



Officer Report

Application Number:	HGY/2023/2595
Application Type:	Full planning permission
Address:	130 Manor Road, Tottenham, London, N17 0JE
Proposal:	Subdivision of existing dwellinghouse to create two dwellings and associated works.
Case Officer:	Zara Seelig
Valid Date:	27/09/2023
Applicant:	c/o Agent
Agent:	Zoe Tozer

RECOMMENDATION

Refuse

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the subdivision of existing dwellinghouse to create two dwellings and associated works.

Site and Surroundings

The application site is a two storey end of terrace dwelling situated on the Northern side of Manor Road. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site. The site is situated within a family housing protection zone.

Relevant Planning and Enforcement history

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

HGY/2023/0780 – Two storey side extension, roof extensions and ancillary outbuilding – Refused permission

HGY/2023/1864 – Two storey side extension, rear dormer extension and erection of ancillary garden office – Approved (with conditions)

Officer comment: It has since come to light that the area of land that the proposed ancillary garden office is to be situated is not under the sole ownership of the applicant and is in fact a right of way to the garages/rear of the houses of Park Lane. This was raised with the agent who confirmed they do not solely own the land, however, I informed them it is at their own risk to construct the garden office building and is highly likely to result in legal action from neighbours.

Consultation response

The responses below were received following consultation on the application:

LBH Transportation Team: consulted, response in the transport section below

2. LOCAL REPRESENTATIONS

The application has been publicised by way of 28 neighbour consultation 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:

Objecting: 3

Supporting: 0

Commenting: None

The following Councillor(s) made representations:

- Cllr Bevan – Objection:

“As a Cllr of long standing, I am responding to this application. I have visited the above address, and my comments are below and are based on my observations and local knowledge during my 20 years as a Cllr for this ward and as the Design Champion for Haringey. I observe that there is already an extension at the back, am unsure if this was given planning permission?

In addition, I now refer to the MAYOR of London’s Planning Guidance, March 21, in particular the requirements of the size standards that The Mayor now requires. I would require that this proposal does comply with the above standards and indeed building regulations. I note that The Mayor is maintaining the existing size standards in the above London Plan.

I have concerns as to an acceptable standard of light and single aspect issues that may impact, including to internal areas and to any loss of amenity space.

I am also concerned that this application would result in a permanent change to the existing property which would in effect result in the permanent loss of a family housing unit, of which there is still a pressing need within the borough. It is for this reason that the Council introduced an article 4, this permission if given would be against this policy.

I am therefore opposing this application, this further application and request that permission be refused.”

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:

- None

The following issues raised are not material planning considerations:

- Blockage/encroachment of right of way to the rear of the application dwelling as a result of the proposed outbuilding and wall erected.

Officer comment: The issue regarding the previously approved outbuilding and the encroachment of the right of way was raised with the agent and they confirmed that the applicant did not own that area of land and so a revised site/block plan was submitted to not include this area of land. Any construction of walls/outbuildings on this area of land would be a civil matter and not a matter for the planning departments enforcement team.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of the development;
2. Design and Appearance;
3. The impact on the amenity of adjoining occupiers;
4. Living conditions for future occupants;
5. Parking and highway safety.

Principle of the development

Policy DM16: Residential Conversions states the following:

A To maintain a supply of larger family homes to meet Haringey's housing need, the Council will only permit the conversion of a larger home(s) to small self- contained homes (Class C3) where:

- a. It is located outside of the Family Housing Protection Zone as shown on Figure 3.1;
- b. The gross original internal floor space of the existing dwelling is greater than 120m²;
- c. The proposal satisfies all other relevant policies, including the minimum internal space standards, the provision of satisfactory levels of amenity space, privacy, daylight, parking and access, and adequate and convenient refuse storage and collection;
- d. The resulting units achieve internal configurations that are practical and fit for purpose, including vertical and horizontal stacking arrangements that minimise noise transfer between homes, including neighbouring homes;
- e. The design of any external alterations does not detract from the appearance of the property or the street scene and, wherever possible, retains a single door to the front elevation of dwellings in residential areas;
- f. The balance of hard and soft landscaping on the forecourt (including forecourts that are already substantially hard-surfaced) does not detract from the appearance of the property or the street scene; and
- g. The proposal provides for a mix of unit sizes in line with Policy DM11.

B Conversions within the Family Housing Protection Zone will only be considered acceptable where they comply with criteria (b - g) above and result in no net loss in the number of family sized units.

C Where existing garden land is available the Council will seek to optimise the total amount of private amenity space and access to this space for residents.

D All residential conversions should be supported by a car parking survey which demonstrates that there is residual car parking supply to meet the need created by the proposal.

The original house, as built and not including extensions, measures 40.57m² at ground floor level and 41.31m² at first floor level. This totals 81.88m² which falls far short of the required 120m² and so the proposal would not be compliant with part A (b) of policy DM16 and is therefore not considered acceptable.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

The extensions shown on the plans have been previously approved under reference HGY/2023/1864 and no further extensions are being applied for under this application. As such, the proposal is considered to be in accordance with the above policies.

Impact on the amenity of adjoining occupiers

DM Policy (2017) DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The Council will support proposals that provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development.

There are no extensions proposed as part of this application, the proposed conversion is not considered to adversely impact neighbouring amenity by reason of overbearingness, loss of daylight/sunlight or loss of privacy. As such, the proposal would not have any significant impact to the amenity of neighbouring properties in accordance with the above policies.

Living conditions for future occupants

Two Flats are proposed. Each complies with The London Plan (2021) space standards. Both proposed flats would also have access to their own private rear garden.

Flat no.	Flat type	Space (sqm)	London Plan Requirement	Complies?
1	1B2P - 1 storey	50	50	Y
2	3B4P - 3 storey	90	90	Y

The proposal is considered acceptable in terms of living conditions for future occupants.

Parking and highway safety

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'.

There are no transport objections regarding this application.

Conclusions

The original house on site does not exceed 120sqm. The proposal would therefore fail to comply with policy DM16.

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 development is less than 100 square metres and as such regulation 42 'minor development exemptions' applies and in addition the proposal is not for a whole new unit (a unit created entirely from new floorspace).

6. RECOMMENDATION

REFUSE PERMISSION, for the following reasons:

1. The original un-extended floor area of the property fails to meet the required minimum 120sqm internal floor area threshold set out in the Council's adopted conversion policy DM16. As such the proposal would be contrary to Policy SP2 of the Haringey Local Plan (2017) and Policy DM16 of Haringey's Development Management DPD (2017).

Refusal Reasons:

The original un-extended floor area of the property fails to meet the required minimum 120sqm internal floor area threshold set out in the Council's adopted conversion policy DM16. As such the proposal would be contrary to Policy SP2 of the Haringey Local Plan (2017) and Policy DM16 of Haringey's Development Management DPD (2017).