



Officer Report

Application Number:	HGY/2023/2609
Application Type:	Full planning permission
Address:	1 Colless Road, Tottenham, London, N15 4NR
Proposal:	Erection of a ground floor infill extension, conversion of garage to residential, alterations to front elevations, and change of use from C4 small HMO to sui generis large HMO to accommodate a maximum of 8 occupants.
Case Officer:	Oskar Gregersen
Valid Date:	16/10/2023
Applicant:	Mr. Joel Friedman
Agent:	Mr. Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the conversion of an existing C4 HMO to a Siu Generis Large HMO, alongside conversion of existing garage to habitable room and erection of a small 3.95m deep infill extension to facilitate this conversion.

Site and Surroundings

The application site is – set out details of the site – land levels, trees, conservation areas, listed buildings, relationship to surrounding area etc.

Relevant Planning and Enforcement history

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

PLANNING CASES (2)

1 - HGY/1998/0812

Address: 1, Colless Road, London, N15 4NR, London

Proposal: Conversion of the property into 2 self contained flats.

Decision: Approve with Conditions

2 - HGY/2023/2608

Address: 1 Colless Road, Tottenham, London, N15 4NR

Proposal: Erection of single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 3m and for which the height of the eaves would be 3m

Decision: Not Required

ENFORCEMENT CASES (2)

1 - FCV/2013/00926

Address: 1 Colless Road, Tottenham, London, N15 4NR

Breach: Change of Use – Flat Conversion

Resolution: Case Closed – No Breach

2- HMO/2018/00304

Address: 1 Colless Road, Tottenham, London, N15 4NR

Breach: House in Multiple Occupation

Resolution: Case Closed - Immune

2. CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

1 - LBH HMO Licensing

Licensing were consulted on the density of HMO properties in the area, the resultant observations being that there are currently 2 in the area, with the application site being included in that number.

2 - LBH Transport

Transport Colleagues were consulted on the provision of cycle parking, and they noted that one parking space provided for each of the occupants would be sufficient in a secure storage unit.

3. LOCAL REPRESENTATIONS

The application has been publicised by way of 71 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: 9

Objecting: 9

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:

- Sui Generis HMO Out of character for the area
- Disturbance concerns from large HMO
- Loss of garden amenity area
- Conversion of garage out of character
- Side infill extension overshadowing/overbearing
- Insufficient waste storage

The following issues raised are not material planning considerations:

- Impact on property values

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Standard and quality of residential accommodation;
3. Impact on neighbouring amenity.

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.

Permission is sought for the conversion of an existing garage into a habitable room, and the addition of a 3.49m deep by 2m wide side infill extension to facilitate the conversion of an existing C4 Small HMO to a Sui Generis large HMO.

The conversion of the garage would see the removal of a wooden double garage door and its replacement with a 4-pane window finished in materials similar to that of the existing. The proposed new frontage would not appear in contrast with the surrounding terrace, as this site has a fundamentally different appearance to the surrounding sites by virtue of being semi-detached and therefore wider than other homes in the terrace. Officers note that the proposed alterations to the garage could be achieved under Permitted Development, and as such can be supported.

The proposed side infill extension would be 3.49m deep by 2m wide, with a total height of 2.83m at the boundary with No.3 Colless Road and finished in materials to match that of the existing building. This element of the proposal is deemed to appear sub-ordinate to the host building, as it is very large and benefits from a sizable garden.

The proposed cycle storage units would be finished in timber cladding and located at the rearmost portion of the rear garden. These structures would be 2.25 x 2.18m and would be 1.5m tall. The proposed bin store would be finished in a similar material however would be smaller to accommodate refuse storage.

Overall, the proposed physical alterations to the host building are deemed to be proportionate and considerate, whilst providing additional space for the occupants of No.1 Colless Road, and would generally comply with London Plan (2021) Policy D6 as well as Local Plan (2017) Policy SP11 and DPD Policies DM1 and DM12.

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.

