

Officer Report

Application Number:	HGY/2026/0995
Application Type:	Change of use
Address:	108 The Avenue, Tottenham, London, N17 6TG
Proposal:	Change of use from flats 5no. self-contained flats (Use Class C3) to a 4-bed 8-person House of Multiple Occupants (HMO) (Use Class C4). (AMENDED DESCRIPTION)
Case Officer:	Daniel Boama
Valid Date:	07/04/2026
	6
Applicant:	Prestbury Property Investments Ltd.
Agent:	Miss Nyra John

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 flats 5no. self-contained flats (Use Class C3) to a 4-bed 8-person House of Multiple Occupants (HMO) (Use Class C4), which has been amended by changing 4-bedsit to 4-bed considering that the kitchen facilities are separate from the rooms. The submitted HMO Management Plan states that the proposal is for 4-bed 6-persons but the plans show 4-bed 8-persons according to the bedspaces provided.

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 for not meeting the ten-year rule for continuous use to be deemed lawful.

Planning permission was granted under reference HGY/2019/0678 to convert the amalgamate the flats into a single dwellinghouse, however, it appears that this was not implemented considering the lawful development certificate application mentioned above.

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.

Decision Date: 9 April 2019

Decision: Approve with Conditions

OLD/1973/0044

Address: 108, The Avenue, N17

Proposal: Conversion into 2 self-contained flats.

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).

Decision Date: 15 May 2025

Decision: Refuse

HGY/2026/0542

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)

Decision Date: 27 May 2026

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 will be required to agree to a s106 agreement making the site car-free and permit-free given the site being located in a PTAL 4 and in a CPZ. The only exception to this will be for blue badge holders who will be eligible to apply for residential parking permits.
2. The applicant appears to be, according to the proposed ground floor plan be providing 5 long-stay cycle parking spaces which is commensurate with the LPG Support for Housebuilding (March 2026). The applicant needs to show on the relevant proposed ground floor plan the quantum and design specification of the proposed long-stay cycle parking. Long-stay cycle parking should be secure, easily accessible, weatherproof and conform to LCDS standards.
3. The applicant needs to show on relevant plans the waste storage capacity and demonstrate how this meets relevant Council standards.
4. Servicing and delivery arrangements for the site should be outlined.
5. Clarity is sought as to what works will be required as to the change of use and how this 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.

LBH Private Sector Housing team: There is an existing section 257 HMO licence on the property for the self-contained units. This will need to be revoked to allow for a Mandatory HMO licence to be applied for.

The development itself looks to comply with our standards for number of facilities provided. The rooms will need to be a total of 15m² or over for couples to occupy them.

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

HMO accommodation plays an important role in meeting particular housing needs, especially for low-income residents, young people and those needing temporary accommodation, however as set out in Haringey's Development Management DPD 2017 (Para. 3.36) there are broader concerns in respect of losing family units to conversions, with HMOs heavily concentrated in the east of the Borough, with this leading to what it describes as "a significant loss in the availability of family housing for which there is strong need."

As such Policy DM17 set out specific criteria that is required to be met to allow approval of the conversion of a home to an HMO within the area covered by the Article 4 Direction, specifically:

- a. The gross original internal floor space of the existing dwelling is greater than 120m²:

Comment: The gross original internal floor space of the original dwellinghouse is below 120m² and therefore considered too small for conversion, contrary to Policy DM17 of Haringey's Development Management DPD 2017.

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

Comment: The Council's record show that there is one other HMO in the same post code.

- c. They are accessible by public transport, cycling and walking;

Comment: The site is located within an area with a Public Transport Accessibility Level (PTAL) 4 which is deemed to be good access. There is 1 bus services accessible within 1 to 2 minutes walk of the site. The site is also within walking distance of Bruce Grove Overground station and therefore overall, the site is considered to have an acceptable level of access to public transport.

- 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.

Comment: 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 rooms, causing a cramped front garden.

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

Comment: Haringey standards for HMOs require that one kitchen is shared per three room lettings. In the case here there is one set kitchen of kitchen facilities per four person lettings (x2), which could lead to overcrowding and so is considered to be inadequate.

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

Room | Size (sqm) | Letting no. | Minimum requirement (sqm) | Floor level

Bedroom A | 24.5sqm | 2 person | 15sqm | Ground floor

Bedroom B | 18.3sqm | 2 person | 15sqm | First floor

Bedroom C | 30sqm | 2 person | 15sqm | First floor

Bedroom D | 30sqm | 2 person | 15sqm | Loft floor

The proposed converted space has similarities to the approved self-contained flats under reference HGY/2019/0678, with the exception of the separate shared kitchen space.

Each room has an ensuite and dining table that is capable of seating 4 people. Due to the shared kitchen/living area on the ground floor, each room meets the minimum requirement for a two person letting considering that the shared kitchen is provided separately. However, whether proposed rooms A, C, and D could be converted into bedsits is up for debate, because their floorspaces exceed the minimum requirement of 20sqm.

The shared kitchen/living area is on the ground floor and has floor area of 15.7sqm according to the drawings, but was measured at 18sqm, and has 2 sets of kitchen facilities to serve 8 persons. Haringey's standards for HMOs require that one kitchen is shared per three room lettings. In this case it would be one kitchen facility per four lettings, which can lead to overcrowding, and in addition, Bedroom D is more than one floor away from the shared kitchen on ground floor. Therefore, this considered to be unacceptable.

The proposed conversion would result in sub-standard accommodation by reason of inadequate provision of on-site kitchen facilities for the number of lettings and overcrowded accommodation providing a poor living environment for future occupiers, contrary to Policy DM17 of Haringey's Development Management DPD (2017) and Haringey's HMO standards.

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 proposal provides 5 bicycles stores, which is below the requirement for a C4 HMO double letting, as it would need to provide 6 bicycle stores instead according to Policy T5 of the London Plan 2021. Long-stay cycle parking should be easily accessible, secure and weatherproof. Currently, the plans show that it could 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 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 lettings.

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 with regards to inadequate supply of kitchen facilities for the number of lettings, 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 DM17 of Haringey's Development Management DPD 2017.

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 DM17 of the Haringey Development Management Plan 2017.

The proposed conversion would result in sub-standard accommodation by reason of inadequate provision of on-site kitchen facilities for the number of lettings and overcrowded accommodation providing a poor living environment for future occupiers, contrary to Policy DM17 of Haringey's Development Management DPD (2017) and Haringey's HMO standards.