



Officer Report

Application Number:	HGY/2023/2050
Application Type:	Full planning permission
Address:	349C High Road, Wood Green, London, N22 8JA
Proposal:	Change of use from first floor office to HMO Use (8 no. Ensuite Rooms) with 3 no roof windows including internal and external alterations.
Case Officer:	Kwaku Bossman-Gyamera
Valid Date:	27/07/2023
Applicant:	MR C GEZICI
Agent:	MR ALI AY

RECOMMENDATION

Refuse

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 This is an application for change of use from first floor office to House Multiple Occupation (HMO – Sui Generis use) comprising of 8 single occupancy bedrooms including internal and external alterations.

1.2 This is an application for change of use from first floor office to House Multiple Occupation (HMO – Sui Generis use) comprising of 8 single occupancy bedrooms including internal and external alterations.

1.3 Proposal also provides a shared kitchen area to front of the building.

Site and Surroundings

1.4 The application site is first floor office unit. It is located at end of terrace two-storey containing a variety of ground floor commercial uses in a relatively small shopping parade. The area is a mixed –use commercial and residential area. Directly opposite the site is Woodside Park.

1.5 The site is not located within any Conservation Area, and the building is designated as locally listed building.

Relevant Planning and Enforcement history

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

- HGY/2005/1893 – Refused 06/12/2005 - Change of use of premises from retail (A1) to social club (Sui Generis).

1.7 There is no enforcement planning history in relation to the site.

2. CONSULTATION RESPONSE

2.1 The responses below were received following consultation on the application:

Internal:

1) LBH Transportation Team: no objection subject to secure cycle provision.

3. LOCAL REPRESENTATIONS

3.1 The application has been publicised by way of 28 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: 1

Objecting: 1

Supporting: 0

3.2 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:

- One presentation from an adjoining occupier requesting the council to ensure that suitable soundproofing insulation has been installed, as there has been many sleepless nights where loud music has been played all night, and on other occasions loud cheering and shouting whilst watching TV.
- Ensure the current newly installed roof windows continue to remain frosted and sealed and no further roof windows are added, as the x3 newly installed roof windows look directly into the rear yard of 351B High Road.

4. MATERIAL PLANNING CONSIDERATIONS

4.1 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.
5. Transport considerations.

Principle of development

4.2 Council's adopted Policy DM17 of the Development Management, Development Plan Document (2017) both seeks to ensure that the conversion of single-family dwellings to houses in multiple occupation (HMO) is acceptable on the basis that the property is of an appropriate size to be converted to an HMO (over and above 120m² and are more than two storeys). Policy DM17 further specifies that the minimum 120m² floor area of an acceptable

dwelling for conversion must be the original floor area. However, the threshold guidance calculation is therefore not relevant in this instance.

4.3 The principle of the proposed change of use from office space above a shop to HMO (Sui Generis) within the upper floor level of the subject site is considered acceptable in the local shopping centres as the ground floor E class is being retained with no change. Despite being within being an area covered by Article 4 Direction, the proposal does not conflict with this policy DM17 (House in Multiple Occupation) as this policy relates to the conversion of larger homes to (HMO) and not for the conversion from non-residential buildings to HMO. It is considered that the change of use of the upper floor level of the office space would preserve the long-term viability of the commercial frontage on the ground floor and would therefore be acceptable and as such the existing commercial unit will not be affected by the proposed residential units.

4.4 Whilst the council do not object to the use of the upper floor level of the property as HMO, provided that it is a high-quality accommodation that satisfies the relevant policies of the Local Plan, including space standard, provision of satisfactory level of amenity space for occupant.

Design and appearance

4.5 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.

4.6 The proposal would not comprise any significant alterations to the external envelope of the building from the existing. As such, there would be no impact on the character or the visual amenity of the street scene or wider area resulting from the proposal.

Quality of accommodation

4.7 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.

4.8 Haringey's Standards for Houses in Multiple Occupation (HMOs) June 2016 identifies minimum internal floorspace standard (Appendix 5). All the proposed rooms meet these requirements. However, a kitchen/dining is proposed within the first floor - This proposed shared kitchen/dining area is unacceptable and inadequate. 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 substandard accommodation and does not provide high quality standard of residential accommodation contained in the London Plan.

4.9 The applicant has failed to satisfy the LPA, in that adequate refuse and recycling bins or cycle parking will be provided to meet the likely increase in intensity of use that would result from the

change of use to a large HMO. Given, the possible intensity of use proposed as a large HMO is likely to result in a cramped and substandard form of accommodation.

4.10 From the proposed plans, the rooms fall well below the standards of what should reasonably be expected in terms of natural light and outlook. Room 2 have no window at all, no ventilation or outlook. Others had windows that look out on blank walls or the viaduct. Some rooms and communal areas have roof lights which improved the amount of natural light, but which do not overcome the general inadequacy of the premises as quality HMO accommodation. In addition, the siting and design of the proposed bedrooms would not provide suitable accommodation for future occupiers. The outlook/sunlight received into those room would be severely restricted and limited. The absence of any real view or meaningful outlook would mean the accommodation would feel oppressive resulting in a poor standard of accommodation.

