



Officer Report

Application Number:	HGY/2024/0757
Application Type:	Full planning permission
Address:	41 Baronet Road, Tottenham, London, N17 0LY
Proposal:	Change of use from single dwelling house (Class C3) to a small-scale HMO for up to six residents (Class C4) together with provision of cycle and refuse storage.
Case Officer:	Sabelle Adjagboni
Valid Date:	18/03/2024
Applicant:	Mr Schneck
Agent:	Mr. Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

Proposed Development

This is an application for a change of Use from C3 dwelling house to C4, HMO. The scheme has been amended from a 6 person HMO to a 5 person HMO to allow the provision of a good size living room. It includes the provision of refuse and cycle storage facility.

Site and Surroundings

The application site is a two storey mid-terrace dwelling towards the centre of Baronet Road. The site is not located within a conservation area and does not fall within the curtilage of a listed building. It is located within a family housing protection zone and is covered by an article 4 direction for HMO's.

Relevant Planning & Enforcement History

HGY/2004/0695 | Conversion of property into 2 x 2 bed self-contained flats | Refused

LOCAL REPRESENTATIONS

1 objection received from Councillor. The issue raised are as follows:

- Compliance with size standards and building regulations in accordance with London Planning Guidance
- Excessive number of units resulting in overdevelopment and small substandard accommodation
- Standard of light
- No adequate provision of shared amenity space for all units
- Overcrowding due to number of occupants
- Increase level of noise

- Loss of family housing unit
- Lack of details/files within the application

1 representation received from the LBH Transport team. The comments raised are as follows:

- The site has moderate public transport accessibility (PTAL=3) and is located within the Tottenham Event Day CPZ. The site is also located within the Family Housing protection zone.
- The proposal is car free. Policy DM32 does not support car free developments located within an area with PTAL less than 4. No assessment of parking stress has been undertaken.
- If, however, you were minded to approve this application, a parking stress survey assessment should be undertaken and submitted for review. In addition, a car free s106 agreement must be secured to restrict eligibility of all occupiers from obtaining CPZ parking permits. This would also incur a charge of £4000 for amending the CPZ TMO. Furthermore, all occupiers should be offered free car club membership for two years and £100 user voucher.
- The access to the cycle storage via the hallway is considered too narrow, measuring at approximately 850-900mm. The cycle storage enclosure is considered to be restricted for practical use due to inadequate space between bicycles and restricted headroom / side clearance. There are no details regarding how bicycles are to be secured within the cycle storage. The applicant should refer to London Cycling Design standards for further guidance regarding such matters.
- Please consult Haringey refuse collection services regarding provision for refuse storage.

No representations received from neighbours, etc in response to notification and publicity of the application.

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 accommodation;
4. Impact on neighbouring amenity;
5. Transportation considerations; and
6. Waste Management

Principle of development

Development Management Development Plan Document (DPD) Policy DM17 (Houses in multiple occupation) states that the conversion of larger homes to Houses in Multiple Occupation (HMO), including small HMOs (3-6 unrelated people) within the area covered by the Article 4 Direction, will only be permitted where:

- a) The gross original internal floor space of the existing dwelling is greater than 120m² ;
- b) 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;
- c) They are accessible by public transport, cycling and walking;
- d) 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; and
- e) Where non self-contained, have exclusive use of a kitchen or space within a shared kitchen for each household.

Under Policy DM17, the floor space requirement relates to the gross original internal floor space. Based on the submitted plans, the gross original floor space measures approximately 71.18m² at ground floor level and 56.43m² at first floor level, totalling 127.61sqm, which exceeds the minimum 120m² required by the policy.

Policy SP2 (Housing) of the Haringey Local Plan 2017 states that the Council will aim to provide homes to meet Haringey's housing needs and to make the full use of Haringey's capacity for housing by maximising the supply of additional housing to meet and exceed the minimum target of 19,802 homes from 2011-2026 (820 units per annum from 2011-2014 and 1,502 units per annum from 2015-2026).

As previously noted, the net original floor space exceeds 120m² and the proposal does comply with this part of Policy DM17.

Policy DM17 aims to prevent residential conversions of small dwellings that would result in sub-standard living conditions for the occupants through inadequate floor space. Policy SP2 aims to meet Haringey's housing needs. In this instance the proposed conversion complies with key requirements of these policies and is therefore acceptable in principle for conversion to an HMO.

