



Officer Report

Application Number:	HGY/2023/1558
Application Type:	Householder planning permission
Address:	263 Mount Pleasant Road, Tottenham, London, N17 6HD
Proposal:	Conversion of the property from two to three flats
Case Officer:	Mercy Oruwari
Valid Date:	13/06/2023
Applicant:	Akiva Schreiber
Agent:	Shulem Posen

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 This is an application for the change of use of the property from two self-contained flats into three self-contained flats - comprising 1 x 3 bedroom flat on the ground floor level and 2 x 1 bedroom flats spread across the first floor level and loft space. The assessment of the application will only be on the upper floor flats as there is no change to the ground floor flat as approved in the 2017 application (HGY/2017/2451).

Site and Surroundings

1.2 The application subject site is two-storey mid-terrace property situated on the north-western side of Mount Pleasant Road, close to the junction with Linley Road. The property benefits from existing single storey rear extension and loft conversion with rear dormer on the main rear roof slope and rear outrigger projection. Surrounding area is wholly residential in character. The site is not located within a conservation area.

Relevant Planning and Enforcement history

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

Planning History:

- HGY/2020/1939 - Proposal to modified and reduce rear dormer on top of the rear main roof slope. Retention of rear dormer above rear outrigger projection. (Amended Description). Refused (Appeal Allowed)
- HGY/2019/0472 - The retention of the rear roof dormer on top of the main house together with the change of use from a single dwelling house to three flats. (1x3-bedroom 4P, 2x1-bedroom 1P). Refused (Appeal Dismissed).
- HGY/2018/1800 - Conversion of property into 3 flats. Withdrawn

- HGY/2018/0742 - Certificate of lawfulness for the formation of a rear dormer, including the insertion of rooflights (front and rear) and single storey rear extension (Proposed). Permission Required
- HGY/2017/2451 - Conversion of 2-storey house into two self-contained flats with single storey rear extension. Granted

Planning Enforcement History:

- UNW/2018/00576 – Unauthorised works

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of 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: 4

Objecting: 4

Supporting: 0

2.2 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:

- The application needs to be considered within the entire context of the development as well as the history of the site.
- The retrospective applications have been applied for in a piecemeal way to obscure the real intention of the site.
- The council were not able to enforce their own decisions since 2018 to prevent the real intention of converting the site into 3x flats.
- The extensions may be lawful but they are ugly, uncomplimentary, excessive and out of character and are highly visible.
- 3x flats for 3x families is excessive for a property that was originally a 4 bed family home.
- There is only one car space for each property so the conversion will put pressure on the street.
- The property presently stores their bins on the street for only 2x flats. This is a nuisance for neighbours. This problem will get worse with the increase to 3x flats.
- The density matrix of the London Plan should not be the only consideration. The circumstances of the site and street should also be considered.
- The provision to reduce noise, vibration, fume reduction is not fully applied.

2.3 The following issues raised are not material planning considerations:

- Past tenants (first floor) have caused noise issues. This is due to the property being unsuitable for conversion especially regarding new living spaces being next to existing neighbouring bedrooms. (Officer comment: This would not be a material planning consideration however any unacceptable noise levels or unsociable behaviour can be reported to the relevant team within the council).
- The previous first floor tenant appears to have a criminal background. This calls into question the selection process taken into consideration by the landlord and sense of responsibility for the safety of other tenants and neighbours. (Officer comment: This would not be a material planning consideration however any unsociable behaviour can be reported to the relevant team within the council).

3. MATERIAL PLANNING CONSIDERATIONS

3.1 The main planning considerations raised by the proposed development are:

1. Background;
2. Standard and quality of residential accommodation;
3. Impact on neighbouring amenity;
4. Transport considerations;
5. Waste.

Background

3.2 The property acquired planning permission to convert the single family house into 2 self-contained flats in 2017 (HGY/2017/2451).

3.3 Retrospective planning application was submitted under planning application reference HGY/2019/0472 (The retention of the rear roof dormer on top of the main house together with the change of use from a single dwelling house to three flats). This application was refused planning permission based on the existing rear dormer. However, the conversion into three flats (1 x 3 bedroom flat on the ground floor level and 2 x 1 bedroom flats spread across the first floor level and loft space) was considered acceptable although it was based on the inclusion of the additional floorspace of existing rear dormer, which was not considered acceptable at the time by the Council. The appeal for the 2019 application was dismissed.

