



Officer Report

Application Number:	HGY/2023/2993
Application Type:	Householder planning permission
Address:	8 Brampton Park Road, Wood Green, London, N22 6BG
Proposal:	Retrospective change of use from C3 Dwelling house to C4 House of multiple occupancy (6 People). Proposed replacement of single storey rear elevation extension with a new enlarged single storey structure with larger windows. Creation of bike storage in rear garden.
Case Officer:	Mercy Oruwari
Valid Date:	06/11/2023
Applicant:	Mark Raskin
Agent:	Joshua Valler-Feltham

RECOMMENDATION

Approve with Conditions

1. SITE LOCATION

The subject site is an end-of-terrace residential property on the north side of Brampton Park Road, which is a cul-de-sac that connects to A105/High Road, Wood Green. The neighbouring properties are residential in nature characterised by 3 storey dwelling houses and subdivided flats. This site is not in a conservation area nor is it within the curtilage of a listed building.

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 the retrospective change of use of this property into a House in Multiple Occupation (HMO) (Class C4) for 6 people. The proposal also includes the replacement of the single storey rear extension with a new enlarged structure with larger windows, and the creation of a bike storage in the rear garden. There would be some internal reconfiguration of the layout of the rooms to create a better flow and use of space.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

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

- ENF/2023/0420 – Unauthorised conversion into flats – Ongoing

- HMO/2015/00280 – Unauthorised change of use to large House in Multiple Occupation – Enforcement Notice Served – Appeal Withdrawn (APP/Y5420/C/16/3158699) – Closed Enforcement Notice complied with
- PRO/2012/00027 - Unauthorised change of use to 8 self-contained flats – Enforcement Notice Served – Appeal Dismissed (Appeal A Ref: APP/Y5420/C/12/2185564/ Appeal B Ref: APP/Y5420/C/12/2185816)

4. INTERNAL & STATUTORY CONSULTATION

The following were consulted regarding the application:

LBH Transportation Group: No objection

LBH Planning Enforcement: No objection – In relation to the ongoing Enforcement case ENF/2023/0420 the locks on the doors result in creating two divided areas (units). In order to rectify this the doors/locks on doors leading to communal areas would need to be removed to ensure access for all the occupiers (kitchens x2 and rear garden). A condition should be added in relation to this.

5. LOCAL REPRESENTATIONS

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: 0

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.

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 original un-extended floor space of the property exceeds 120m² and therefore complies with this requirement.

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 property is a large house so therefore is suitable for a conversion and the property is close to the end of the terrace making it suitable for a HMO, The proposal here therefore does not affect the availability of family accommodation in the locality. It also needs to be borne in mind that HMOs provide an important source of accommodation as reflected in London and local planning policy.

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) 6a which is deemed to be high level access. There are 11 different bus routes accessible within 2 to 3 minutes' walk of the site. The site is also within walking distance of Wood Green Underground station and Turnpike Lane Underground 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 proposed HMO would have two large kitchens located on the ground floor and first floor which complies with HMO licensing standards. The scheme is acceptable in terms of the rooms sizes and the number of residents. The Council's HMO licensing regime provides for further safeguards to ensure the accommodation is acceptable and kept to an acceptable and safe standard.

With regard to the stacking there may be some transfer of noise from the kitchens to the rooms above, however, in a HMO where there is shared space residents cannot reasonably be protected from noise to the same extent as might be possible in self-contained accommodation.

The proposed refuse storage includes 2x 240L Recycle Bins, 2x 240L Refuse Bin, 1x 32L Food Waste. The frontage of the site has sufficient space for the storage of refuse bins. A condition is being placed on the consent here asking for details for the storage and screening of refuse bins.

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 two kitchens would be provided and therefore would be in compliance with HMO standards.

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.

It is noted that the rear extension as existing, and the ground/first floor infill extension adjoined to No 9 do not have any official planning permission. The ground and first floor infill extension are not part of this proposal.

The proposal does include increasing the width of the single storey rear extension at the back of Room 1 on the ground floor. The height and depth would remain the same as the existing extension. The rear facing window would also be enlarged to allow better access to light.

In addition, to the enlargement of the existing extension a secured cycle storage would be constructed in the rear garden to store bikes. The storage would be approximately 1.2 metres high and around 2.7 metres away from the back of Room 1.

