

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

Date : 20th October 2015

**Report of**  
Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**  
Andy Higham  
Sharon Davidson  
Mr Patrick Brennan

**Ward:**  
Bowes

**Ref:** 15/02717/FUL

**Category:** Full Application

**LOCATION:** 136 Palmerston Road, London, N22 8RD,

**PROPOSAL:** Conversion of property to a 6 room House of Multiple Occupation.

**Applicant Name & Address:**

11 Mymms Drive  
Brookmans Park  
Hatfield  
AL9 7AE  
United Kingdom

**Agent Name & Address:**

Mr Chris Georgiou  
221 East Barnet Road  
Barnet  
Hertfordshire  
EN4 8QS

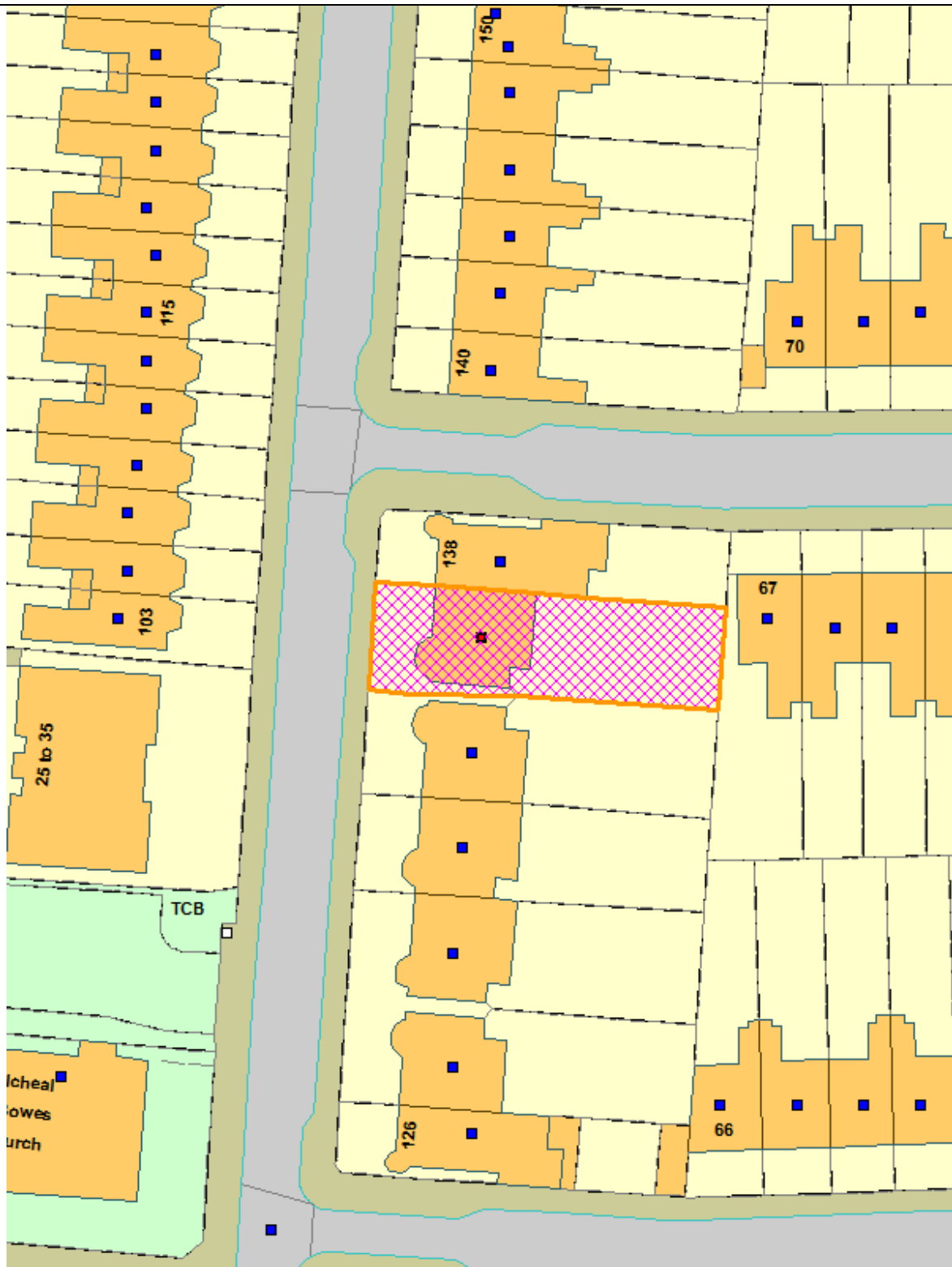
**RECOMMENDATION:**

That Planning permission be **GRANTED** subject to conditions.

