

Application Number:	HGY/2023/2202
Application Type:	Full planning permission
Address:	13 Onslow Gardens, Hornsey, London, N10 3JT
Proposal:	Retention of use of the property as a large HMO (sui generis), including its reduction from 8 bed 16 person HMO to 7-bed 9 person HMO.
Case Officer:	Roland Sheldon
Valid Date:	14/08/2023
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Applicant:	Mr Paul Banks
Agent:	Miss Mackenzie Petcher

RECOMMENDATION

Approve with Conditions

1. Site location

The subject contains a two-storey (with roof accommodation) semi-detached property located on the southern side of Onslow Gardens, N10. The surrounding uses are residential. The site does not contain a listed building and is not located in a conservation area.

2. Description of Proposal

The proposal seeks retrospective planning permission for use of the property as a large HMO (sui generis) including its reduction from 8 bed 16 person HMO to 7-bed 9 person HMO.

3. Relevant Planning and Enforcement history

Planning history

HGY/2023/1659: Use of existing outbuilding, to provide sleeping accommodation ancillary to existing property – Refused 27/10/2023

- 1. The proposed introduction of additional sleeping accommodation into what is already a large scale House in Multiple Occupation (more than six occupants) would, introduce a level and form of activity inappropriate and out of character for a residential back garden, resulting in unacceptable impacts on the amenity of occupiers of adjoining dwellings in terms of increased noise and disturbance and therefore is contrary to the aims and objectives of Policy DM1 of the Development Management,*

HGY/2023/0540: Construction of an outbuilding – Approved 09/05/2023

HGY/2022/0368: Change of use of property from C4 use (accommodation for 3-6 unrelated individuals) to Sui Generis use to form accommodation for up to 14 unrelated individuals – Not proceeded with 18/08/2022

Planning enforcement history

HMO/2021/00626: Change of Use - House in Multiple Occupation – In progress

HMO Licence information

The property benefits from a HMO licence for sleeping accommodation for 8 households for a maximum of 15 persons, with 2 kitchens and 4 bathrooms. The licence runs from 03/10/2021 – 02/10/2026. The licence was granted during the pandemic when site visits were not possible.

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Private Housing: Private Housing team is in support of new good quality HMO provision which is needed in the Borough. The rooms sizes and facilities meet our standards.

The following local groups and associations were consulted:

Woodlands Conservation Area Action Group: The increase in number of occupants would be out of character with the locality. The overcrowding of the property will lead to an increase in noise internally and externally within rear garden area. There will also be an increase in traffic from movements to and from the site. Movements to and from the site will also create additional noise and disturbance.

Additional waste generation will result in overflowing bins and potential infestations.

The following comments were received from local Councillors:

Councillor Pippa Connor: There is concern that the proposal seeks to accommodate an excessive number of people in this living space, with only 2 bathrooms and 2 kitchens. Concern with regards to whether this is sufficient space in the front garden area for waste storage. The proposal should ensure that it meets fire safety standards.

The proposal would result in the loss of family housing which is a loss to the community.

5. Local Representations

The proposal subject to public consultation through letters sent to neighbouring properties. The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 9

Objecting: 9

The following comments were raised in the representations received:

- Overcrowding of property will result in more waste, increased demand on infrastructure
- Increased pressure on-street parking capacity which can't be accommodated
- Increased traffic
- Inadequate living standards have been provided by the landlord in other properties
- Lack of waste/recycling storage
- Potential for letting rooms individually on Air BnB.

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:

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, at approximately 208.5m², and therefore complies with this requirement.

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: This is a large property with sufficient space within the front garden to accommodate waste/recycling storage for use as a large HMO. There is only one other property listed on Onslow Gardens as a being a registered House in Multiple Occupation (32 Onslow Gardens, N10). As such, the retention of the use of the property as a HMO would not result in an over-concentration of HMO accommodation in the locality, and is a

property of sufficient size to accommodate a large HMO use without resulting in a significant adverse impact on the surrounding neighbourhood.