4.11 In addition to the above, the development proposes no usable outdoor amenity space, notwithstanding the premises above a shop. Given the number of potential occupancies of the proposed development up to 10 individuals. This would further undermine the quality of accommodation and make it all the more likely future residents would necessarily spend greater amounts of time indoors, heightening the importance of appropriate internal living conditions.

4.12 It is considered that the development would not provide suitable living conditions for future occupants. This would be in conflict with Policy 3.5 of the London Plan (2021) which seeks high quality design and good living conditions; Policy DM17 of the Development Management DPD (2017) which require that new dwellings are appropriate in their context and provide suitable living conditions; and the objective of the National Planning Policy Framework (the Framework) to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Impact on neighbouring amenity

4.13 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.

4.14 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.

4.15 The existing building would not be extended, and the existing fenestration would be retained. It is therefore, considered that the proposal would not have detrimental impacts on residential amenities of neighbouring occupiers by reasons of loss of daylight/sunlight, loss of outlook nor loss of privacy over and beyond the existing.

Transport considerations

4.16 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.

4.17 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, 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'.

4.18 Given the location of this development and the proposed HMO does not create any material highway and Parking effects. It is unlikely that the above proposal will have any significant impact on the local transportation network. Consequently, no objections are raised in terms of the proposals impact on on-street parking pressure within the area. The Council's Transportation Team has been consulted and raises no concerns.

4.19 As the HMO falls under the Sui Generis land use class, the cycle parking standards applicable to the proposals should be those that are most relevant to the proposed use of the property. In the case of the proposed HMO, each room should be considered individually (within the wider sharing living arrangements), with standards applicable to C3 studios (1-person 1-bedroom) and C3 2-person 1-bedroom units. With 8 bedrooms and 10 occupants, which would equate to 5 bedrooms for one person each and 2 bedrooms for two people each, i.e., a total of 8 long-stay cycle parking spaces. Short-stay cycle parking should also be provided, in the form of one Sheffield stand accommodating 2 spaces. Plans should be provided to show how the above requirements can be satisfied, in line with the London Cycling Design Standards (LCDS) respectively applicable to long-stay and short-stay cycle parking:

- Long-stay: secure (with access for residents only), lockable, easily accessible, conveniently located close to the entrance and covered; and
- Short stay: secure, conveniently located close to the entrance and overlooked. In line with the LCDS, cycle parking should avoid obstacles such as steps/stairs.

4.20 Should the applicant appeal against the LPA's decision the inadequacy of the long stay cycle parking and access arrangements would be secured by planning condition. This would involve the provision of full details showing the parking systems to be used, access to them, the layout and space around the cycle parking spaces with all dimensions marked up on a plan.

Waste Management

4.21 Drawing indicates that 2 bins would be provided which is not acceptable as previously stated. Should applicant appeal against the LPA's decision then a condition would be attached requiring details of secured bin store.

Conclusion

4.22 The proposed change of use of existing first floor office space into a house in multiple occupation (HMO) for 8 persons (Sui-generis) by virtue of poor outlook, inadequate daylight/sunlight, poor ventilation and the lack adequate cycle parking/refuse storage, provide a sub-standard form of accommodation, contrary to Policy SP2 of Haringey Council's Local Plan 2017, Policy DM12 & DM17 of Haringey Council's Development Management DPD, and Policy D6 of the London Plan 2021 and the Mayor's Housing SPG 2016.

4.23 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.

5. CIL APPLICABLE

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.

6. RECOMMENDATION

REFUSE PERMISSION

Refusal Reasons:

The proposed change of use of the first floor office space into a house in multiple occupation (HMO) for 8 persons (Sui-generis) by virtue of the poor outlook, inadequate daylight/sunlight and poor natural ventilation to some of the bed/sitting rooms, together with the limited internal communal living space, lack of external amenity space and lack of adequate cycle parking and refuse storage, would provide a sub-standard form of housing and poor living conditions for future occupiers contrary to Policy SP2 of Haringey's Local Plan 2017, Policy DM1, DM12 & DM17 of Haringey Council's Development Management DPD, and Policy D6 of the London Plan 2021.

The proposed layout due to the limited amount of communal living space and the degree of self-containment of individual bedsits, would indicate that the use would be more akin to self-contained individual dwellings within the C3 use class rather than a house in multiple occupation (HMO) for 8 persons (Sui-generis), and due to the inadequate internal floor space of the proposed self-contained bedsits, poor outlook, inadequate daylight/sunlight and poor natural ventilation to some of the bed/sitting rooms together with the lack of external amenity space and lack of adequate cycle parking and refuse storage, would provide a sub-standard form of housing and poor living conditions for future occupiers contrary to Policy SP2 of Haringey Council's Local Plan 2017, Policy DM1 and DM12 of Haringey's Development Management DPD, and Policy D6 of the London Plan 2021.