

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 24th March 2015

Report of
Assistant Director, Planning,
Highways & Transportation

Contact Officer:
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Sharon Davidson 020 8379 3841
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Ward:
Ponders End

Ref: 14/04730/FUL

Category: Full Application

LOCATION: 29 Garfield Road, Enfield, EN3 4RP,

PROPOSAL: Use of property as a House of Multiple Occupation for a maximum of 4 people.

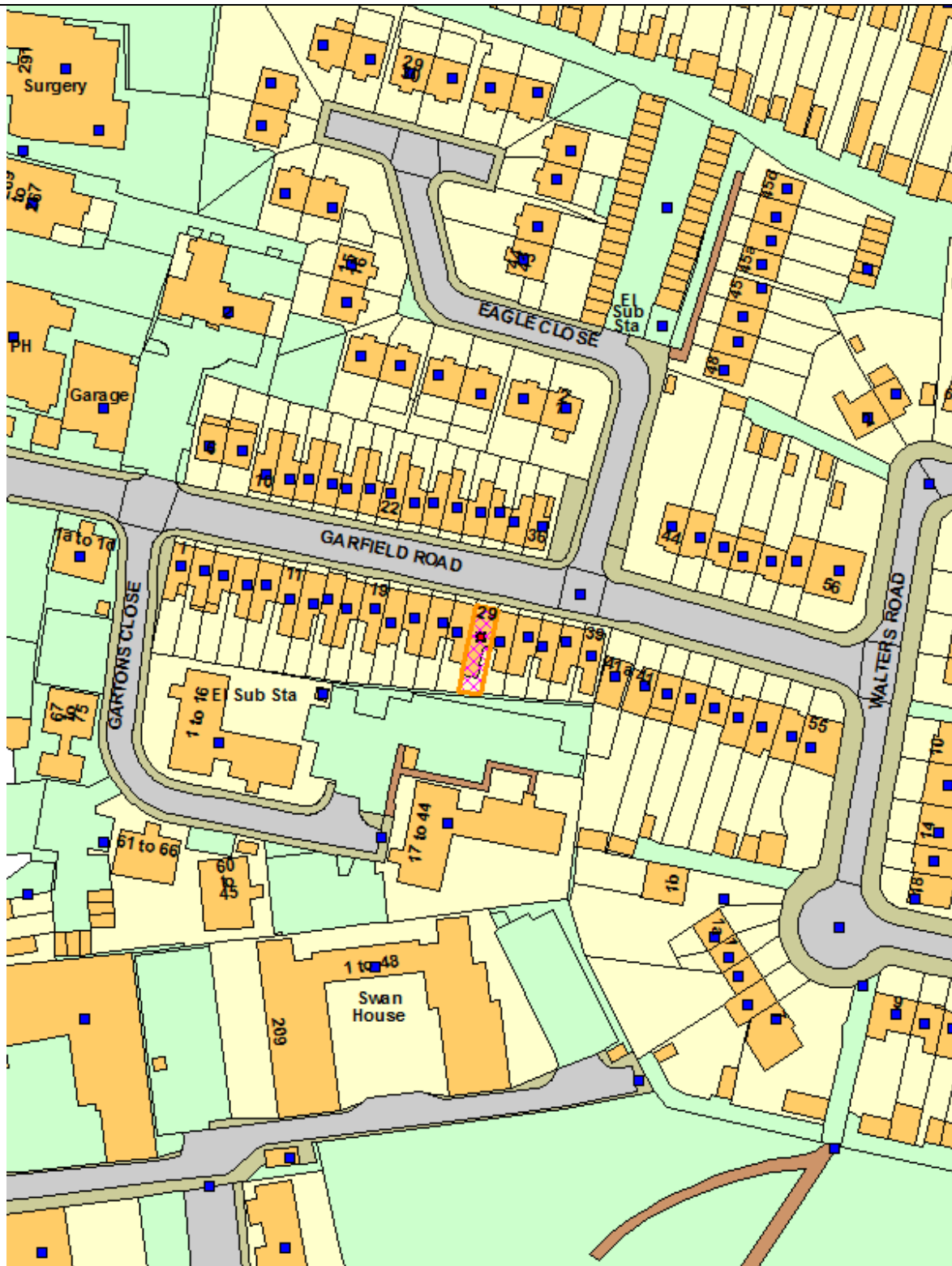
Applicant Name & Address:
Mr Masood Qureshi
c/o Agent

