



Officer Report

Application Number:	HGY/2023/3384
Application Type:	Full planning permission
Address:	Shop, 74 Turnpike Lane, Wood Green, London, N8 0PR
Proposal:	Remove ground floor temporary structure; construct 3 storey rear extension to extend kitchen for existing restaurant (ground floor) and facilitate change of use from HMO bedrooms (Use Class C4) into Class C3 dwellings comprising 1 no. two bed unit (first floor) and 2 no. one bed units (second floor & third floor), install replacement ventilation equipment & external flue to the rear
Case Officer:	Zara Seelig
Valid Date:	21/12/2023
Applicant:	Kian Parmar
Agent:	Sachin Parmar

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application to remove the ground floor temporary structure; construct a 3 storey rear extension to extend kitchen for existing restaurant (ground floor) and facilitate change of use from HMO bedrooms (Use Class C4) into Class C3 dwellings comprising 1 no. two bed unit (first floor) and 2 no. one bed units (second floor & third floor), install replacement ventilation equipment & external flue to the rear.

Site and Surroundings

The application site is a mid terrace building consisting of a café/restaurant at ground floor level and the upper 3 floors consisting of a residential unit situated on the Northern side of Turnpike Lane. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site.

Relevant Planning and Enforcement history

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

HGY/2002/0198 - Change of Use of ground floor from office to (A3) restaurant and the erection of an extract flue to the rear elevation. - Granted permission.

HGY/2012/2455 - Change of use from A1 (retail) to A3 (restaurant) and installation of flue to rear elevation - Granted permission

HGY/2022/2376 - This planning application intends for the conversion of the existing vacant/ former HMO upper floors into a 2bed-3p flat at the first floor and two 1bed-2p flats at the second and third floor, involving the two storey rear extension. – Withdrawn

HGY/2022/4142 - This planning application intends for the conversion of the existing vacant former residential unit at the upper floors into a 3bed-4p family unit at the first floor and two 1bed-2p flats at the second and third floor, involving the two storey rear extension. – Refused for the following reasons:

1) The proposed extensions, by virtue of its excessive height, depth and massing, is not subservient in appearance to the host building, resulting in an overdevelopment of the site which is out of keeping with the pattern of development within the row of buildings, contrary to policies SP11 of the Local Plan 2017, policy DM1 of the Development Management DPD 2017 and policy D4 of the London Plan 2021, that all seek to promote high quality design.

2) The excessive bulk, scale and massing of the proposed rear extensions would be visually overbearing in appearance, result in an unacceptable impact on neighbouring amenity in terms of overshadowing, loss of light when viewed from the rear gardens and windows of neighbouring occupants and create an increased sense of enclosure. The proposal is therefore contrary to policies DM1 of the Development Management DPD 2017 and D6 of the London Plan 2021.

2. CONSULTATION RESPONSES

The responses below were received following consultation on the application:

Internal: Transport – Consulted, no response received

External: None

3. LOCAL REPRESENTATIONS

The application has been publicised by way of 29 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: 5:

- 76A, Flat 1, Turnpike Lane
- 76A, Flat 2, Turnpike Lane
- 76A, Flat 3, Turnpike Lane
- 76 Turnpike Lane
- Ground Floor Shop, 76 Turnpike Lane

Supporting: None

Commenting: None

The following local groups/societies made representations:

- None

The following Councillor(s) made representations:

- None

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:

- Loss of daylight
- Noise
- Overbearingness & Overshadowing
- Floor plans and Elevations differ

The following issues raised are not material planning considerations:

- Structural implications on neighbouring properties

4. MATERIAL 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; and
6. Other considerations.

Principle of the development

Additional housing

Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development. Permission will be granted by the Council unless any benefits are significantly outweighed by demonstrable harm caused by the proposal. Local Plan Policy SP1 sets out the strategic vision to provide up to 20,410 new homes by 2026, which aligns with the aspirations of Policy SP2 which has a current target of providing 1,502 new homes a year in Haringey between the period 2015 to 2026, in line with the London Plan (MALP) 2021.

The creation of an additional housing unit here is supported by Local Plan Policies SP1, SP2 and London Plan Policy H1. The principle of additional housing in the borough is therefore supported, subject to all other planning considerations.