They are accessible by public transport, cycling and walking;

Comment: The site is located within an area with a public transport accessibility level (PTAL) of 2, which is a low PTAL value. However, the site is still served by regular bus services on the no. 43 and 134 which run services between Friern Barnet – London Bridge, and North Finchley – Warren Street. Highgate Underground Station is also approximately 850 metres walking distance from the property.

On balance, the site is considered to benefit from access to adequate accessibility to public transport levels and pedestrian/cycling access to be deemed suitable for use as a HMO.

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.

The Haringey HMO standards require the following floorspace provisions:

- 13m² for a one-person bedsit room including kitchen / 10m² where there is a separate kitchen
 - 20m² for a 2-person bedsit room including kitchen / 15m² with there is a separate kitchen.
- The floorspace measurements must not include corridors or toilets.

The property already benefits from a HMO licence which permits the property to be used to provide living accommodation for 15 people in 8 households. The licence was granted on the provision that additional works would be undertaken to ensure that the property met all of the relevant private housing standards, including the fitting of fire retardant doors, smoke alarms, locks, and 2 sets of kitchen facilities in the large kitchen on the ground floor. Private Housing have re-visited the property since the licence was issued and confirmed that these facilities were installed as requested. There are now adequate kitchen facilities for all bedrooms within 1 floor of each bedroom, with an adequate provision of bathrooms within the property.

Rooms are generally of a spacious size that meet the required HMO standards, that would allow occupants sufficient space for storage, in addition to a 14.5m² storage area in the loft.

The property benefits from a large rear garden amenity area, and adequate space within the front garden to accommodate waste/recycling storage.

Furthermore, it should be noted that in spite of the private licence allowing up to 15 people, the planning application only seeks permission for 9 occupants to reside at the property. The proposal provides satisfactory accommodation for this level of occupants.

Where non self-contained, have exclusive use of a kitchen or space within a shared kitchen for each household.

As outlined above, all bed spaces have access to a communal kitchen a maximum of one floor away, with satisfactory fixtures and fittings and appliances to meet private housing standards.

Design and appearance

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 to the host building. However, a cycle store is proposed within the rear garden of the site. It would have a height of 2 metres and a modest footprint of 8.65m². The addition of the cycle store would not have an adverse impact on the character and appearance of the host building or wider locality.

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.

As outlined above in the principle of development section, 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.

It is acknowledged that the use of the premises as a HMO can result in increased comings and goings in comparison to use by a single household, and a general intensification of the residential use of the premises to a certain extent, including use of the amenity space. However, given that there is not understood to be an over-concentration of HMO

accommodation within the locality, it is not considered that the continuation of the use as a HMO could be resisted solely on amenity impact grounds. Matters of alleged noise disturbance, or matters such as dumped rubbish/detritus can be investigated by colleagues within the Environmental Health Team/Planning Enforcement, were they to arise.

The proposed number of occupants for the HMO is 9, which for a property of this size, is not considered to be excessive. The proposal is therefore considered to be acceptable with regards to amenity impact considerations.

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'.

It is acknowledged that the use of the premises as a HMO has led to some level of intensification of the residential use in terms of anticipated number of occupants in comparison to if the property was still in use as a single family dwellinghouse. However, HMO accommodation is more likely to have occupancy by individuals that do not own their own car in comparison to larger self-contained accommodation, and the site does benefit from reasonable access to public transport in the locality which reduces the need for private car ownership. A condition to ensure the secure cycle storage is provided for the beneficial use of future occupation of this HMO is imposed. On this basis it is not considered that the development would result in any unacceptable impacts on highway safety or local parking conditions.

Conclusion

The proposed conversion of the premises 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 House of Multiple Occupation hereby approved must be occupied by no more than 9 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 Within 6 months of the date of this decision notice, the secure and covered cycle store in the rear garden shall be installed in accordance with the approved plans, and shall be maintained as such for the lifespan of the development. The cycle store shall provide a minimum of 10 cycle parking spaces for users of the development

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.