3.4 A further application for the modification of the previously refused rear dormer and the retention of the dormer over the outrigger was submitted in 2020 (HGY/2020/1939). This proposal was also refused, but the appeal for this refusal was allowed (APP/Y5420/W/20/3261354). However, the description was adapted by the inspector as stated within the appeal decision notice:

- The appeal proposal is described by the appellant as ‘the retention of a reduced rear roof dormer on top of the main house’. I have determined the appeal omitting the word ‘reduced’ from the description of development in the interest of precision.
- The dormer window identified in the description of development above has already been constructed. I have therefore determined the appeal on the basis that retrospective planning permission is sought for this dormer as built.

3.5 As this was the final description determined by the inspector the dormer as built was granted through the appeal. Subsequently the floorspace that was created as result of the extensions to the property would be used to assess this application.

3.6 According to the enforcement records in 2021 the additional flat has already been established, however, the unit had no kitchen and was vacant at the time.

Standard and quality of residential accommodation

3.7 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.

3.8 The floorplan showing the total floorspace in square metres in relation to each of the new upper floor units has been submitted with this application. This has been measured and verified by Officers. The front flat is 51m² spread over the first floor and the loft space, whilst the rear unit also spread over the two levels is 41m². Both flats comply with the nationally described space standards for 1 bed/1 person units. It's also acknowledged that as it relates to the further conversion of an existing converted flat there would be no loss of family housing. Taking this into consideration the main assessment would be based on the quality of accommodation.

3.9 The first floor area of the front flat is dual aspect with an acceptable outlook both from the front and rear of the property. In the loft area has 2x rooflights installed to allow light into the upper floor of the front flat. The rear flat has windows facing the rear garden along with side windows. Unlike the ground floor flat the upper floor units do not have access to the garden space. However, the initial approval for the conversion to two flats did not include any access to amenity space (HGY/2017/2451). Finally, there has been no details submitted regarding cycle and refuse storage. This will be addressed below. The overall layout of the two flats is acceptable and the conversion would provide a suitable standard and quality of accommodation.

Impact on neighbouring amenity

3.10 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.

3.11 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.

3.12 Given that there would be no external alterations it is not considered that there would be any new impact on the amenity of the neighbouring properties.

Transport considerations

3.13 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'.

3.14 The site is within a controlled parking zone, has a PTAL rating of 3, and is a 5 minute walk away from Tottenham High Road and Bruce Grove Station. Considering that the proposal includes the creation of 1x studio flat, which is not a family unit, it would unlikely cause any significant impact on the highway within the area. It is considered that, subject to the appropriate level of cycling storage provision being provided within the property (this would be secured by condition); the impact on the highways would be negligible.

Waste

3.15 DM Policy (2017) DM4 'Provision and Design of Waste Management Facilities' requires all proposals to make on-site provision for general waste, recycling and waste organic materials

ensuring adequate internal and external storage space to manage the volume of waste arising from the site.

3.16 Concerns have been raised regarding rubbish and recycling bins being stored on the public highway/on the road in front of the premises. Google images dated March 2022 confirms that bins have been stored on the street. Other than for official waste collection or pickup arrangements with the Local Authority, it would not be acceptable for refuse/recycle bins to be stored on the public highway.

3.17 No information has been provided with details of the location of bin storage in relation to this application. Suitable bin storage arrangements within the boundaries of the host site, to the front of the accommodation would be required. The arrangement must not cause any harm to the character and appearance of the host building and/or street scene. This would be adequately addressed through the submission of details as part of a condition.

Conclusion

3.18 The proposal is considered acceptable as the internal floorspace and standard of accommodation meets the London Plan requirements for a 1 bed/1 person and/or studio flat. The approval would be subject to acceptable arrangements for cycle and bin storage secured by condition.

3.19 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

4. CIL APPLICABLE

N/A

5. 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 Prior to occupation of the development, final details of the type and location of secure

and covered cycle parking facilities (1x cycle space per studio or 1 person 1 bedroom dwelling) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until such cycle parking spaces for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

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 A detailed scheme for the provision of refuse and waste storage and recycling facilities must be submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented prior to the first occupation of the approved new unit 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 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.