Agent Name & Address:
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WA Shersby
PO BOX 1111
Enfield
EN1 9JW

RECOMMENDATION:

It is recommended that the application be **APPROVED** subject to conditions.

Ref: 14/04730/FUL LOCATION: 29 Garfield Road, Enfield, EN3 4RP,



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Scale 1:1250

North



1. Site and Surroundings

- 1.1 The property is a two storey terraced dwelling located to the south side of Garfield Road. The property currently benefits from a large single storey extension (depth approximately 3.5 metres) already on site and a moderately size garden (approximately 25m²) accessed through the rear of the property.
- 1.2 While the site was previously a dwellinghouse, and this remains its established lawful use, it is currently sub-divided into four self-contained flats (two per level). These units have their own internal entrances (including individual numbering 1-4) and access to their own catering, bathroom and laundry facilities.
- 1.3 The immediate area surrounding the application property is residential and is characterised by smaller, terrace properties with a commercial / retail area a few minutes walk away along Ponder's End High Street (large local centre). The site has a PTAL rating of 3 (moderate level of access to public transport services).
- 1.4 A survey of the surrounding properties in Garfield Road indicates that there are no obvious flats or HMO conversions and the planning history records indicate that there are no other permissions granted for flat conversions or HMOs within the street.

2. Proposal

- 2.1 The application is for the conversion of the property into a house in multiple occupation (HMO) for a maximum of 4 individuals to live as a single household. This is a new proposal and does not seek to regularise the existing, unauthorised usage of the site as 4 self-contained flats.
- 2.2 The scheme proposes 3 bedrooms spread over the two floors with en suite bathroom facilities for each. Shared communal kitchen / lounge areas are proposed to rear of the ground floor (including within the existing single storey rear extension) with access for all to the garden beyond. There are no proposed external alterations beyond refuse area (front garden) and cycle parking (rear garden).

3 Relevant Planning Decisions

- 3.1 ENF/14/0424 –Enforcement case regarding the current unauthorised, sub-division of the property. A Planning Contravention Notice was issued 10.11.2014 seeking further information. The case remains open pending the outcome of the current application.

4 Consultations

4.1 Statutory and non-statutory consultees

Traffic and Transportation

- 4.1.1 No objections are raised. No on-site parking is being proposed. Any increase in parking demand is likely to be relatively modest given the lower level of car

ownership that can be expected for this type of tenure, and therefore any additional demand can be accommodated on-street if necessary.

- 4.1.2 The current cycle parking is in what appears to be a garden shed. This is not acceptable as it is unsecure and difficult to access. At least one cycle parking space per bedroom should be provided and clearly dimensioned on the plan. Cycle stores should be secure weather tight, attractive and provided in a fully enclosed and permanent structure (cycle lockers will be preferable).

Cleansing Team

- 4.1.3 For this HMO type, we supply 1 x 240 litre grey refuse bin, 1 x 240 blue lidded mixed recycling bin and 1 x 240 litre green lidded garden and food waste bin. There is enough room to accommodate the 240 grey and blue lidded bins in the front garden.

Housing Team

- 4.1.4 No objection. No HMOs are on record in Garfield Road

Thames Water

- 4.1.5 On the basis of information they advise that with regard to sewerage and water infrastructure capacity, they would not have any objection to the application.

