



Officer Report

Application Number:	HGY/2023/3372
Application Type:	Full planning permission
Address:	75 Mark Road, Wood Green, London, N22 6PX
Proposal:	Change of use from C3 to C4 (HMO)
Case Officer:	Sarah Madondo
Valid Date:	01/02/2024
Applicant:	Mr Cengiz Kok
Agent:	

RECOMMENDATION

Refuse

Site location

The application site comprised a two storey end of terrace dwelling located on Mark Road. The surrounding area is predominately residential in nature, characterised by long terrace of dwelling houses. The property is located within Noel Park Conservation Area. 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).

Description of proposal

The application proposes the change of use of this property from a single-family dwelling (C3) to a House in Multiple Occupation (HMO) (Class C4) for 5 people

Relevant Planning and Enforcement History

HGY/2001/1090 75 Mark Road N22 Erection of a single storey rear extension Permitted Development 21/9/2001

Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation Group: No objection, subject to condition:

- secured cycle storage
- secured bin storage.
- Car free S106 agreement

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

Objecting: 1

Supporting: 0

The following comments were raised in the representations received:

- Too many HMOs
- loss of family housing
- Parking pressure
- Excessive noise
- Flytipping & lettering
- Cramped accommodation up 10 adults

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 consideration.

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:

The gross original internal floor space of the existing dwelling is greater than 120m²: The original un-extended floor space of the property is below 120m² and therefore does not comply with this requirement.

The proposal would lead to the loss of a single-family unit considering that the original floor space is less than 120 sqm. Furthermore, it is considered that allowing this conversion would have a negative impact on the overall supply of housing within the Borough and the LPA's ability to meet its housing targets set out in the development plan.

It is recognised that the development may boost the supply of housing within the Borough; however, the need to provide a sufficient supply of small family homes is also a priority for the Council. As such, the modest benefit of the additional housing provided by this conversion is not outweighed by the unacceptable loss of a single-family dwelling house.

The drawings submitted do not show where bikes, refuse and recycling would be stored. Cycle parking should be provided for each HMO bedroom, and this should be secure, sheltered, and accessible. The proposal would fail to comply with Part d) of Policy DM17.

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.

There is an existing extension granted for a certificate of lawful for a single storey extension under reference HGY/2001/1090. However, this application does not propose any alterations by way of external changes or extensions.

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 comprises of 5 rooms, that is 5 single lettings therefore capable of accommodating 5 people. The layout of the HMO is such that a shared kitchen/dining room would be provided, and shared bathroom on the ground/first floor would be provided. The future occupiers would also have access to a communal garden. 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.

In terms of use, the change to an 5 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.

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 Council's Transportation Team have raised no objection to this application with the use of this property as a HMO. However, transportation team have stated that no parking stress survey was submitted, therefore a car free s106 agreement is required which is noted. It is considered that use is for small HMO (5 persons) and the uplift would not be that significant, as such would not have any greater impact on parking conditions over and above the existing extant use of the property as a family dwelling. If the applicant appeals against the Council decision then a condition for a secured cycle storage and secured bin storage would be attached.

Conclusion

The proposed conversion would result in the unacceptable loss of a family housing unit for which there is an identified need, provide unacceptable living conditions for future occupiers and would result in an over-intensive use of this property harmful to neighbouring amenity.

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

Refusal Reasons:

The proposed conversion of the single-family dwelling into a HMO would result in an unacceptable loss of family housing within the Borough's Family Housing Protection Zone, for which there is an identified need. The original un-extended floor area of the property also fails to meet the minimum floor space standard set out in the Council's adopted HMO policy. As such the proposal would be contrary to London Plan policy, Local Plan Policy SP2, and DM17 of the adopted Development Management, Development Plan Document (2017).

The proposed change of use of the property to a house in multiple occupation (HMO) for 5 persons would by reason of the lack of cycle parking, and the lack of refuse and recycling storage is considered to provide a sub-standard form of accommodation harmful to neighbouring residential amenity contrary to Policy DM17 of Haringey's Development Management DPD (2017).