



Officer Report

Application Number:	HGY/2022/4115
Application Type:	Change of use
Address:	2, Howard Road, Tottenham, London, N15 6NL
Proposal:	Change of use of existing ground floor flat to a small-scale HMO (C4 Use Class) with maximum occupancy of 3 people. Alterations to the rear fenestration.
Case Officer:	Daniel Boama
Valid Date:	15/11/2022
Applicant:	Mr Damen
Agent:	Mr. Shloime Godlewsky

RECOMMENDATION

Refuse

PROPOSED DEVELOPMENT AND LOCATION DETAILS

This is an application for the conversion of a 1 x 2no. bedroom self-contained flat on the ground floor to a small HMO with 3no. bedsits with en-suite and a shared kitchen. Bicycle storage would be provided in the rear garden, and bin storage would be provided to the front garden.

The proposed drawings were revised to reduce the number of bedsit from 4 to what it is now, which is 3, following comments from the Council's Private Sector Housing Team.

SITE PLANNING HISTORY

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

HGY/2010/0311 GTD 14/04/2010 Replacement of existing timber single glazed white windows with uPVC double glazed white windows.

SITE DESCRIPTION AND SURROUNDINGS

The subject site is a ground floor level self-contained flat in a subdivided two-storey residential end-of-terrace property, with a two-storey outrigger at the rear. It is at the north end of Howard Road near the junction of St Anns Road. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

The site is within the designated Family Housing Protection Zone and is subject to an Article 4 direction restricting permitted development rights for conversions to HMOs. There are 6 licenced HMOs according to the Council's HMO Licensing Register.

Consultation response

The responses below were received following consultation on the application:

Internal:

LBH Private Housing Sector Enforcement Officer – see views expressed in the planning considerations section below

LBH Transportation Officer - see views expressed in the planning considerations section below

LOCAL REPRESENTATIONS

The application has been publicised by way of 18 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

Objecting: 0

Supporting: 0

PROPOSED DEVELOPMENT

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ANALYSIS/ASSESSMENT

Conversion from Class C3 to C4 small HMOs (3-6 unrelated people):

Development Management Development Plan Document (DPD) Policy DM17 'House in Multiple Occupation' states that the Council will support 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 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 over-concentration 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.

Policy DM17 aims to prevent residential conversions of small dwellings that would result in sub-standard living conditions for the occupants through inadequate floor space. Many HMOs in Haringey provide sub-standard living conditions, and are clustered in areas resulting in adverse impacts on local character and amenity, and also reduce the availability of smaller family housing, for which there is significant need.

(a) The gross original internal floor space of the existing dwelling is greater than 120m²;
'Original' refers to internal floorspace, not including any extensions made to the property. Measurements for this area have been taken using floorplans provided, scaled, taking into considerations areas deemed accessible.

The site is an existing 2no. bedroom self-contained flat on the ground floor. The floor area 72.1m², which falls significantly short of minimum requirement of 120m². However, the site is not considered to be a family house due to the number of bedrooms. 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.

(b) They do not give rise to any significant adverse amenity impact(s) on the surrounding neighbourhood, including cumulative impacts arising from an over-concentration of HMOs within an area;

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 existing kitchen door would be replaced by a window due to the proposed conversion of the existing kitchen to a bedroom. The existing bathroom window would be replaced by door to access the rear garden from the proposed hallway. These proposed changes to the rear fenestration would not lead to issues of overlooking, and so it is considered to be acceptable.

Analysed evidence which supports the introduction of Haringey's HMO policy requirements, suggests links between HMO concentrations and resultant issues which can create adverse amenity impacts for neighbouring residents. The revised drawings show that the proposed number of bedsits have been reduced from 4 to 3, and therefore, the proposed number of bedsits is considered to be acceptable.

The site is within the east of the borough where there is an Article 4 Direction that removes permitted development rights for conversion to small HMOs (3-6 unrelated people). This was introduced in November 2013. Essentially, this Article 4 Direction requires those wishing to change a single use dwelling unit (C3 Use Class) to a small HMO (C4 Use Class) within this area of the Borough to apply for planning permission.