4.2 Public response

- 4.2.1 The application was referred to 16 neighbouring properties on Garfield Road. One comment was received which is summarised below:

- Querying inadequate parking as there is already high parking congestion in area
- Querying increase in traffic for above reasons

5 Relevant Policies

5.1 London Plan (2011)

Policy 3.3 – Increasing housing supply
Policy 3.4 – Optimising housing potential
Policy 3.5 – Quality and design of housing development
Policy 3.8 – Housing choice
Policy 3.14 – Existing housing
Policy 5.14 – Water quality and wastewater infrastructure
Policy 6.13 – Parking
Policy 7.4 – Local character

5.2 Local Development Framework: Core Strategy

Core Policy 4: Housing quality
Core Policy 5: Housing types

Core Policy 6: Housing need
Core Policy 21: Delivering sustainable water supply, drainage and sewerage infrastructure
Core Policy 26: The road network

5.3 Local Plan: Development Management Document

DMD3: Providing a Mix of Different Sized Homes
DMD4: Loss of Existing Residential Units
DMD5: Residential Conversions
DMD6: Residential Character
DMD8: General Standards for New Residential Development
DMD9: Amenity Space
DMD37: Achieving High Quality and Design-Led Development
DMD38: Design Process
DMD45: Parking Standards and Layout

5.4 Other Policy

National Planning Policy Framework
Waste and Recycling Planning Storage Guidance
London Housing SPG

6 Analysis

6.1 Principle: Conversion to HMO

- 6.1.1 Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) makes provision for the use of residential properties for multiple occupation by non-related individuals. On 1 October 2010 amendments were made to the General Permitted Development Order. These changes gave permitted development rights for changes of use from C3 to C4.
- 6.1.2 A Borough-wide Article 4 Direction was confirmed by Council with effect from 23rd October 2013 which rescinded permitted development rights for a change of use to Class C4 and hence planning permission is required.
- 6.1.3 The subject application comprises three single bedroom areas each benefitting from an en-suite, but most importantly denied individual kitchen / cooking / laundry facilities to support independent and self-contained occupation. Furthermore, the scheme has been re-designed to remove layout features where possible that would facilitate reconversion into self-contained flats (the 'dressing rooms' noted as part of its first and now superseded design iteration) and is accompanied by explicit wording within its supporting statement noting that the proposed use of the site is only for a HMO. It therefore is deemed to fall within the C4 Use Class unlike the self-contained flats currently on site.
- 6.1.4 Policy DMD5 of the Development Management Document seeks to ensure that the number of conversions in a particular street does not exceed 20% and not more than 1 in 5 consecutive properties have been converted to either flats or HMOs. Conversions should not lead to an unacceptable level of noise, disturbance for occupiers and adjoining properties; or adversely affect

the quality of the street streetscene through inadequate parking and refuse storage arrangements.

- 6.1.5 An extensive check of planning and housing history of the properties in the surrounding area has been conducted alongside a walking survey spanning the full extent of Garfield Road. On the basis of the evidence to hand and observations made on site there are no visible or authorised conversion within the road. Therefore the DMD5 policy test is satisfied and the scheme would not lead to an over-concentration of small unit accommodation in the area that would affect surrounding occupiers' residential amenity or impact on the streetscene.

6.2 Floor Area

- 6.2.1 While the adopted London Plan now contains minimum standards for the size of new residential accommodation, replacing the Council's Supplementary Planning Guidance, as the application seeks to create a HMO and not individual self-contained units, these space standards do not apply in this instance.

6.3 Private Amenity Space and Living Conditions for Future Occupiers

- 6.3.1 Policy DMD 8 seeks all new residential development (not just new building housing) to meet a series of criteria, including to provide high quality amenity space as part of the development for occupiers.
- 6.3.2 The scheme would provide a shared kitchen (9m²) and lounge area (7.84m²) that constitute enough overall communal areas to provide acceptable future living arrangements. There is a minor stacking issue regarding the communal kitchen and the bedroom associated with the rear first floor unit. It is however not an uncommon relationship within residential dwellings and, on balance, it considered acceptable.
- 6.3.3 There is a rear garden (22.85m²) to the property and the submitted plans indicate that there will be access to this garden space via the communal area at the rear of property. Given the likely composition of the unit's occupiers it is not considered that such provision would be problematic.

