

Officer Report

Application Number:	HGY/2026/0542
Application Type:	Change of use
Address:	108 The Avenue, Tottenham, London, N17 6TG
Proposal:	Change of use from a 5-bed House of Multiple Occupation (HMO) (Use Class C4) to 2no. self contained flats (Use Class C3) inc 1 x 2-bedroom flat and 1 x 3-bedroom flat. (AMENDED DESCRIPTION)
Case Officer:	Daniel Boama
Valid Date:	31/03/2026
Applicant:	MR JAY SOKAL
Agent:	Mr Ameet Bhamra

RECOMMENDATION

Refuse

1. Site location

The application site comprises a two-storey, mid-terrace dwelling with a loft extension located on the southern side of The Avenue. The surrounding area is predominantly residential in nature, characterised by long terraces of dwelling houses.

The property is not located within a conservation area. The property is located within a 'Family Housing Protection Zone', as introduced in the 2017 local plan to restrict further residential conversions in areas identified as already having a high concentration of converted properties. It is also pointed out that the application site and this part of the borough is subject to an Article 4 Direction which came into force in November 2013, removing permitted development rights for a change of use from a single family dwelling house (Use Class C3) to a HMO (Use Class C4).

2. Description of Proposal

The application proposes a change of use from a 5-bed House of Multiple Occupation (HMO) (Use Class C4) to 2no. self contained flats (Use Class C3) inc 1 x 2-bedroom flat and 1 x 3-bedroom flat. The original proposal was for 1 x 1-bedroom flat and 1 x 3-bedroom flat, but the study room in the bedroom flat is appears to meet the minimum requirement for a one bedspace single bedroom, so the description has been amended.

It is understood a lawful development certificate was refused under HGY/2025/0658 for the existing use of the property as a 6-bed HMO. An appeal was submitted against the Council's decision by applicant, however, the appeal was dismissed.

There is an existing enforcement case on this site under reference ENF/2025/0571.

3. Relevant Planning and Enforcement history

The most recent applications for this site are summarised as follows:

PLANNING CASES (3)

HGY/2019/0678

Address: 108, The Avenue, London, N17 6TG

Proposal: Conversion of ground and first floor flat into a single dwelling.

Received Date: 13 February 2019

Valid Date: 13 February 2019

Decision Date: 9 April 2019

Decision: Approve with Conditions

OLD/1973/0044

Address: 108, The Avenue, N17

Proposal: Conversion into 2 self-contained flats.

Received Date:

Valid Date:

Decision Date: 3 September 1973

Decision: Approve with Conditions

HGY/2025/0658

Address: 108 The Avenue, Tottenham, London, N17 6TG

Proposal: Certificate of Lawfulness for the existing use of the property as a House in Multiple Occupation (HMO) for up to six residents (Class C4 Use).

Received Date: 13 March 2025

Valid Date: 25 March 2025

Decision Date: 15 May 2025

Decision: Refuse

ENFORCEMENT CASES (PENDING)

ENF/2025/0571

Address: 108 The Avenue, Tottenham, London, N17 6TG

House in Multiple Occupation - 6 residents

Following the refusal of HGY/2025/0658 - Certificate of Lawfulness for the existing use of the property as a House in Multiple Occupation (HMO) for up to six residents (Class C4 Use).

BUILDING CONTROL (2)

HGY/0001/0408/

Status - Approved

App Type - Old Applications

Current Decision - Approve

Decision Date - 23 November 1973

Address - 108, The Avenue, LONDON, N17 9ZZ

Proposed Works - Alterations and conversion to form two flats.

BNE/0013/3200

Status - Accepted

App Type - Building Notice

Current Decision - Accepted

Decision Date - 25 April 2019

Address - 108, The Avenue, London, N17 6TG

Proposed Works - Loft conversion with rear dormer and internal alterations.

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation Group: The application will only be acceptable once the applicant has addressed the following outstanding issues:

1. The applicant needs to annotate on the proposed plans the quantum and design specification of long-stay cycle parking. Long-stay cycle parking should be easily accessible, secure and weatherproof. It should conform to relevant London Plan and LCDS standards.
2. The applicant needs to show on relevant plans the waste storage capacity, demonstrating how it conforms to Council standards.
3. Since the site is in a high PTAL area (4) and in a CPZ, the applicant will be required to enter into a s106 agreement making the site car-free and parking permit-free. The only exception to this will be for blue badge holders.
4. Servicing and delivery arrangements for the site should be outlined.
5. Confirmation is sought as to how the required works for the change of use will be managed so not to adversely impact upon the local community and highway network.

Transport Recommendations:

The application will only be acceptable, once the above-mentioned issues have been addressed.

5. Local Representations

No representations were received from neighbours, local groups, etc in response to notification and publicity of the application.

6. Assessment of Planning Considerations

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;
6. Waste management

Principle of development

Local plan policy on conversions

Policy DM16 states that the Council will only permit conversion of larger homes (properties with 3 bedrooms or more) to small self-contained flats where – inter alia – they are located outside a Family Housing Protection Zone (FHPZ), have a floorspace of 120 sq.m or more, and provide a mix of unit sizes in line with DM policy DM11.

