



# Officer Report

|                            |                                                                                                                                                                                                |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | <b>HGY/2024/0120</b>                                                                                                                                                                           |
| <b>Application Type:</b>   | <b>Full planning permission</b>                                                                                                                                                                |
| <b>Address:</b>            | 70 Duckett Road, Hornsey, London, N4 1BW                                                                                                                                                       |
| <b>Proposal:</b>           | Conversion of a 5-bedroom, 5-person HMO into 2 flats: Flat 1 (3-bedroom, 4-person) and Flat 2 (3-bedroom, 4-person), including a terrace above the two-storey outrigger. (Amended description) |
| <b>Case Officer:</b>       | Ben Coffie                                                                                                                                                                                     |
| <b>Valid Date:</b>         | 01/03/2024                                                                                                                                                                                     |
| <b>Applicant:</b>          | Francis Vaughan                                                                                                                                                                                |
| <b>Agent:</b>              | Ms Dani Schmidt                                                                                                                                                                                |

## **RECOMMENDATION**

### **Approve with Conditions**

#### **1. Site location**

The application site is a two-storey terrace property located on the south side of Duckett Road.

The property has been converted from a single-family dwelling to a 5 bedroom 10 persons HMO. The site is located within an area restricted by an Article 4 direction for HMOs. However, the Council hold no record of the conversion of the property from its original C3 dwellinghouse use to C4 HMO use.

The dwellings are characterised by front bay windows with crown roofs and two storey outrigger at their rear. The application site is not located in a conservation area.

#### **2. Description of Proposal**

This is an application for the conversion of this 5-bedroom, 5-person HMO into 2 flats: Flat 1 (3-bedroom, 4-person) and Flat 2 (3-bedroom, 4-person), including a terrace above the two-storey outrigger. During the course of the application the basement extension was omitted and now the scheme is for a conversion of this property to 2 units.

#### **3. Relevant Planning and Enforcement history**

ENF/2023/0371 – Enforcement investigation into the alleged departure of recent construction work from the approved drawings. Investigation ongoing.

HGY/2023/0447 – L-shaped loft conversion with a roof terrace above the first floor outrigger, extension of the front roof over the bay window, installation of one roof light to the front slope and two small roof lights to either side of the front roof element. Decided 16/05/2023.

HGY/2023/1309 – Planning permission granted for the replacement of the existing rear extension with a wraparound ground floor extension, replacement of rear windows on first floor level with Juliette balconies. Decided 10/08/2023.

HGY/2023/0510 – Planning permission refused for the replacement of existing rear extension with a wraparound ground floor extension and replacement of rear windows on first floor level with the addition of Juliette balconies. Decided 18/04/2023.

HGY/2023/0447 – Planning permission granted for an L-shaped loft extension with a roof terrace above the first-floor outrigger, extension of the front roof over the bay window, installation of one roof light to the front slope and two small roof lights to either side of the front roof element. Decided 16/05/2023.

HGY/2022/2255 - Certificate of lawfulness granted for a proposed outbuilding at the rear of the garden. Decided 06/10/2022.

Note on HMO Use: The applicant has stated on their application form that the existing use of the property is an HMO within the C4 Use Class. However, no planning permission has been granted for the change of use of the property to an HMO.

An HMO licence was issued for the property on the 23rd August 2023 for a maximum of five occupants. However, the site lies within a part of the borough where permitted development rights for changes of use from a dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) have been withdrawn through an Article 4 Direction (30th November 2013). No planning permission has been granted or applied for, for the property's change of use to an HMO.

#### **4. Internal & Statutory Consultation**

The following were consulted regarding the application:

N/A

#### **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: 3

Objecting: 3

Neither: 0

Supporting: 0

The following concerns were raised in the objections received:

- Impacts from basement extension such as subsidence and ground movement.
- Noise and vibration from the construction phase of the basement.
- Increase in such HMO rentals and increase in traffic noise
- Impact on traffic and particularly refuse vehicles
- Increase in the number of HMO within the street
- Dust and debris from the construction works which would take a long period of time

Officer comments: it is noted that some of the comments relate to party wall issues which are considered civil matters and should be resolved between the applicant and the neighbours.

Furthermore, matters relating to hours of construction, an informative be added to the decision to advice the applicant of construction of hours, as controlled by Control of Pollution Act. The assessment of the application will take into consideration the design and external finishes of the development.