Overall, the works are very modest in scale. The proposal is considered proportionate and subordinate to the host building and would not negatively impact the amenity of the site, or adjoining properties. Therefore, the local character and visual amenity of the area would be protected.

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 proposal includes 6x rooms capable of accommodating 6 people (2x ground floor/ 2x first floor/ 2x second floor). The layout of the HMO is such that two large kitchens would be provided (1x ground floor/ 1x first floor), and each room would have an en-suite toilet/shower. Internal adjustments have been made to the layout. A secondary door/partition would be created to the access of the ground floor kitchen. This would create a mini hall and separation for the ground floor rooms 1 and 2 from the communal kitchen area. On the first floor Room 4 and the kitchen would switch locations. The kitchen would be moved to the rear, and Room 4 would move to the front of the property. This would give the occupier of this room a larger space and better access to light. The alteration to the ground floor extension would also give Room 1 better access to light, thereby improving their living conditions.

Following an investigation by Planning Enforcement and observed on a site visit it has been noted that the door to the ground floor area and the door at the bottom of the stairs to the upper floor areas both have locks. It has been agreed that the locks would be removed to allow all the future occupiers to access both kitchens and the communal garden. As requested by Planning Enforcement a condition would be added to the approval that no locks will remain or be installed in the future on doors leading to communal spaces within the property.

The standard of accommodation is considered satisfactory and would comply with HMO licencing requirements, therefore acceptable.

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.

The alterations to the rear of the property would not adversely affect the amenity of neighbouring occupiers. As such the physical alterations are acceptable in amenity terms.

In terms of the use, the change to a 6 person HMO is not significant in planning terms. The comings and goings would remain similar to the existing use as a large single household family. In planning terms, the LPA do not have sufficient evidence to demonstrate that the conversion here would lead to an over-concentration of HMO development.

Whilst a maximum of 6 people, consisting of occupants forming different households may generate additional activity, such as the general coming and going of people and their visitors, and in the use of the rear outdoor space, the increase in activity likely from the proposal would not impact neighbouring properties to a detrimental level. The noise levels and levels of general disturbance are only likely to increase from increased occupancy by a small degree due to the relatively low number of people occupying the property.

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 and 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'.

The site has a PTAL score of 6a, so it has very good access to public transport links such as Wood Green Underground train station to the north and Turnpike Lane Underground train station to the south via A105/High Road. The proposal has been provided with a secured and sheltered cycle storage in the rear garden to accommodate 10x bikes.

The Council's Transportation Team have raised no objection to this application. The use of this property as a HMO is not considered to have any greater impact on parking conditions over and above the existing extant use of the property as a family dwelling. A condition to ensure secure cycle storage is provided for the beneficial use of future occupation of this HMO is imposed. On this basis it is considered that the development would result in any unacceptable impacts on highway safety or local parking conditions.

A HMO use of this size does not meet the threshold to be designed as 'Car Free', specifically as rented and HMO occupation generates much lower levels of car ownership than the general population. Equally there is also no evidence to show that a HMO would lead to more vehicle ownership and demand for on-street parking greater than that associated with a dwelling house.

Conclusion

The proposed conversion to a HMO is considered acceptable and will provide an acceptable layout and standard of accommodation for future occupiers, with no unacceptable impact on the living conditions or on the highway network in relation to parking.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. CIL APPLICABLE

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

The application is recommended for approval subject to the following conditions:

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.
- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.
- 4 The shared facilities including the ground/first floor communal kitchens and the garden as shown in drawings PR-P001 and PR-P002 will be made openly accessible/available to all occupants of the premises. No locks should be kept or installed in the future on doors accessing these communal areas.

Reason: In the interests of providing necessary amenities and an acceptable standard of accommodation with the use of this property as a house of multiple occupation.
- 5 The shared facilities including the ground/first floor communal kitchens and the garden as shown in drawings PR-P001 and PR-P002 will be made openly accessible/available

to all occupants of the premises. No locks should be kept or installed in the future on doors accessing these communal areas.

- 6 As outlined in the approved plans the provision of refuse and waste storage and recycling facilities shall be implemented within 1 month from the date of this approval and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017.

- 7 As outlined in the approved plans the provision of the secured cycle storage in the rear garden shall be implemented within 3 months from the date of this approval and permanently retained thereafter.

Informatives:

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.

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: 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.