DPD Policy DM14 states that sites with the area covered by Article 4 direction requiring permission for conversion of large houses into Houses in Multiple Occupation (HMO), must have an gross internal floor area larger than 120sqm, not give rise to significant adverse impact on the surrounding area or overconcentrate the area with HMOs, they must be accessibly by public transport and provide a quality of accommodation that accords with relevant policies of the London Plan such as providing adequate cooking facilities where non self-contained.

In this instance permission is sought for the conversion of an existing Class C4 HMO into a Sui Generis HMO, facilitated by the conversion of a garage into a habitable room and the addition of a 3.95m deep side infill extension.

The existing gross internal area of the original house is well over 120sqm, and when considering already approved and proposed additions the site will provide significant amounts of room for the occupants. Additionally, it is proposed to provide a kitchen on each floor with a dining room at ground floor level which would be accessible to all occupants.

The application site is located in an area designated as PTAL 6a, and as such is highly connected to public transport services, satisfying part A(c) of DM14.

Additionally, the applicants have shown provision for covered secure cycle parking for up to 8 bicycles located rear garden, with a bin store in front offering storage for 4 240l refuse bins. This cycle and waste storage provision is seen to be acceptable for the proposed occupancy of the site, provided adequate collection of refuse.

The rooms would range from 11.68sqm including ensuite bathroom, to 16.27sqm with ensuite. By virtue of the provision of a kitchen on each floor and the layout of the proposed rooms, they are deemed to comply with Haringey HMO standards (2017) for lettings to single occupants.

Colleagues in LBH HMO Licensing were consulted as part of this application as to the density of HMOs in the area, and the response was that there are two in the area, one of which being the application site. As such it is not deemed that the change from Class C4 Small HMO to Sui Generis large HMO would cause overconcentration of HMOs in the area as the site is currently known to the LPA as an HMO and an additional two individuals occupying the site is not deemed as excessive.

Officers note that objections were raised about the site stating that there could be more than the permitted 6 individuals occupying the site. It is deemed that the additions made to the site, in the form of conversion of uninhabitable garage space, and the infill extension, would improve the conditions of the building.

Overall, Officers deem that the change from Class C4 Small HMO for up to 6 occupants to Sui Generis Large HMO for up to 8 occupants would not cause demonstrable harm to the surrounding area, and would provide an acceptable standard of living for those occupying the site, compliant with London Plan (2021) Policy D6 and DPD Policy DM17.

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.

With respect to the impact on neighbouring amenity, the chief concern with this application would be the issues of allowing an addition 2 persons to occupy the site as multiple objections have been raised as to issues of disturbance and mess on the site. It is currently unclear how many individuals occupy the Class C4 Small HMO, however this would be permitted to be anywhere up to 6. The applications seeks to increase this number to a total of 8.

Given that up to 6 unrelated individuals can occupy 1 Colless Road at this time (the site has been shown to be immune from enforcement action through closed cases FCV/2013/00926 and HMO/2018/00304), it is deemed that an additional 2 individuals would cause demonstrably more harm to neighbouring amenity. The site benefits from over 960L of refuse storage, proposed to be stored in covered timber units, and is semi-detached with a minimum of 10.8m from the nearest property to the west.

Officers deem that the proposed conversion, by virtue of small infill extension, and conversion of garage, from Class C4 HMO to Sui Generis Large HMO would be acceptable, as the addition of 2 individuals would not cause demonstrably more harm and would provide accommodation in an area of the borough where private rent is in demand.

The proposed physical alterations to the building, in the form of conversion of the existing garage and 3.49m side infill extension, would appear subordinate to the host building, and would not cause any issues of overlooking or overshadowing of neighbouring properties and would be compliant with London Plan (2021) Policy D6 and DPD Policy DM1.

Conclusion

The proposal is considered acceptable as the proposed physical alterations to the building would appear sub-ordinate to the host building and surrounding area, and the conversion from C4 Small HMO to Sui Generis large HMO would provide adequate space for proposed occupants whilst being compliant with DPD Policy DM17. Overall the proposal would comply with all relevant policy and can be approved.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted/refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

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.

5. RECOMMENDATION

GRANT PERMISSION subject to conditions

Subject to the following condition(s)

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:**INFORMATIVE: Land Ownership**

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.