



Officer Report

Application Number:	HGY/2024/0022
Application Type:	Change of use
Address:	17 Ridge Road, Hornsey, London, N8 9LE
Proposal:	Continuation of use of the property as HMO accommodation with a maximum permitted number of occupants of 12 persons.
Case Officer:	Roland Sheldon
Valid Date:	04/01/2024
Applicant:	Mr Darren McLaughlin
Agent:	

RECOMMENDATION

Approve with Conditions

1. Site location

The subject contains a two-storey (with loft accommodation) mid-terrace property with a split-level layout, located on the Ridge Road, N8. The surrounding uses are residential. The site does not contain a listed building and is not located within a conservation area.

The property is not 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 not within a part of the borough 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 proposal seeks to retain the use of the property as a House of Multiple Occupation, with a maximum number of occupants for 12 persons.

3. Relevant Planning and Enforcement history

Planning history

17 Ridge Road, N8

HGY/2020/0622: HMO for 15 people (one self contained studio flat and eight bedrooms existing) – Not determined 15/11/2021

OLD/1988/1577: 23/9/87 Conversion into 4 self-contained flats & erection of single storey rear extension – Approved 08/07/1988

Enforcement history:

PRO/2011/00296: Notice served for unauthorised conversion of premises into 9 self-contained flats 04/05/2012. Led to prosecution for failure to comply with notice in 2019. Case was closed in September 2019 following confirmation of compliance with notice (although still used as 2 self-contained flats and large HMO).

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Street Cleansing: No comments received.

LBH Transportation: No comments received.

LBH Private Sector Housing Officer:

- 3 rooms are under our minimum size of 10m²
- The rooms sizes on the plan would allow a maximum number of people of 9 not 14
- The ground floor flat 9 bedroom is beyond the kitchen/living room. Means of escape from fire must be to the front of the property and not out into the garden so this is not acceptable.
- Waste provision must be suitable for the number of tenants.

Officer comment: Whilst the comments of the private sector housing officer are noted with regards to number of occupants, and fire safety, the building already benefits from a HMO licence for 14 occupants, as well as building regulations consent for use of the building as a HMO and a single self-contained unit.

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: 8

Objecting: 4

Supporting: 4

The following comments were raised in the representations received:

- A licence for 14 people in this property is too large for the site with such room sizes and amenities
- There are existing issues with limited on-street parking capacity. Allowing a building for 14 occupants will exacerbate these problems.
- Noise disturbance from having this number of people occupying the building is not acceptable
- A more up-to-date fire inspection should be undertaken.

An objection was also received from Councillor Dunstall, requesting the application to be considered at sub-committee level. The objection was on the basis of the following reasons:

Overcrowding in property

Impact on local area/neighbouring properties

Existing proliferation of HMOs.

The request was considered by the Planning Committee Chair, who confirmed after due consideration that the decision could be made under delegated authority.

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:

1. *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 240m², and therefore complies with this requirement.

1. *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 Ridge Road as a being a registered House in Multiple Occupation (Flat A 83 Ridge Road, N8). 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.

1. 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, but is on the boundary with an area with PTAL 3. Harringay Rail station is located within 700 metres of the site, which provides regular rail services into central London, whilst the W3 and W5 bus routes are close by. On balance, the site is considered to benefit from access to adequate PTAL levels and pedestrian/cycling access to be deemed suitable for use as a HMO.

1. 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 where there is a separate kitchen.

The floorspace measurements must not include corridors or toilets.

There is one self-contained flat within the building (labelled as flat 8) which is located on the first floor that is not included within this application. The agent is understood to be preparing a certificate of lawfulness for existing use of this flat to seek to retain its use.

From reviewing the submitted plans, with the exception of 'flat 8', there are 8 bedspaces within the building capable of accommodating 12 persons. Each bed space benefits from its own independent bathroom, washing machine, fridge and sink, but due to the absence of an independent cooker, cannot be treated as a self-contained flat, but as HMO accommodation. This is with the exception of bed space 6, which uses a communal bathroom and kitchen on the top floor of the building.

Whilst it appears that the property could quite easily be used as 9 self-contained flats with the provision of mobile cookers and some door divisions, their absence means they have to be treated as HMO accommodation.

Room 1: 2-bed

Room 2: 2-bed

Room 3: 1-bed

Room 4: 2-bed

Room 5: 1-bed

Room 6: 1-bed

Room 7: 1-bed

Room 8: Not part of app

Room 9: 2-bed

There are 2 communal kitchens within 1 floor of all bed spaces (factoring in the split level layout of the property). The building benefits from a HMO licence that was awarded in October 2022 and expires in 19 October 2027 for a maximum of 14 people living as 8 households, but this included what is now termed the self-contained flat 8. Excluding this space means that the HMO is considered capable of accommodating 12 persons. All rooms benefit from access to the large rear garden in excess of 100m². 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.

The proposal is therefore considered to provide a satisfactory standard of HMO accommodation for occupants of the building.

- 1. 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.

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.

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.

The property is currently used by a large number of occupants. There have been objections received by neighbouring residents concerning issues with overflowing bins, noise/general disturbance and the front garden being left in a poor condition.

It is acknowledged that the use of the premises as a HMO results in increased comings and goings, 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 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, which operate under separate legislation to the planning services.

In addition to a condition to secure details of waste/recycling storage, a condition to secure a soft/hard landscaping scheme for the front and rear gardens shall be imposed on the development, to ensure that the appearance of both areas are improved, and minimise the scope for dumping of household waste in the front garden area.

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 intensification of the residential use in terms of anticipated number of occupants 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 self-contained accommodation, and the site does benefit from reasonable access to public transport in the locality. 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.

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 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.

- 2 The House of Multiple Occupation hereby approved must be occupied by no more than 12 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.

- 3 Within 3 months of the date of this decision notice, a detailed scheme for the provision of refuse and waste storage and recycling facilities shall be submitted to the Local Planning Authority. The scheme shall be implemented in accordance with the approved details within 3 months of receiving approval in writing from the Local Planning Authority, and maintained as such for the lifespan of the development.

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

- 4 Within 3 months of the date of this decision notice, details of the type and location of secure and covered cycle parking facilities, that provides a minimum of 10 cycle parking spaces for users of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full accordance with the approved details within 3 months of receiving approval in writing from the Local Planning Authority, and maintained as such for the lifespan 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.

- 5 Within 3 months of the date of this decision notice, details of a soft landscaping scheme for the front and rear garden areas of the site shall be submitted to the local planning authority. The scheme shall be implemented in full accordance with the approved details within 3 months of receiving approval in writing from the Local Planning Authority, or within the next planting season, whichever is sooner, and maintained as such for the lifespan of the development.

Reason: In the interests of improving the visual amenities of the locality, in accordance with policy DM1 of the Haringey Development Management Plan DPD (2017), and policy SP11 of the Haringey Local Plan (2017).

Informatives:

The applicant is advised that this decision does not grant consent for the self-contained flat labelled 'flat 8' on approved plan no. D02 P3, which is understood to be in existence, and therefore is currently unauthorised planning development.