



Officer Report

Application Number: HGY/2024/0947
Application Type: Householder planning permission
Address: 41 Winchelsea Road, Tottenham, London, N17 6XJ
Proposal: Erection of a 1.7m wrap-around extension and change of use from a small HMO to a Large 7 unit HMO.
Case Officer: Alicia Croskery
Valid Date: 02/05/2024
Applicant: Mr sAM Musk
Agent: Mr. Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT

This application is seeking full planning permission to establish a change of use from a small HMO to a large HMO (sui generis use). Additionally, the proposal involves the erection of a 1.7m wrap-around extension on the ground floor and internal reconfiguration on all levels to accommodate a 7 bedroom HMO (3 double and 4 single rooms). The works equally show a roof extension but as reflected below this benefits from consent.

2. SITE HISTORY

HGY/2023/3232 – Certificate of Lawfulness: Proposed installation of two front roof lights, rear dormer on the main roof and a rear dormer on the rear outrigger. Refused.

The application was refused due to the cubic content of the resulting roof space exceeding 40 cubic meters.

HGY/2024/0360 – Certificate of Lawfulness: Rear roof extension and front rooflights. Granted.

The approved certificate extended the third floor to have a 6th bedroom, bathroom and TV room.

3. COMMENTS RECEIVED

Internal:

LBH HMO Licensing - Licensing were consulted for this application and expressed support. However, it was noted that applicant would need to vary their existing HMO license.

LBH Transport - Transport were consulted for this application and provided the following comments:

1. The site has good public transport accessibility (PTAL+4) and is located within a CPZ.
2. The proposal is car free. No parking stress assessment has been undertaken. A car free s106 agreement is required to restrict eligibility of all occupiers from obtaining CPZ parking permits. The developer will be responsible for corresponding cost (£4000) for amending the TMO.
3. Cycle parking storage provision for 7 bicycles is proposed to be in the rear garden. However, the proposals for vertical cycle storage is not suitable for all users and the access

via the hallway and kitchen / dinner, through multiple doors and narrow corridors are not acceptable.

4. Refuse storage is proposed in the front yard. Haringey Refuse collect services should be consulted. Their plans illustrate provision of 5 bins but the text indicates provision of 6 bins. Furthermore, the bins are illustrated as 700mm wide x 700mm deep x 1400mm High, however the overall width of the enclosure is only 2710mm – this inconsistency should be corrected and revised plans submitted.
5. A condition requiring submission of a construction management statement for approval prior to start of works, is required

In response to the above comments, the cycle parking storage is considered to be acceptable in this instance due to the limited amount of space available in the front yard. The path through the house to the cycle storage is considered acceptable. Additionally, planning assessment will not be requiring a parking stress assessment for this application due to the scale of the development and the consistency of other applications and their decision making processes. The nature of the development here is equally small to require the submission of a construction management plan. Equally there is no policy basis to require the use here to be designated as 'car free'.

External - The application has been publicised by way of 25 letters. No representations have been received from neighbours, local groups, etc in response to notification and publicity of the application.

4. ANALYSIS/ASSESSMENT

The main planning considerations raised by the proposed development are

1. Design and appearance;
2. Standard and quality of residential accommodation; and
3. Impact on neighbouring amenity

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 historic significance, which is equally supported by London Plan (2021) Policy D6.

Permission is sought to extend the ground floor area to formally enclose the existing patio area. The ground floor extensions will allow for a larger kitchen and open plan living space. The extension will have a maximum height of 2.8m. The proposed extension is considered to be subordinate to the host dwelling.

Permission is sought to extend the loft area which was previously permitted through a Lawful of Lawfulness for the hip-to-gable and dormer roof extension into the alterations proposed with this application. The proposed roof extension would appear sub-ordinate to the host building and appear similar to the surrounding roofscape. As such this element of the proposal is deemed to be acceptable.

The proposed physical alterations to the host building are deemed to be proportionate and considerate, whilst providing additional space for the occupants and would generally comply with London Plan (2021) Policy D6 as well as Local Plan (2017) Policy SP11 and DPD Policies DM1 and DM12.

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. 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.

DPD Policy DM17 states that sites with the area covered by Article 4 direction requiring permission for conversion of large houses into HMO, must have a gross internal floor area larger than 120sqm, not give rise to significant adverse impacts on the surrounding area or overconcentrate the area with HMO's, they must be accessible by public transport and provide a quality of accommodation that accords with relevant policies of the London Plan such as providing adequate cooking facilities where non self is contained.

In this instance, permission is sought for the conversion of an existing Class C4 HMO into a Sui Generis HMO, facilitated by the conversion of the loft floor into an additional habitable room and an additional kitchen. Furthermore, the other levels are receiving changes to the internal configuration as well as the wrap around infill extension on the ground floor to accommodate a more open plan kitchen and living on the ground floor.

The existing gross floor area of the original house when taking into consideration the extended loft area as permitted by the Certificate of Lawfulness exceeds 120sqm, by 32.98sqm. The proposed 7 bedroom house has been designed to accommodate 3 doubles and 4 single rooms with a kitchen on the ground floor and on the loft level. Each room is no more than one floor away from cooking facilities.

The application site is located in an area designated as PTAL 4, and as such is highly connected to public transport services, satisfying Part A(c) of DM15.

Additionally, the applicant have show provision for covered secure cycle parking for up to 5 bicycles in the rear garden, with a bin store in the front garden offering storage for 5 240l refuse bins.

The rooms would range from 10.8sqm as well as an ensuite (1.7sqm), to 16sqm with an ensuite (1.7sqm). By virtue of the provision of a kitchen on the ground floor and the loft floor and the layout of the proposed rooms, they are deemed to comply with Haringey HMO standards (2017) for letting single occupants as well as complying with space standards as set out within table 3.1 of Policy D6 of the London Plan.

Impact on neighbouring amenity

London D6 outlines that design must not be detrimental to the amenity of the 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 'Delivery High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users are neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to the 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.

With respect to the impact on neighbouring amenity, the main concern for this application would be allowing up to 7 unrelated persons to occupy this site. Given that 6 unrelated persons are able to occupy the site with no enforcement/complaints it is considered that the increase of 1 room will not

negatively impact on the neighbouring amenity. It is also noted that the HMO license was approved four years ago with no enforcement actions during this time.

Furthermore, the site benefits from 1200L of refuse storage which is to be stored in covered timber units.

Accordingly, Officers deem that the proposed conversion, by virtue of small infill extension and first floor extension would not harm conditions of light and outlook.

The proposed physical alterations to the building on the ground floor are considered minor and the loft extensions are permitted development which in turn appear subordinate to the host building, and would not cause and issues of overlooking or overshadowing of neighbouring properties and would be compliant with London Plan (2021) Policy D6 and DPD Policy DM1.

5. CONCLUSION

The proposal is considered acceptable as the proposed physical alterations to the building would appear sub-ordinate to the host building and surrounding area, the conversion from C4 Small HMO to Sui Generis large HMO would provide adequate space for proposed occupants whilst being compliant with DPD Policy 17, and London plan Policy D6. Overall the proposal would comply with all relevant policy and can be approved.

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.

6. 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 external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 The proposed 5 secure and covered cycle parking facilities as set out on plan number

reference: PO7 shall be provided prior to the occupation of the use hereby permitted and 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.

- 5 Prior to the first use/occupation of the approved development, the refuse storage area shown on approved drawing number P07 titled 'Proposed drawing details' shall be implemented in accordance with the approved details 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 and Policy D4 of the London Plan 2021.

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.

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.