The proposal would provide a 3-bed family-sized unit on the first and loft floor lead to replace the loss of a single-family unit, but it would the original floor space is less than 120sqm, measuring 117sqm, so it would only partly comply with policy DM16.

The gross original internal floor space of the original dwellinghouse is below 120m² and therefore considered too small for conversion, contrary to Policy DM16 of Haringey's Development Management DPD 2017.

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.

The works here do not propose any alterations by way of external changes or extensions.

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 criteria set out within parts c-g of part A of DMP policy DM16 largely echo some of the design aspects covered within policy D6 of the London Plan.

The proposal would seek the conversion of the HMO (C4) into self-contained flats (C3), which would be as follows according to the plans:

<u>Unit no.</u>	<u>No. beds/persons</u>	<u>Floorspace (sqm)</u>	<u>No. of storeys</u>	<u>London Plan requirement (sqm)</u>	<u>Amenity space provision (sqm)</u>
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Flat 1	1bed/2persons	52sqm	1 storey	61sqm	Rear garden
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Flat 2	3bed/4persons	89sqm	2 storeys	84sqm	None
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Flat 1 states that it would be a 1 bed/2persons, but one the rooms would be a study room that exceeds the minimum requirement for a one bedspace single bedroom. Therefore, flat 1 is most likely a 2bed/3person flat, so it would fall short of the minimum requirement for this type of flat in 1 storey, which is 61sqm. Therefore, the area of the floorspace would be inadequate.

The location of double bedroom for Flat 2 lacks outlook, and could benefit from windows that are made for outlook instead of rooflights if located on a different floor.

The proposed conversion by virtue of the inadequate floorspace area for Flat 1 and lack of outlook for the double bedroom in Flat 2, would provide a sub-standard form of accommodation for future occupants of the development, contrary to London Plan policy D6, policy SP2 of the Haringey Local Plan and policy DM16 of the Haringey Development Management Plan.

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 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.

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.

No extensions or alterations are proposed. The conversion of the property into self-contained units as proposed is not significant in planning terms. The comings and goings would remain similar to the existing use as a large single household family.

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 (2017) 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 DM Policy (2017) DM31 'Sustainable Transport'.

The Council's Transportation Team have advised that the proposal would only be acceptable subject to certain requirements being met. Since the site is in a high PTAL area (4) and in a CPZ, the applicant will be required to enter into a s106 agreement making the site car-free and parking permit-free. The only exception to this will be for blue badge holders.

The proposal provides 5 bicycles stores according to the drawings, so it appears that Flat would be a 2bed/3person dwelling as there is a surplus in the provision of bicycles. The applicant needs to annotate on the proposed plans the quantum and design specification of long-stay cycle parking. Long-stay cycle parking should be easily accessible, secure and weatherproof. Currently, the plans show that it would be difficult to access the bicycles because the position of bins would prevent easy access.

Waste management

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.

The Haringey 'Waste management guidance note for residential and mixed-use developments' sets out waste and recycling guidelines for residential and mixed-use developments within the borough. For both flats, considering that Flat 1 could be a 2bed instead of a 1bed, refuse allocation

would be 240 litres, dry mixed recycling allocation would be 240 litres, and food waste allocation would be 25 litres.

The Council's Waste and Recycling Officer has not commented on the application. The drawings show that the bins would be adjacent to the bay windows, which may be a sign that there is not enough space in the front garden to accommodate bin storage and cycle storage for all the flats. No detail of secure bin storage has been provided. Also, no food bins have been shown in the drawings, so there is an inadequate supply of bins to meet the capacity required per flat.

The proposed development, by reason of over-intensive bin and bicycle storage to meet minimum requirement, would result in the creation of a cramped front garden where it would be difficult for future occupiers of the development to access both bin and bicycle storage facilities, contrary to London Plan policy DM4 of the Haringey Development Management Plan 2017.

Conclusion

The gross original internal floor space of the original dwellinghouse is below 120m² and therefore considered too small for conversion. The proposed conversion would provide unacceptable living conditions for future occupiers by providing sub-standard accommodation, and would result in an over-intensive use of this property by creating a cramped front garden.

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.

7. Recommendation

The application is recommended for refusal for the following reason(s):

Refusal Reasons:

The gross original internal floor space of the original dwellinghouse is below 120m² and therefore considered too small for conversion, contrary to Policy DM16 of Haringey's Development Management DPD 2017.

The proposed conversion by virtue of the inadequate floorspace area for Flat 1 and lack of outlook for the double bedroom in Flat 2, would provide a sub-standard form of accommodation for future occupants of the development, contrary to London Plan policy D6, policy SP2 of the Haringey Local Plan and policy DM16 of the Haringey Development Management Plan.

The proposed development, by reason of over-intensive bin and bicycle storage to meet minimum requirement, would result in the creation of a cramped front garden where it would be difficult for future occupiers of the development to access both bin and bicycle storage facilities, contrary to London Plan policy DM4 and DM16 of the Haringey Development Management Plan 2017.