



Officer Report

Application Number:	HGY/2024/0087
Application Type:	Full planning permission
Address:	32 Willoughby Lane, Tottenham, London, N17 0SS
Proposal:	Creation of 2 x additional bedrooms to existing house in multiple occupation. Change of use from a small HMO for 6 persons into a Large HMO for 8 persons (Sui Generis)
Case Officer:	Sarah Madondo
Valid Date:	31/01/2024
Applicant:	Mr Sonnie Sampath
Agent:	Mr Michael Bukowski

RECOMMENDATION

Approve with Conditions

Site location

The application site comprises a two-storey, mid-terrace dwelling located on the northern side of Willoughby Lane. The surrounding area is predominantly residential in nature, characterised by long terraces of dwelling houses.

The property is not located within a 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 to the change of use of this property from an HMO for 6 people (C4) to Large HMO for 8 persons (Sui Generis).

Relevant Planning and Enforcement History

HGY/2023/0422 32 Willoughby Lane N17 Rear extension and conversion of 2-storey house into a 6 person HMO (Use Class C4) (Retrospective application) Approve with Conditions 05/10/2023

HGY/2018/0977 32 Willoughby Lane N17 Demolition of outbuilding to rear garden, erection of ground floor rear and side infill extension, first floor rear/side infill extension with flat roof, raising of ridge height to match neighbouring properties, erection of 2 no. rear dormer extensions to rear roof slope, alterations to spire detailing and installation of 3 no. skylights to the front roof slope.

Conversion to two self contained units to include 1 no. 3 bed and 1 no. 2 bed dwellings Approve with Conditions 17/5/2018

HGY/2017/3561 32 Willoughby Lane N17 Demolition of outbuilding to rear garden, erection of ground floor rear and side infill extension, first floor rear/side infill extension with flat roof, raising ridge height to match neighbouring properties, erection of 2 no. rear dormer extensions to rear, alterations to spire detailing and installation of 3 no. skylights to the front roof slope (amended description) Approve with Conditions 06/2/2018

HGY/2017/2343 32 Willoughby Lane N17 Erection of single storey extension which extends beyond the rear wall of the original house by 5m, for which the maximum height would be 3m (3.3m to parapet) and for which the height of the eaves would be 3m Decision Not Required 05/9/2017

HGY/1999/1214 32 Willoughby Lane Erection of two storey and single storey rear extension Approve with Conditions 16/11/1999

NF/2022/0748 32 Willoughby Lane N17 Change of Use - House in Multiple Occupation House in Multiple Occupation In Progress 16/11/2022

COU/2019/00096 32 Willoughby Lane N17 Change of use CLOSED 12/02/

UNW/2014/00603 32 Willoughby Lane N17 Unauthorised Works CLOSED 08/08/2014

BREACH_UNW/2014/00603 32, Willoughby Lane, London, N17 Unauthorised Works CLOSED

Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation Group: No Objection

LBH Private Sector Housing Officer: No objection

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: 4

Objecting: 4

Supporting: 0

The following comments were raised in the representations received:

- Proposal does not comply with Mayor Standards(*Officer Comments: The rooms sizes and shared facilities meet the Mayor Standards and the Haringey HMO Standards therefore it is considered that the room sizes are acceptable. The applicant would be required to submit a building control application for internal works, this would be assessed separately by Building Control as its not a planning matter*).

- Creasing the size by two additional bedrooms would be detriment to existing residents (*Officer Comment: The HMO would be for 8 single persons and the property is within close proximity to a petrol station and residential block of flats as a result it is considered that increasing the number of rooms to 8 would not be detrimental to the existing residential properties considering the immediate area is quite mixed. Furthermore, a condition would be attached to restrict the number of residents that can occupy this HMO*).
- Room standards do not comply and the shared space (*Officer Comments: All rooms exceed 10 sqm for a single bedrooms and therefore comply with Mayors Standards and Haringey HMO Standards*).
- Lack of family housing (*Officer Comment: The property is a large property can be permitted to convert into HMO and therefore complies with Development Management Policy DM17. Whilst there is a shortage of family housing it is considered that HMOs also play an important role in meeting particular housing needs, especially for low income residents*).
- Too many HMOs (*Officer Comments: This property has been converted into an HMO and was granted planning permission under planning reference (HGY/2023/0422) and this application is follow up to amend the existing HMO hence it is not considered that this would increase the number of HMOs*).
- No Parking spaces (*Officer Comments: Given that there is a good bus service, Northumberland Park train station nearby and bearing in mind the nature of accommodation as (HMO) it is not expected that the occupiers of this development would require a car*).

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

The application is a resubmission following an approval of planning reference (HGY/2023/0422) for retrospective planning application for the retention change of use of residential dwelling into a 6 person HMO (Use Class C4). This application seeks to change the use of the property into large HMO for 8 persons (Sui Generis).

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 therefore complies with the requirement

The property is a large house so therefore is suitable for a conversion and the property is at the end of a terrace making it suitable for a HMO, and also has more space at the front for bins compared to other / typical houses in the street. 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.

The site is located within an area with a Public Transport Accessibility Level (PTAL) 3 which is deemed to be moderate access. There are 6 different bus services accessible within 2 to 3 minutes' walk of the site. The site is also within walking distance of Northumberland station and therefore overall the site is considered to have an acceptable level of access to public transport.

The proposed HMO would have two large kitchens located on the ground 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 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.

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.

The works here do 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 HMO would comprise of 8 rooms, that is 8 x single lettings therefore capable of accommodating 8 people. The layout of the HMO is such that two large kitchens would be provided with a living/dining area, and each room would have an en-suite toilet/shower. 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.

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 to the use of property as HMO, however, have advised that a car free s106 agreement would be required which has been noted. However, it is considered that given the accessibility of this site is moderate access with different modes of transportation easily available it is not expected that the occupiers of this development would require a car and also bearing in mind the type of accommodation (as HMO), it is likely to result in a net reduction in on street parking demand. Therefore, it is considered that the proposed conversion into HMO is not expected to create a significant material transport and highway impacts. Notwithstanding, Highways officers' comment, the proposal is unlikely to have any significant impact upon the surrounding highway network. The applicant submits that 11 cycle parking would be provided to the rear which is acceptable. However a condition to ensure secure cycle storage is provided for the beneficial use of future occupation of this HMO would be 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.

Waste Management

The applicant submits on drawing (2923104.P.102) 8 Bespoke recycling bins enclosure would be provided at the front elevation which is acceptable. However, a condition would be imposed for the applicant to provide details of secured bin storage.

Other Matters

The applicant would need to vary the current HMO licence from 6 to 8 persons if the application is minded to be approved.

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.

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 House of Multiple Occupation hereby approved must be occupied by no more than 8 persons at any time.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017

- 4 Notwithstanding the approved plans the development hereby permitted shall not commence until final details of the refuse and waste storage and recycling facilities have been submitted to and approved in writing by the local planning authority. Such a scheme as approved shall be implemented 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.

- 5 No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 5 cycle parking spaces for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

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.