



Officer Report

Application Number:	HGY/2024/2201
Application Type:	Full planning permission
Address:	52 Scales Road, Tottenham, London, N17 9EZ
Proposal:	Retrospective Change of use from single dwelling house to a House of Multiple Occupation (HMO)
Case Officer:	Kwaku Bossman-Gyamera
Valid Date:	08/08/2024
Applicant:	Mr Andrea Cirillo
Agent:	Mrs susanna citrano

RECOMMENDATION

Refuse

1. Site location

The application site comprises a two-storey, mid-terrace dwelling located on the northern side of Scales Road, directly opposite Dawlish Road. The property has been extended on the ground floor side infill extension. The surrounding area is predominantly residential in nature, characterised by long terraces of dwelling houses.

The property is not located within a conservation area. The property is 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 also pointed out that the application site and this part of the borough is 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 an HMO (Use Class C4).

2. Description of Proposal

The application proposal seeks permission for the retention of the use of property from a single-family dwelling (C3) to a House in Multiple Occupation (HMO) (Sui-generis) use for 7 people.

3. Relevant Planning and Enforcement history

The most recent applications for this site are summarised as follows:

- HGY/2014/1682 – Not Required 30/07/2014 - Extension of a single storey extension which extends beyond the rear wall of the original house by 5.816 m, for which the maximum height would be 3 m and for which the height of the eaves would be 3 m.

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation Group: No objection subject to conditions and obligations.

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: 0

Objecting: 0

Supporting: 0

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 within the area covered by the Article 4 Direction, specifically:

- a. The gross original internal floor space of the existing dwelling is greater than 120m²:

Comment: The original un-extended floor space of the property is well below the 120m² threshold. As a results, the proposal would lead to the loss of a single-family unit considering that the original floor space is less than 120 sqm. Furthermore, it is considered that allowing this conversion would have a negative impact on the overall supply of housing within the Borough and the LPA's ability to meet its housing targets set out in the development plan.

It is recognised that the development may boost the supply of housing within the Borough; however, the need to provide a sufficient supply of small family homes is also a priority for the Council. As such, the modest benefit of the additional housing provided by this conversion is not outweighed by the unacceptable loss of a single-family dwelling house.

- 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.

Comment: The drawings submitted do not show where bikes, refuse and recycling would be stored. Cycle parking should be provided for each HMO bedroom, and this should be secure, sheltered, and accessible. The site is a mid-terrace property so it would not be practical to store such facilities to the rear. Given the number of HMO occupiers and given that the area at the front is quite small and would be occupied by bins, it is not clear how cycle parking can be integrated here.

c. They are accessible by public transport, cycling and walking.

Comment: The site is located within an area with a Public Transport Accessibility Level (PTAL) 5 which is deemed to be good access. No parking stress survey assessment has been undertaken. Under these circumstances a car free s106 agreement is required to restrict eligibility of all occupiers from obtaining CPZ parking permits. The application form indicates there is provision for 6 bicycles. However, no plans to illustrate the location, access and form of this has not been provided. The site is also within walking distance of Bruce Grove Underground station and Tottenham Hale Train Station, therefore overall, the site is considered to have an acceptable level of access to public transport.

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.

Comment: The proposed HMO would have a large kitchen located on the ground floor which complies with HMO licensing standards. The scheme is acceptable in terms of the room's sizes and the number of residents. 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 an 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. However, no details have been provided.

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

Comment: Haringey standards for HMOs require that one kitchen is shared per three room lettings. In the case here one large kitchen is provided and therefore would be in compliance with HMO standards.

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 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.

The proposal has five rooms, which is 2 x double lettings and 3 x single lettings therefore capable of accommodating 7 people. The layout of the HMO is such that one large kitchen is provided, and each room would have an en-suite toilet/shower. The future occupiers would also have access to a communal garden. The standard of accommodation is considered 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.

As extended and with occupation of up to seven individuals, there would be a more intensive use of such a terrace house compared to its original single-family use. With such a level of occupation and the cumulative comings and goings of such occupiers, including that of visitors and deliveries etc, the use here would generate an overall level of activity materially greater than that associated with a family dwelling, as such leading to noise and disturbance detrimental to the amenity of adjoining and neighbouring occupiers.

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'.

The Council's Transportation Team have raised no objection to this application with the use of this property as an HMO not considered to have any greater impact on parking conditions over and above the existing extant use of the property as a family dwelling.

An HMO use in this location does meet the threshold to be designed as 'Car Free,' specifically as rented and HMO occupation generates much lower levels of car ownership than the general population. Equally there is also no evidence to show that an HMO would lead to more vehicle ownership and demand for on-street parking greater than that associated with a dwelling house.

Conclusion

The proposed conversion would result in the unacceptable loss of a family housing unit for which there is an identified need, provide unacceptable living conditions for future occupiers and would result in an over-intensive use of this property harmful to neighbouring amenity.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused 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 refusal for the following reason(s):

The proposed conversion of this single-family dwelling into an HMO would result in unacceptable loss of family housing for which there is an identified need, undermining the Council's ability to meet its housing targets as set out in the London Plan. The proposal is therefore contrary to London Plan Policy H8, Policy SP2 of the Haringey Local Plan (2017) and Policies DM10 and DM17 of Haringey's Development Management DPD (2017).

The proposed change of use to a house in multiple occupation (HMO) for 7 persons (Sui-generis), would by reason of the lack of adequate cycle parking provision and lack of sufficient shared facilities internally, provide substandard quality of accommodation for future occupiers, contrary to Policies D12, DM17 and DM35 of the Council's Development Management DPD (2017).

The proposed development would result in an over-intensive use of the property and an increase in levels of activity and noise that would be detrimental to neighbouring residential amenity, contrary to Policies DM1 and DM17 of Haringey Council's Development Management DPD (2017).

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