**Note for Members:**

Although an application of this nature would normally be determined under delegated authority, the application is reported to Planning Committee at the request Councillor Archilleas Georgiou on grounds that the proposed development constitutes over-development, firstly, on the number of bedrooms and occupants. Secondly, it is over-development of conversions in the area and the plans to do not provide sufficient spaces for car parking (ie only two car parking spaces) or for the placement of refuse.

Ref: 15/02717/FUL LOCATION: 136 Palmerston Road, London, N22 8RD,



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Scale 1:1250

North



## Site and Surroundings

- 1.1 The subject site is located on the eastern side of Palmerston Road, between Kelvin Avenue and Belsize Avenue. The site is a regular shape and is occupied by a two-storey semi-detached dwelling with garden to the rear. The front forecourt features hardstand with perimeter landscaping. There is no formal vehicle crossover to the site.
- 1.2 The site was formerly used as a seven bed children's home, however is currently vacant.
- 1.3 The surrounding area is predominantly residential. The eastern side of Palmerston Road features two-storey terraced and semi-detached dwellings, of which a significant number have been converted to self-contained flats, including Nos 134, 132 and 130 to the south of the subject site. The western side of Palmerston Road features a mix of terraced dwellings, most of which are single dwellings, and a variety of flatted development.
- 1.4 The site is not located within a conservation area and does not contain a listed building.

## 1. Proposal

- 1.1 The application seeks planning permission for conversion of the existing children's home (use class C2) to a 6-room House in Multiple Occupation (HMO) and creation of a single vehicle crossover to Palmerston Road.
- 1.2 The proposal would include two communal kitchen areas – one at ground floor and one at first floor – and a communal garden to the rear.
- 1.3 Each of the six bedrooms would be provided with an individual ensuite bathroom. The individual room sizes are as follows:
  - Room 1 15.6 sqm
  - Room 2 14.6 sqm
  - Room 3 19.8 sqm
  - Room 4 14.7 sqm
  - Room 5 16.8 sqm
  - Room 6 14.1 sqm

## 2. Relevant Planning Decisions

- 2.1 The following planning history is considered to be relevant:

Reference	Proposal	Decision	Date
TP/08/1635	Change of use from child care home into day nursery (D1) use for a maximum of 56 children between the ages of 3 months and 5 years, together with erection of a single storey rear extension.	Refused	13 November 2008
TP/01/0403	Change of use from single	Granted	20 November 2001

	family dwelling house to a seven bed child care home.	with conditions	
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### 3. Consultations

#### 3.1 Statutory and non-statutory consultees

##### Thames Water

##### 3.1.1 No objection

##### Traffic and Transportation

##### 4.1.2 Traffic and Transportation provided the following initial comments:

*Although the plans show two off street parking spaces in fact only a single crossover and one car parking space (circa 2.4m-3m in width) can be achieved without obstructing pedestrian access into the building. The plans should therefore be updated to show one car parking space on the front drive with associated crossover.*

*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, particularly as the site is located close to the BR Station, bus services and local amenities. For that reason the proposals are consistent with DMD policy 45 and the car parking standards set out in London Plan policy 6.13.*

*The plans fail to show cycle parking. Cycle parking should be provided in line with the latest London Plan cycle parking standards which require a minimum of one long-stay space per two bedrooms which leads to a requirement of three cycle parking spaces. It should be secure (ideally by a mortice lock or an access fob), weather tight, attractive and lit and provided in a fully enclosed and permanent structure. A convenient and safe access to and from the store(s), building and the street must also be provided. Due to the limited space available on site the details should be provided now rather than secured by a condition to be consistent with DMD policy 45 and policy 6.9 of the London Plan.*

*No details of the design of the bin and recycling storage area have been provided. The details of this should be reserved by condition. Subject to this the proposals are consistent with DMD 8.*

##### 4.1.3 The applicant has since provided amended plans which show only one on-site car space, cycle storage and bin storage.

##### 4.1.4 Traffic and Transportation and subsequently advised that there is no objection to the proposal subject to conditions.

##### Housing Enforcement Officer

##### 4.1.5 No objection.

##### Environmental Health

##### 4.1.6 No objection.

## 4.2 Public response

4.2.3 Letters were sent to eight (8) adjoining and surrounding properties. As a result, one (1) objection from a member of the public has been received from a representative of the Bowes Park Community Association which raises the following objections:

- Loss of a single family dwelling;
- Problems associated with HMOs.