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 Gross Internal Area of the ground and first floor will mildly increase from 71.18sqm and 56.43sqm to 72.24sqm and 56.99sqm respectively due to the removal of chimneys. This would have a negligible impact on the external appearance of the property. No extensions are proposed as part of this application and the works are internal, therefore there would be no material impact in terms of design resulting from the proposal.

Standard and quality of 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 five bedrooms comprising of 5 rooms capable of accommodating 5 residents. All rooms have shower/toilet. All rooms sizes exceed the HMO standards of (10 sq.m). The proposal satisfies this in terms of the provision of six good-sized bedrooms.

The layout includes a kitchen space on the ground and first floor of 7.79m² and 8.70m² respectively. The scheme has been amended to provide a living room of 13.88m². The kitchen and communal area provided meet the council's HMO standards.

Part A (d) of policy DM17 requires proposals to result in high quality accommodation, which satisfies the relevant policies of the Local Plan. This includes internal space standards, which are set out in the London Plan (2021) and the government's 2015 'Technical housing standards – Nationally Described

Space Standard' (NDSS). Its requirements also include the provision of a satisfactory level of amenity space for occupants, and adequate and convenient refuse storage and collection.

The proposal includes the provision of 6 x 240L recycling and refuse storage to the front and 5 x cycling storage to the rear which is considered adequate. The dimensions of the cycling storage have also been amended to address the transport officer comment and now meet the standards set out in the London Cycling Design Standards guide. Following the comments from the transport officer, the entryway hallway has also been amended to increase the width to approximately 1.2m and about 9sqm to facilitate access with a bike. The property also benefits from existing rear garden which would serve as a communal outdoor amenity space for residents and is considered acceptable.

The internal layout of the proposal and amenities provided is considered to constitute high quality accommodation in accordance with part A of Policy DM17 of the DPD Development Management Plan.

Impact on neighbouring amenity

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 surrounding area is characterised by residential properties, which may be of similar density/occupancy level. Some existing noise from comings and goings would be expected, and Officers acknowledge that these may be greater under the proposal with the rooms occupied by unconnected individuals than with a single household. While the property would be occupied by unrelated persons, as outlined earlier, officers note that under a C3 lawful use, the five bedrooms of the original house could be 'fully' occupied by a greater number than (6) people provided they are in a single related group, such as a large family.

Given the site context, and the fact that the proposed occupancy level is not more than five people and not materially greater than the previous C3 use, these comings and goings would not be sufficient to cause material harm to neighbour amenity in terms of noise or general disturbance. For the same reasons, noise/ vibration transfers from within the unit to neighbouring properties would not arise to a harmful degree compared to the C3 use. The proposal is therefore acceptable in terms of impact on neighbouring amenity.

Transportation 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 has average public transport accessibility (PTAL=3) and is located within a CPZ.

The proposal is car free, but no parking stress assessment has been undertaken. However, it is considered that the uplift would not be considerable different from C3 use (residential dwelling), therefore a S106 would not be required and bearing in mind the nature of the use as a small HMO.

Cycle parking provision for 5 bicycles is proposed to be in the back garden and 6 refuse storage to be in the front. The dimension for the bicycle storage meets the standard required by the London Cycling Design Guidance in particular, the aisle width for access to cycle parking is over 2m – the minimum requirement is 1.8m.

Waste Management

The London Plan Policy DM4 of the development Management DPD states that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and organic for composting. The on-site provision must:

- Ensure adequate dedicated internal and external storage space to manage the volume of waste arising from the site;
- Provide accessible and safe access to on-site storage facilities, both for occupiers and collection operatives, including vehicles, having regard to the Council's Refuse Collection Strategy;
- Be located and screened to avoid nuisance and adverse impact on visual and other amenity to occupiers and neighbouring uses and are within the maximum permitted carrying and reversing distances.

A condition will be attached to provide details of proposed waste/refuse storage.

Conclusion

The proposal is considered acceptable and would not result in adverse impacts, given that the residential accommodation would be of an acceptable layout and standard for a HMO use to meet HMO licencing standards.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

RECOMMENDATION

Approve with condition(s):

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 shall be occupied by no more than 5 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 The approved waste and recycling storage arrangement shall be fully implemented prior to first occupation of the HMO and thereafter permanently retained.

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 The proposed five secure and covered cycle parking spaces as set out on plan number P06 shall be provided prior to the occupation of the use hereby permitted and 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: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

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.

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.