Residential conversion

With regards to the principle of conversion, DM policy DM16 states that the Council will only permit conversion of larger family homes to small self-contained homes where it is located outside of the Family Housing Protection Zone (FHPZ) and the gross original internal floor space of the existing dwelling is greater than 120m². When the property is located within the FHPZ, there must not be any net loss of family-sized units (3 bedroom or more).

The proposal states the upper floors are being used as an HMO, however, the exiting floor plans show it as a 3 bedroom unit and the previous application description states “conversion of the existing vacant former residential unit at the upper floors” and there is no planning history to confirm permitted use of the upper floors as an HMO. Part B of policy DM16 states “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.” In this case, the proposal does not include the provision of a family sized unit and is therefore contrary to policy DM16.

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 proposed development has been reduced in size from that previously considered unacceptable. The proposal was previously considered unacceptable due to the extensions extending beyond the adjoining property no. 72 at first floor, the proposed depth has been reduced to be in line with the neighbouring upper floor extensions at no. 72. The proposed extensions are now in line with the pattern of development of the properties from no. 72 to no. 60 with an outrigger style 3 storey extension.

As such, the extension is therefore considered acceptable within its context in terms of design and is in compliance with policies SP11 of the Local Plan 2017, policy DM1 of the Development Management DPD 2017 and policy D4 of the London Plan 2021, that all seek to promote high quality design.

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.

Three Flats are proposed. One unit is not in compliance with The London Plan (2021) space standards.

Flat no.	Flat type	Space (sqm)	London Plan
Requires		Complies?	
1	2B3P - 1 storey	60.6	61 N
2	1B2P - 1 storey	56.43	50 Y
3	1B1P – 1 storey	40	39(or 37 where there is a shower room) Y

The quality of residential accommodation to be provided is poor. Only two of the three units proposed comply with the nationally described space standards minimum floorspace provision and flat 1 does not comply with the minimum bedroom sizes, for a double room the minimum is 11.5m² and flat 1 bedroom 1 provides 11.14m². In addition, no outdoor amenity space has been provided as part of the application, as required in the Mayor of London's Housing Design Quality and Standards SPG section C1.4 in conjunction with policy D6. The proposal would therefore not comply with policy D6 of the London Plan (2021), policies SP2 and SP11 of the Haringey Local Plan (2013), the Mayor of London's Housing SPG and policies DM1, DM11 and DM12 of Development Management DPD (2017).

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 residents.

The proposal, due to its height and depth along the boundary line with no. 76, effectively creating a new three-storey wall where there it is currently open, would adversely impact the amenity of the neighbouring properties at 76 Turnpike Lane by way of overbearingness, overshadowing, loss of daylight/sunlight, outlook and create an increased sense of enclosure to the upper floor windows. The proposal is therefore contrary to policies DM1 of the Development Management DPD 2017 and D6 of the London Plan 2021.

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'.

DPD Policy DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people; and parking is designated for occupiers of developments specified as 'car capped'.

The site is within a PTAL rated area of 6a with excellent access to public transport, the proposal does not include off road parking. No transport statement was submitted with the application, a minimum of 5 spaces within secured and sheltered cycle storage is required in line with the London Cycling Design Standards, the proposals provision of 3 spaces therefore falls short of the requirement. More information is required regarding refuse storage, it is not clear how the bins will be stored, how they will be collected and if the access to the bin store is within the regulations set out by the councils Waste Management Service.

5. CONCLUSION

The proposal is considered not acceptable for the reasons set out above and does not comply with relevant planning policy.

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.

CIL APPLICABLE

In the event that this was being approved CIL would be liable.

RECOMMENDATION

Refuse Permission for the following reason(s):

- 1) The excessive bulk, height, scale and massing of the proposed rear extensions and close proximity to no. 76, would be visually overbearing in appearance, result in an unacceptable impact on neighbouring amenity in terms of overshadowing, loss of light when viewed from the rear gardens and windows of neighbouring properties and create an increased sense of enclosure. The proposal is therefore contrary to policies DM1 of the Development Management DPD 2017 and D6 of the London Plan 2021.
- 2) The proposed development would result in the provision of units with poor floorspace provision and lack of private amenity space, resulting in a poor living environment for future occupiers. As such, the proposal would be contrary to Policies D6 of the London Plan (2021), policies SP2 and SP11 of the Haringey Local Plan (2017), the Mayor of London's Housing SPG, the Nationally Described Space Standards and policies DM1, DM11 and DM12 of Development Management DPD (2017).