## **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;
6. Waste management

### **Principle of development**

#### Principle of additional housing/ conversions

The London Plan 2021 further supports the essential need for more homes and currently has a 10-year target set for the delivery of 15,920 new dwellings, of which 2,600 should be from small sites.

Haringey Local Plan policy SP2 outlines 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.

Policy H1 'Increasing Housing Supply' seeks to increase housing supply across London. The supporting text 'recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford'. The policy states that Boroughs should seek to enable additional development capacity, including through intensification.

The Mayor's Housing SPD (March 2016) refers to the importance of conversions in terms of overall housing supply and in meeting the needs of smaller households (para. 1.2.34).

"To reflect the importance of conversions in terms of overall housing supply and in meeting the needs of smaller households, it is important local policies and decisions are based on robust evidence and take account of strategic housing requirements. As a general principle, locally restrictive policies, including those based on 'conversion quotas', should not be applied without robust justification"

The proposal would add additional residential units to the borough's housing stock, which would work towards meeting the above identified housing delivery objectives for the borough. The principle of additional housing is therefore acceptable.

#### Local plan policy on conversions

Policy DM16 states that the Council will only permit conversion of larger homes (properties with 3 bedrooms or more) to small self-contained flats where – inter alia – they are located outside a Family Housing Protection Zone (FHPZ), have a floorspace of 120 sq.m or more, and provide a mix of unit sizes in line with DM policy DM11.

Part B of the policy is also relevant to the principle of conversion, in setting out that conversions within the FHPZ are still potentially acceptable but only where they comply with criteria (b – g) of part A of policy DM16, and result in no net loss in the number of family-sized units.

The property in question is located within a Family Housing Protection Zone and has an internal un-extended original floor space of 150m<sup>2</sup>, which exceeds the minimum 120m<sup>2</sup> required in order to be deemed a property suitable for conversion to smaller residential units.

Parts c – g of part A of the policy deal with the standard of residential accommodation and shall be considered in detail within the relevant sections of this report.

However, in terms of the principle of conversion, the original un-extended floorspace of the property meets the minimum requirement of 120m<sup>2</sup> and does not result in a net loss of family-sized housing.

The proposal is considered to contribute to the supply of housing in the borough in an accessible location, in accordance with the overarching aims of adopted policy. Therefore, the principle of providing additional residential accommodation on the site is acceptable subject to all other planning considerations discussed below.

The principle of conversion is considered to be acceptable, in accordance with the relevant parts of policy DM16 of the DMP.

### **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.

There would be no external changes to divide the property into flats given all accompanying extensions to facilitate the conversion has been granted planning permissions by way of previous planning submissions.

### **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 criteria set out within parts c-g of part A of DMP policy DM16 largely echo some of the design aspects covered within policy D6 of the London Plan.

The proposal would see the existing property sub-divided into self-contained units as follows:

| <b>Unit no.</b> | <b>No. beds/persons</b> | <b>Floorspace (sqm)</b> | <b>London Plan requirement (sqm)</b> | <b>Amenity space provision (sqm)</b> |
|-----------------|-------------------------|-------------------------|--------------------------------------|--------------------------------------|
|                 |                         |                         |                                      |                                      |

|        |      |       |       |             |
|--------|------|-------|-------|-------------|
| Flat 1 | 3b4p | 82.85 | 74    | Rear garden |
| Flat 2 | 3b4p | 90.00 | 84.00 | 3sq         |

The layout of the spaces is acceptable and would facilitate an adequate access and inclusive environment. Given the flats will be dual aspects due to windows on the rear and front elevations, the proposal will encourage better daylight, a greater chance of direct sunlight for longer periods and natural cross-ventilation. The occupiers will have a reasonable level of outlook and choice of views.

All the proposed bedrooms within the flats meet the required GIA of 7.5 sqm for single bedrooms and 11.5sqm for double bedrooms, they will all have adequate widths windows which allow natural light and outlook.

The London plan 2021 requires a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1-2 person dwellings and an extra 1m<sup>2</sup> should be provided for each additional occupant'.

The floor to ceiling height for all the flats will meet the minimum height of 2.5m as set out by the London plan 2021. Two single bedrooms of flat 2 are proposed within the loft conversion, the proposed floor to ceiling height measures 2.2m it is considered acceptable as it is marginally different from the required 2.3m height and whilst bedroom 3 will be located within the front roof slope due to the space under the crown roof a substantial amount of space above the 1.5m height (above 75%) is provided for this bedroom.

