



Officer Report

Application Number:	HGY/2023/2951
Application Type:	Full planning permission
Address:	Dental Practice, 4 Maidstone Road, Wood Green, London, N11 2TP
Proposal:	Proposed change of use current ground floor Dental Surgery (Use class E) back to Use Class C3 residential, with re-modelling to provide additional two self-contained flats. Alterations to the rear elevation to provide internal terrace for the existing first floor flats.
Case Officer:	Kwaku Bossman-Gyamera
Valid Date:	01/11/2023
Applicant:	Mrs A West
Agent:	Mr Timothy Barnard

RECOMMENDATION

Refuse

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for proposed change of use current ground floor Dental Surgery (Use class E) back to Use Class C3 residential, with re-modelling to provide additional two self-contained flats. Alterations to the rear elevation to provide internal terrace for the existing first floor flats.

Site and Surroundings

The application site is a two-storey semi-detached house, with a front bay window and sizable rear garden situated on the south-eastern side of Maidstone Road. The ground floor level is currently occupied by dental practice since the 1980s with the residential accommodation on the upper floor level. Surrounding area is residential in character.

The site is not located within any conservation area and does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement history

There is no 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 comments

3. LOCAL REPRESENTATIONS

3.1 The application has been publicised by way of 18 letters. The number of representations received from neighbours, local groups, 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:

- Objections on the grounds that the premises has been used as a dental practice since 1980 serving the local community and should remain with its current use rather than being converted to flats.

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. Transport considerations.

Principle of development

The proposal would involve the loss of a community facility (Dental Surgery) and must therefore meet the requirements of Policy DM49. "Managing the provision and quality of community infrastructure)." This policy seeks to protect existing social and community facilities unless a replacement facility is provided which meets the needs of the community. It requires that where a development proposal may result in the loss of a facility, evidence will be required to show that:

- a. The facility is no longer required in its current use.
- b. The loss would not result in a shortfall in provision of that use; and
- c. The existing facility is not viable in its current use and there is no demand for any other suitable community use on the site.

Criteria C of the Policy DM49 further stipulates that "the evidence should also provide relevant accounts and marketing information demonstrating that the premises has been marketed for use as a community facility for a reasonable length of time (minimum 12 months) and that no suitable user has been/or is likely to be found".

The submitted application is not supported by any conclusive documentary evidence with respect to the requirement of Policy DM 49. No evidence has been submitted with the application to demonstrate that the loss of the dental's surgery is unlikely to detrimentally impact on the surrounding community. No other evidence has been provided to demonstrate that any other community uses are not viable in this property.

The information contained within the submitted application is insufficient for the Local Planning Authority to adequately consider the relevant planning factors with regards proposed development. Information in support of the application has not been provided following a request. As such the applicant has also failed to provide any conclusive evidence with respect to the loss of community facility including the use described and within requirement of Policy DM49 of the adopted Development Management DPD (2017). Therefore, proposal fails to comply with requirements of with Policy DM49.

The local planning authority consider that the application is not supported by sufficient documentary evidence as required by Policy DM49 to demonstrate that other dental facilities are available within close proximity and as such patients will be able to gain access to these surgeries. On balance the proposed change of use is considered unacceptable as the applicant has failed to provide any evidence or conclusive documentary evidence to show that other community facilities are not viable.

Design and appearance

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. 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 proposal includes external alteration to the first-floor rear of the building to provide internal or enclosed terrace for the benefit of the first-floor flats. The proposal involves the formation of a new canopy to the rear first floor level by removing the existing rear brickwork and replaces with a new glazed balustrade with fence divide to provide amenity space for the existing first floor flats. The design and appearance are acceptable and located to the rear and would not be visible from the street scene. Proposed alteration would not result in any overlooking or loss of privacy to the adjoining occupiers and as such not considered to be detrimental to the visual amenity of the surrounding area.

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 proposed Gross Internal Area of the two new residential units meets the London Plan minimum standards for a 2 bed 4 person flats respectively. The minimum standards prescribed for individual rooms also conform comfortably with these standards.

The proposed ground floor flats would have direct access to rear garden. In assessing the proposal against the above requirements, the new residential units would accord with the minimum unit size requirements and provide a satisfactory quality of accommodation.

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 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'.

Due to the sites high PTAL 6(a), the existing vehicle crossover and existing use as a dentals surgery with people coming to and from the site it is unlikely that the change of use at ground floor level would have a detrimental impact on the parking and highway safety of the area. It is noted that the applicant has not provided sufficient detail to show parking; nor have they provided sufficient bin storage or detailing on the cycle storage. Further details could be provided if the proposal were acceptable in all other respects.

Conclusion

The proposed change of use of the property, by virtue of insufficient evidence being provided to show that the property is no longer viable as Community Facility and there is no demand for any other suitable community use on the site, fails to protect existing social and community facilities contrary to Policies S1 and S2 of the London Plan 2021, Policy SP14 of the adopted Haringey Council's Local Plan 2017 and Policy DM49 of Haringey Council's Development Management DPD 2017.

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 property, by virtue of insufficient evidence being provided to show that the property is no longer viable as Community Facility and that there is no demand for any other suitable community use on the site, fails to protect existing social and community facilities, which is contrary to Policies S1 and S2 of the London Plan 2021, Policy SP14 of the adopted Haringey Council's Local Plan 2017 and Policy DM49 of Haringey Council's Development Management DPD 2017.