



Officer Report

Application Number:	HGY/2023/1936
Application Type:	Householder planning permission
Address:	21 Birkbeck Road, Tottenham, London, N17 8NH
Proposal:	Conversion of single family house into 6 bedroom House in Multiple Occupation.
Case Officer:	Oskar Gregersen
Valid Date:	18/07/2023
Applicant:	Mr Azad Ayub
Agent:	Mr misbah Uddin

RECOMMENDATION

Refuse

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

Reasons for Refusal:

1. The proposed conversion of this single-family dwelling into an 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).

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the conversion of a single family home in the east of the Borough into a 6-person House in Multiple Occupation (HMO).

Site and Surroundings

The application site is a two-storey mid-terrace single-family residential dwellinghouse in the eastern portion of the Borough. The site is in an area covered by an Article 4 Direction removing permitted development rights for conversion of homes into HMO's. The area is of a predominantly uniform architectural style, with fenestration and rooflines being largely uniform. There is parking on either side of the street with sites all benefitting from small front gardens that are used for bin/cycle storage. The area is a mix of single-family dwellinghouses, and buildings converted to HMO's prior to the introduction of the Article 4 Direction.

Relevant Planning and Enforcement History

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

There does not appear to be any planning history in relation to the site.

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

- No responses

External:

- No responses

LOCAL REPRESENTATIONS

The application has been publicised by way of 20 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: 14

Objecting: 14

Supporting: 0

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:

- Poor quality of accommodation
- Additional parking pressure
- Impact on character of the area
- Additional noise
- Refuse issues

The following issues raised are not material planning considerations:

- None raised

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Standard and quality of residential accommodation;
3. Transport considerations;
4. Waste Management

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 an HMO

The applicant has submitted plans that show the existing layout of the property is that of a single-family dwelling house, and permission is sought for its conversion into a 6-person HMO with associated internal changes to remove living and dining areas and turn them into bedrooms. There is no prior planning history to suggest that these changes have already been made however objections left on this application seem to suggest that this has been completed already.

Policy DM17 which amongst other things requires that the original un-extended floor space of the property seeking to convert should be 120m² and the original internal floor space of the house 95 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.

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 6 rooms for single lettings and therefore there would be space for 6 individual residents. The submitted documents and drawings do not specify whether the rooms proposed would be single or double rooms, as such the requirement is that double room should (15sq.m) and single (10 sq.m). Two of the proposed rooms would be 11.38sqm and 12.86sqm respectively, with all of the upstairs rooms being under 10sqm with the smallest being 7.55sqm. Four of the proposed rooms would be insufficient for even a single room, with the proposed ground floor rooms being large enough to be a single room.

The shared kitchen is approximately 9.82 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 amount of internal communal space is extremely limited and would coupled with the small size of the bedrooms in which the occupants will spending most of their time will result in an extremely poor quality of accommodation.

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.

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 and 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 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 application site is in PTAL zone 4, and the street has parking on both sides of the roadway. 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.

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 proposal is considered not acceptable as it could constitute the loss of a single-family dwellinghouse in an area covered by Article 4 direction, as well as introducing an over-intensive use of the property that would result in a lack of adequate cycle storage provision and insufficient shared internal space contrary to Policy.

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

CIL

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

RECOMMENDATION

REFUSE PERMISSION

For the following reason(s):

Refusal Reasons:

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