



Officer Report

Application Number:	HGY/2023/1937
Application Type:	Householder planning permission
Address:	6 St Margarets Road, Tottenham, London, N17 6TY
Proposal:	Erection of dormer loft extension
Case Officer:	Sarah Madondo
Valid Date:	18/07/2023
Applicant:	Mr. B Jacobs
Agent:	Mr. Shaik Hussain

RECOMMENDATION

Refuse

Proposed Development

The proposed description given by the applicant is for the erection of a dormer loft extension. The plans submitted by the applicant indicate that property has been converted into HMO. and the submitted application form states that the existing use of the property is as a C4 HMO. The property lies within the area of the borough covered by an Article 4 Direction removing permitted development rights for changes of use between the C3 and C4 use classes. The use of the property as a C4 HMO therefore requires planning permission. No planning permission has been granted for the change of use of the property to an HMO. No certificate of lawfulness has been issued to indicate that the use is immune for enforcement and therefore lawful. Therefore, notwithstanding the description of development given by the applicant, officers are assessing this application as the erection of a rear dormer extension and the conversion of the property to an HMO for up to 6 residents (C4 use class).

Site and Surroundings

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

Planning History

HGY/2023/0805 - Planning permission refused for the conversion of the ground floor into 1 self-contained one-bedroom flat with a proposed rear extension of 1.m depth. Construction of dormer loft extension and continued use of first floor and new loft floor as an HMO. Decided 04.07.2023.

Reasons for refusal:

1. 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).

2. 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).
3. 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 DM1 and DM17 of Haringey Council's Development Management DPD (2017).

Principle of Development

The site lies within an area of the borough covered by an article 4 direction removing permitted development rights for changes of use from single dwelling house (C3) to House in Multiple Occupation (HMO (Use Class C4) in an effort to protect the boroughs family housing stock. Policy DM17 of the Haringey Development Management (2017) allows the conversion of larger homes to HMOs. However, such conversions are only permitted where, amongst other things, the internal floor space of the original dwelling is greater than 120sqm.

Policy DM17 of the Haringey's Development Management Development Plan Document, adopted July 2017 (DPD) provides advice on proposals for the conversion of larger homes in multiple occupation. It advises, amongst other things, that they should not give rise to significant adverse amenity impacts on the surrounding neighbourhood, including cumulative impacts arising from an over concentration of HMO's within an area. In addition, they should provide high quality accommodation that satisfies the relevant policies in the Local Plan, including internal space standards, provision of satisfactory level of amenity space for occupants and adequate and convenient refuse storage and collection.

Change of use into HMO

The applicant has submitted plans which indicate that the existing layout of the property is laid out as HMO and permission is sought for the erection of a rear dormer extension on the main and extension on the outrigger to provide additional rooms for the existing HMO. The existing HMO is not authorized and the applicant has not submitted a certificate of lawfulness to regularize the existing use. The applicant submitted an application for change of use into HMO under planning reference HGY/2023/0805 which was refused. The applicant has confirmed that the property is currently being used as HMO as per submitted plans and officers would therefore assess this element as indicated on the plans.

Policy DM17 which amongst other things requires that the original existing floor space should be 120m² and the original floor space for the house 76 sq.m which is significantly below the 120 sq.m. The proposal cannot be supported as it would be contrary to part a) of Policy DM 17. 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. Whilst 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.

Permission is sought for the erection of a rear dormer and a dormer on the outrigger to provide additional bedrooms for the HMO. The proposed dormer would be full width and the extension over the outrigger would 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, given that a number of similar sized roof extension have been built within the vicinity of the property, and therefore the proposed extensions would not appear out of character and as such, it is considered that the proposed dormers 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 would comprise of 5 rooms for single lettings and 1 double room for double letting would therefore be capable of accommodating 7 residents. The HMO has 1 double room and 5 single rooms, however 4 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 a suitable quality or standard of residential accommodation. 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 plans submitted do not indicate if any bins or cycle parking is being provided, Given the very small size of the property's front forecourt, it is doubtful that sufficient refuse storage and cycle parking could be satisfactorily be provided to meet the needs of up to 6 adult residents. The proposal therefore would be contrary to Part d) of Policy DM17.

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 surroundings 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.

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.

This part of St Margret's Road is characterised by small narrow terraced houses. The proposed use of the property as an HMO for six adults, together with the comings and goings of visitors and guests of the permanent residents and the servicing needs of this number of residents in terms of refuse storage and collection, other deliveries would result in a level of activity inappropriate to such a small property and an intensity of use that would be detrimental to the residential amenity of neighbouring occupiers by reason of increased noise and increase in excess rubbish/overflowing bins resulting in adverse impacts on the local amenity.

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 site is located CPZ and has a transport accessibility level of 5 which denotes good connectivity.' The transportation officer's have not been consulted as the proposal only related to roof alterations and therefore officer would rely on the previous comments provided by the transportation officers. 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 HMO it is likely to result in a net reduction in on street parking demand. Therefore, it is considered that the proposed conversion into HMO 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 there is no cycle parking provision for the HMO, therefore not acceptable. 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 6no. bicycles.

Waste Management

The drawings provided do not indicate where the bins would be located as such a condition would be attached, if the applicant does appeal against the Council's decision.

Conclusion

The existing HMO would result in an unacceptable loss of family housing and would not provide satisfactory cycle, refuse and recycling storage. In those respects, the proposal is contrary to the Framework regarding the need to deliver a sufficient supply of homes needed for different groups in the community, good design and promoting sustainable transport.

Refusal Reasons:

The proposed conversion of the single-family dwelling into a HMO would result in an unacceptable loss of family housing for which there is an identified need. The original un-extended floor area of the property also fails to meet the minimum floor space standard set out in the Council's adopted HMO Policy. As such the proposal would be contrary to Policy SP2 of Haringey's Local Plan (2017) and Policy DM17 of Haringey's Development Management, DPD (2017).

The proposed extension and change of use of the property to a house in multiple occupation (HMO) for 6 persons would by reason of the lack of cycle parking, and the lack of refuse and recycling storage is considered to provide a sub-standard form of accommodation, an over intensive use of the site, harmful to neighbouring residential amenity contrary to Policy DM17 of Haringey's Development Management DPD (2017).

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 DM1 and DM17 of Haringey Council's Development Management DPD (2017).