6.4 Transport - Car & Cycle Parking

- 6.4.1 Policy DMD45 states that proposals will be considered against the standards set out in the London Plan (and the associated Housing SPG) and the operational needs of the development, having regard to the need to maximise use of sustainable modes of transport.
- 6.4.2 The London Plan recommends no minimum parking prerequisite for this type of development but states that one cycle space should be provided for 1 or 2 bed units.
- 6.4.3 There has been a comment noting the high level of parking in the surrounding area. Consultation with Traffic and Transportation team and the case officer audit of the local area during the site visit both showed the expected relatively high parking levels within the vicinity.

6.4.4 While it is acknowledged there may be a marginal parking impact associated with the development, it is considered the scheme is unlikely to give rise to substantially higher level of parking demand than the authorised use of the building as a family dwellinghouse and there is no cumulative impact from similar schemes in the immediate area. As such, the proposed usage would be acceptable in transport terms, subject to a condition securing accessible, covered and secure cycle parking in the rear garden area.

6.5 Refuse Provision

6.5.1 The refuse and recycling storage for the units are proposed to be located in the front garden area, but full details regarding exact composition have not been supplied with the application. As per the Cleansing team's comments, it is considered that there is adequate space in the front garden area for the requisite waste / recycling bins to be accommodated and that the use of a 3 bedroom property for a maximum four person HMO would not generate waste significantly above and beyond that of a large family dwellinghouse.

6.5.2 The waste and recycling facilities would need to comply with the Council's preferred standards (see Cleansing comment above) to be in accordance with Policy DMD 5, which seeks adequate refuse arrangement so as not adversely affect the streetscape. As such, the waste and recycling provision is acceptable in principle but the further details would be supplied and permanently secured via condition.

6.6 Noise and Nuisance

6.6.1 The scheme is not considered to result in significantly higher levels of noise and nuisance for surrounding occupiers over its lawful use as a large family dwelling. This is supported Environmental Health team's lack of object to the proposals.

6.7 CIL

6.7.1 As the scheme does not propose the creation of additional floorspace, it is not CIL liable.

7 **Conclusion**

7.1 The proposed change of use from the existing single family dwelling into a house of multiple occupation for a maximum of 4 people, having regard to the existing character of the surrounding area, would not detract from the residential character of the surrounding area; create unacceptable parking stress on the surrounding road network; and in particular, unduly harm the amenities of neighbouring residential properties or future occupiers of the site. This development would therefore comply with relevant local plan policies, including Policies DMD4 and DMD5 of the Development Management Document, as well as the NPPF.

8 **Recommendation**

8.1 It is recommended that the application be APPROVED subject to conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans including plans(s) that may have been revised, as set out in the attached schedule which forms part of this notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The use of the property as a House of Multiple Occupation hereby approved shall be occupied by a maximum of 4 people acting as a single household and shall not be subdivided or occupied as self-contained units.

Reason: To accord with the stipulations of definition as a House of Multiple Occupation and to safeguard the residential character of the surrounding area.

4. No independent cooking or laundry facilities shall be installed or retained in any of the respective units, and the communal kitchen and lounge areas shown on the approved plans shall be retained in perpetuity unless agreed in writing with the Local Planning Authority.