The provision of the existing garden will ensure that the occupiers of flat 1 benefit from private outdoor space which sufficiently meets the requirement of the London Plan 2021. In the case of flat 2, a terrace is provided at loft level attached to the proposed study, consideration given to amenity and design impacts in previous planning permission hence its minimal size would only provide 3sq. Notwithstanding, given that flat 2 as a whole is considerably generous in space and would compensate for the lack of substantial provision of outdoor space.

Given the above, the proposed units would provide an acceptable standard of accommodation for future occupiers.

### **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.

There will be no external works carried out. The proposal overall is acceptable in amenity terms.

In terms of use the change from a HMO to 2 self contained flats this is relatively small in planning terms. The comings and goings would remain similar to the existing or to the comings and goings in respect of a large single household family.

### **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 (2017) 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 DM Policy (2017) DM31 'Sustainable Transport'.

The site has a PTAL value of 4, considered 'good' access to public transport services. The nearest bus services is available within 4 to 5 minutes walk of the site. Harringay is the closest and is 500m away. The site is within the Borough's formal CPZ's.

In line with London Plan Policy T5, the proposal would need to include provision for 4.5 cycle parking spaces with these requirements secured through the imposition of a condition. The site will provide cycle storage in the front, and the proposal will be car-free. As such, the proposal is considered acceptable with regards to transport.

## **Waste management**

DM Policy (2017) DM4 'Provision and Design of Waste Management Facilities' requires all proposals to make on-site provision for general waste, recycling and waste organic materials ensuring adequate internal and external storage space to manage the volume of waste arising from the site.

The Haringey 'Waste management guidance note for residential and mixed-use developments' sets out waste and recycling guidelines for residential and mixed-use developments within the borough

| <b>Unit no.</b> | <b>No. beds/persons</b> | <b>Refuse storage provided</b>                | <b>Required Haringey Standard</b>                       |
|-----------------|-------------------------|-----------------------------------------------|---------------------------------------------------------|
| Flat 1 and 2    | 3b 4p<br>&<br>3b 4p     | 2 x 1100L bins in proposed ground floor plan. | 4 x 240L – Recycle and domestic<br>2 x 25L – Food waste |

The proposal would need to the required for refuse/recycle bin storage located in the front. Equally These requirements would be requested with through the imposition of a condition if the LPA is minded to approve the application.

## **Conclusion**

As amended the proposal is considered to be acceptable mindful of the historic use of this property and will not adversely affect the residential amenities of the adjoining occupiers. The residential accommodation would be of an acceptable layout and standard in terms of unit sizes, in specific providing one family sized unit.

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

## 7. CIL Applicable

Based on the information given on the submitted CIL form, the Mayoral CIL charge will be £3,554.50 (50 sqm × £71.09) and the Haringey CIL charge will be £13,497.00 (50 sqm × £269.04, indexation included). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

Note: The total figure of 50 sq.m (comprising 17 sq.m and 33 sq.m) is based on the information provided in the respective applications for the wrap-around extension and roof extensions, as indicated in the planning application forms. CIL is applied on this basis, as these extensions facilitate the conversion of the property into two self-contained flats.

## 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.

- 4 Prior to the commencement of development above ground, full 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 4 cycle parking spaces for users of the development, in accordance with the London Cycling Design Standards. Once agreed, the details shall be implemented as approved and retained/maintained as such thereafter.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan 2021 minimum cycle parking standards and the London Cycling Design Standards, policy T5 of the London Plan 2021, Policy SP7 of the Haringey Local Plan 2017 and to maximise the accessibility of the development.

- 5 Notwithstanding the approved plans, final details of the refuse and waste storage recycling facilities shall be submitted to and approved in writing by the local planning authority, prior to first occupation of the development. Such a scheme as approved shall be implemented prior to first occupation 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.

### 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.

**INFORMATIVE: Community Infrastructure Levy**

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the submitted CIL form, the Mayoral CIL charge will be £3,554.50 (50 sqm × £71.09) and the Haringey CIL charge will be £13,497.00 (50 sqm × £269.94, indexation included). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

Note: The total figure of 50 sq.m (comprising 17 sq.m and 33 sq.m) is based on the information provided in the respective applications for the wrap-around extension and roof extensions, as indicated in the planning application forms. CIL is applied on this basis, as these extensions facilitate the conversion of the property into two self-contained flats.