2023
Applicant	Ibrahim Yahli
Agent	mr - Stern

RECOMMENDATION

Approve with Conditions

Site and Surroundings

The site is mid terrace building with ground floor occupying the whole site and first storey rear extension. The building is situated on the western side of Green Lanes. The surrounding uses at upper levels are residential. The site is currently one large unit of 5 bedrooms and 2 kitchens.

The site does not contain a listed building and is not located within a conservation area.

The site is located within the Green Lanes Primary Shopping Frontage.

Relevant Planning and Enforcement history

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

- HGY/2022/4190 - Change of use Decision Made Appeal Withdrawn 22/11/2022 29/03/2023 First And Second Floor Flat, 505 Green Lanes, Hornsey, London, N4 1AL Change of use from C3 to C4 (HMO 6 Person)
- HGY/2023/0793 - Lawful development: Proposed use Valid 21/03/2023 First And Second Floor Flat, 505 Green Lanes, Hornsey, London, N4 1AL Certificate of Lawfulness for the proposed change of use of the first and second floors of the building from a single family dwelling (Class C3(a)) to its use as a residence for use by a small religious community living together as a single household (Class C3(c)).
- HGY/2021/2384 - Full planning permission Retrospective application for change of use from 1 flat to 1x2bed first floor flat and 1x3bed second and loft floors maisonette, including loft conversion - Refused.
- HGY/2023/0978 - Full planning permission New Application 05/04/2023 First And Second Floor Flat, 505 Green Lanes, Hornsey, London, N4 1AL Subdivision of existing 5 bedroom flat to 2 x 1B2P Flats - Pending.

Consultation

The responses below were received following consultation on the application:

Internal:

- 1) HMO Team: Amended plans acceptable
- 2) LBH Transportation Team: Amended plans acceptable subject to condition.

External:

- 3) None

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: 0

The following local groups/societies made representations:

- None

The following Councillor(s) made representations:

- None

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; and
5. Transport considerations.

Principle of development

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.

London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and 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.

Policy DM17: Houses in Multiple Occupation states the following:

A Proposals for 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 (as shown in Figure 3.2), 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 existing 5 bed flat is 105sqm and therefore is below the 120m² threshold outlined in Point a of DM17. However, the policy above relates largely to the protection of small, single family homes in the designated Family Housing Protection Zone and not flats. As such, given that the proposal would not result in the loss of a typical family house, in this instance, conversion to HMO can be justified in principle.

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.

No changes are proposed to the external appearance of the building.

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 existing site is single, 5 bed flat. A previous application to divide the unit into two flats was refused due to substandard living accommodation.

The proposed conversion includes:

- 6 self-contained bed units, each with en-suite (toilet/shower facilities)
- No1 x kitchen for use by all occupants
- Communal Dining Area (in the loft)
- Storage room (in the loft)

- Cycle storage on GF accessed from the street (amended to be accessed from the rear).

Haringey's HMO standards 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'. This application proposes one kitchen to six lettings and is therefore unacceptable.

The proposal contains 6 rooms where the proposed floorspace is within one sqm of the required 10sqm for a single room (where there is a shared kitchen). Whilst some rooms fall below by 1sqm, others exceed. On balance, this is considered acceptable.

The proposal has been amended to include an additional set of kitchen facilities. As such, there is now one set of kitchen facilities per 3 lettings. This is considered acceptable.

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.

The proposal does not include any external additions, therefore will not affect the amenity of adjoining properties in terms of loss of daylight/sunlight, overshadowing or increased sense of enclosure.

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'.

LBH transportation has reviewed the amended plans including the revised cycle storage. This is considered acceptable subject to condition.

Other considerations

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. Nevertheless, the proposed development has been found to be in accordance with development plan policies and therefore consideration of para 11(d) is not required in this instance.

Conclusion

The amended proposal is considered to provide an acceptable standard of accommodation.

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

Grant planning 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 Prior to the commencement of development above ground, full details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until a minimum of 6 cycle parking spaces for users of the development, in accordance with the London Cycling Design Standards. Once agreed, the details shall be implemented as approved and retained/maintained as such thereafter.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan 2021 minimum cycle parking standards and the London Cycling Design

Standards, policy T5 of the London Plan 2021, Policy SP7 of the Haringey Local Plan 2017 and to maximise the accessibility of the development.

- 4 The development hereby approved, shall not be occupied at any time by more than 6 individual tenants, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply with London Plan 2021 Policy D6 and Haringey Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings.

Informatives:

- 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: 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.