Where permission is granted for conversion to a HMO, a requirement of this permission will be to seek a HMO license to ensure these standards are met. Furthermore, a HMO License has not been issued by the Council for this property.

(c) They are accessible by public transport, cycling and walking;

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.

The site is within walking distance to one bus route on St Ann's Road, 8 bus routes on the A10, and either Stamford Hill Overground Station or South Tottenham Overground Station, and so the site is highly accessible to public 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 Council's Transportation Team has been consulted and advises that the site has very good public transport accessibility (PTAL=5) and is located within a CPZ. Provision for cycle parking for 4 bicycles and refuse storage, is required on-site. The cycle parking must be secure, sheltered and independently accessible by each occupier. Please refer to LCDS for further guidance. Please also provide details illustrating provision for cycle and refuse storage for the first floor plan.

Following this advice, both revised drawings provide space for 4no. bicycles divided into 2no. cycle enclosure secure storage facilities in the rear garden that can accessed via the side passage, and 4no. refuse bins in the front garden. The Transport Officer was consulted furthermore on the second revised drawings, but they did not respond.

(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;

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 Standards for Houses in Multiple Occupation December 2017 states the Councils requirements for heating, personal hygiene, kitchen facilities, fire precautions, and fire standards.

The Council's Private Housing Team was consulted and advised that the bedrooms are within the minimum required size of 10m². However, cooking facilities are not satisfactory for the number of proposed bedrooms. Proposed kitchen does

not provide enough space for storage and preparation of food for four households. In that, there is inadequate food preparation worktops and no space for refrigerator(s). Layout of the kitchen is poorly designed and would not provide adequate protection from injuries when used. Although size of washing facilities are not specified in the standard, the size and layouts of proposed shower rooms do not provide adequate space for changing and drying. Proposed cooking and washing facilities are contrary to Haringey Standard for HMOs (attached) therefore on behalf of Private Sector Housing Team I would not support this application. Upon asking the officer would be supported, they responded by stating that the main problem with proposal is that the kitchen and shower rooms are too small.

On 28 April 2023, the second revised drawings were received that reduced the number of bedsits from 4no. to 3no. as mentioned in the above sections. Two of the bedrooms exceed the minimum space standard requirement for a one person letting, which is 10m² where there is a separate kitchen, and one other bedroom exceeds the minimum space standard requirement for a two person letting, which is 15m² where there is a separate kitchen. Although the space standards for the bedsits appear to be acceptable, the proposed kitchen that would be shared by all 3no. bedsit units is located under the staircase enclosure, which is an inadequate position that goes against paragraph 3.8 of Haringey Council's Standards for Houses in Multiple Occupation (HMO) December 2017. This together with the lack of any shared living room or similar communal space would leave occupants reliant on their small bedrooms for internal living space. The unit is therefore considered to small to provide this form of accommodation for 3-6 adult occupants and their guests and is not considered to provide an acceptable standard of accommodation.

(e) Where non self-contained, have exclusive use of a kitchen or space within a shared kitchen for each household.

The Standards for Houses in Multiple Occupation December 2017 states the Councils requirements for heating, personal hygiene, kitchen facilities, fire precautions, and fire standards.

The site provides a shared kitchen to serve all 3 bedsits.

Conclusion

The proposal is considered unacceptable because the kitchen would be located under the staircase enclosure, which does not comply with paragraph 3.8 of Haringey Council's Standards for Houses in Multiple Occupation (HMO) December 2017.

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

N/A

RECOMMENDATION

REFUSE PERMISSION

Refusal Reasons:

The change of use of the property to a house in multiple occupation (HMO) (Use Class C4) would by reason of the lack of adequate kitchen facilities and communal living space provide a cramped and sub-standard form of accommodation contrary to Policy DM17 of Haringey's Development Management DPD (2017).