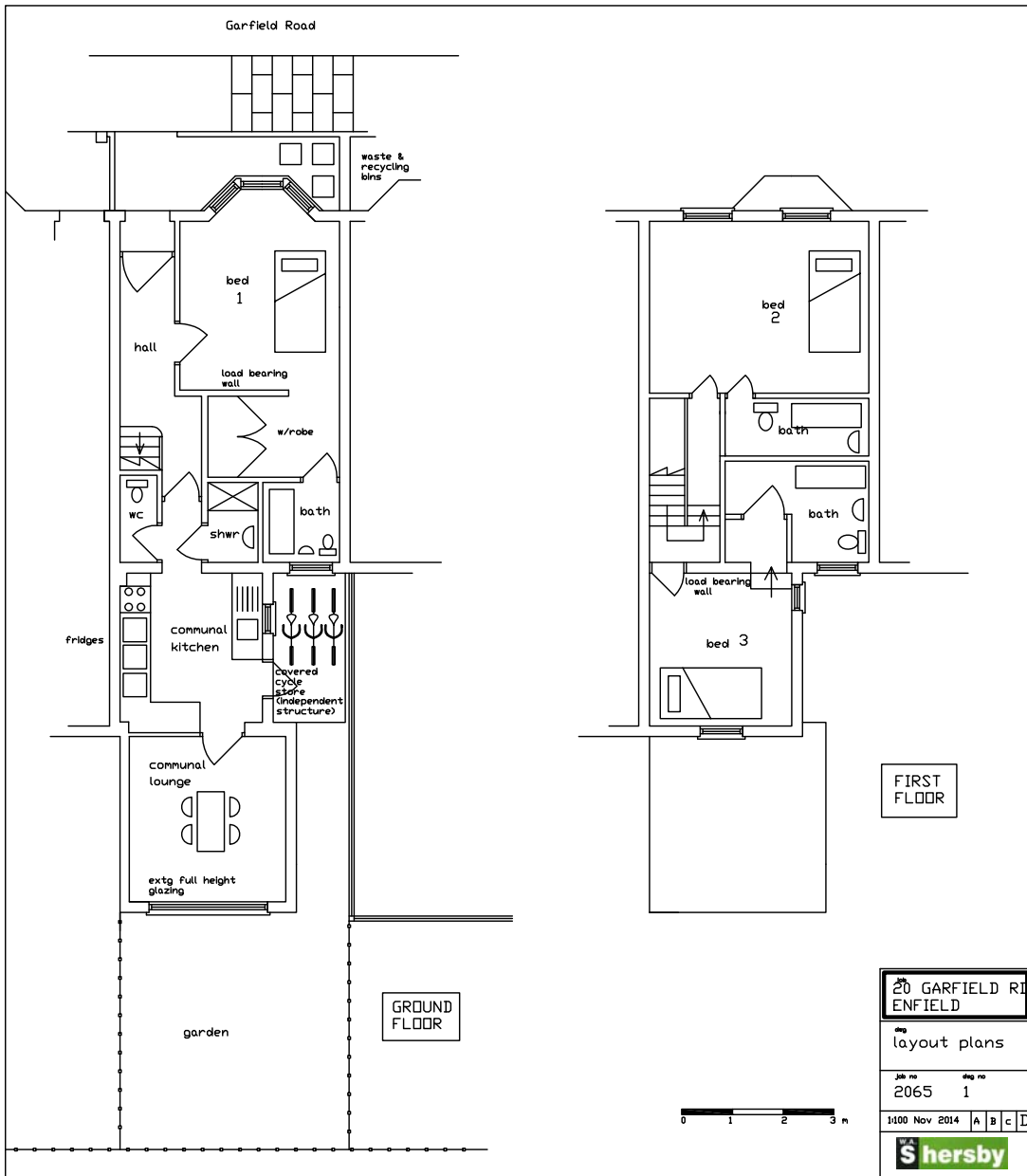
Reason: To accord with the stipulations of definition as a House of Multiple Occupation and to safeguard the residential character of the surrounding area and living conditions of future occupiers.

5. Within one month of the date of this decision full details of the refuse storage (including facilities for the recycling of waste) are provided within the front garden area in accordance with the London Borough of Enfield Waste and Recycling Planning Storage Guidance ENV 08/162 shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets

6. Notwithstanding the details shown on the approved plans, within one month of the date of this decision full details of the siting, number and design of secure/covered cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking prior to occupation for the purposes hereby approved.

Reason: To ensure the provision of adequate cycle parking spaces in line with the Council's adopted standards.



20 GARFIELD RD
ENFIELD

dep
layout plans

job no 2065
dep no 1

1100 Nov 2014 A B C D