4.2.4 In addition, an objection has been received from Cllr Georgiou, who has asked for the application to be called in to Committee. Cllr Georgiou raises the following concerns with the proposal:

- Application form states that the proposal is for a six-bed HMO whereas there are seven bedrooms shown on the submitted plans.
- Proposal is an overdevelopment of the site in terms of the number of bedrooms and number of occupants.
- Proposal results in overdevelopment of conversions in the area.
- Insufficient car parking (ie. only two car spaces).
- Insufficient refuse store.

4.2.5 These matters are addressed in the Analysis section of this report.

## 5 Relevant Policies

### London Plan

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing development

Policy 3.9 Mixed and Balanced Communities  
Policy 3.8 Housing choice  
Policy 3.14 Existing housing  
Policy 5.14 Water quality and wastewater infrastructure  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.1 Building London's Neighbourhoods  
Policy 7.2 An Inclusive Environment  
Policy 7.4 Local character

### Core Strategy

Policy 4 Housing quality  
Policy 5 Housing types  
Policy 6 Housing need  
Policy 21 Delivering sustainable water supply, drainage and sewerage infrastructure  
Policy 26 The road network

### 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

### Other Relevant Policy Considerations

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

## **6 Analysis**

6.1 Having regard to the nature of the proposal and the relevant planning policy framework, the key issues in the assessment of this application relate to:

- Principle of development: Conversion to HMO
- Standard of accommodation
- Neighbouring amenity
- Traffic and Transportation
- CIL / S106 contributions

An assessment in relation to each is provided below.

### Principle of development: Conversion to HMO

- 6.2 The adopted policies encourage residential development that improves existing housing stock and provides new housing to accommodate London's increasing population and changing demographics.
- 6.3 Shared accommodation or houses of multiple occupation (HMOs) play an important role in increasing housing supply and diversity. They provide flexible and affordable accommodation through the private market, though concentrations of HMOs and their quality can give rise to concern.
- 6.4 The proposal involves the conversion of the property, which was previously used as a children's home (Use Class C2 – Residential Institutions), to a HMO.
- 6.5 The proposed HMO comprises six bedrooms, each with ensuite, with shared kitchen facilities and would not create any new self-contained units which could be independently occupied. It is therefore considered to fall within Use Class C4 or the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 6.6 Policy DMD 5 (Residential Conversions) of the Development Management Document broadly seeks to protect against the loss of existing family sized units and protect against the impacts on the character of an area from conversion of such properties into flats or HMOs.

- 6.7 As noted, the property was formerly in use as a children's home (C2), and therefore the conversion of the property to a HMO would not result in the loss of an existing family unit.
- 6.8 A key issue in the assessment of this application therefore relates to the impact of the conversion of the property to a HMO on the character of the area.
- 6.9 More specifically, Policy DMD 5 requires (among other things) that development involving the conversion of existing units into HMOs must '*not harm the residential character of the area or result in an excessive number or clustering of conversions*'. It further suggests that the number of conversions must not exceed 20% of all properties along any road; and only 1 out of a consecutive row of 5 units may be converted.
- 6.10A review of the Council's planning history and a survey of 152 properties (including the subject site) on both sides of Palmerston Road (Nos. 2-170) have been conducted. This reveals that 52% of properties in the street have either been converted or are flats, including 56% of properties on the eastern side of Palmerston Road and 51% of properties on the western side of Palmerston Road. It is also noted that the three properties to the south of the subject site (Nos. 130, 132 & 134), which sit within a consecutive row of five properties containing the property, have been converted.
- 6.11 Notwithstanding the numerical tests of Policy DMD 5 (ie. the '20%' and 'one-in-five' rules), the key test of the policy is considered to be whether an additional conversion would 'harm the residential character of the area'.
- 6.12 It is clear from the review of planning history and a survey of Palmerston Road that the number of conversions in the street already far exceeds 20%. Indeed, it can be said that the street is strongly characterised by residential conversions and flats.
- 6.13 In this context, and given the number of conversions in the street, it is considered that there would not be any material adverse impact on the character of the area as a result of one additional conversion in the street. It is further noted that in terms of the number of occupants, the proposed HMO would be similar to the site's former use as a children's home.
- 6.14 While it would be preferable for the property to be returned to use as a single family dwelling, having regard to the above, it is considered that the basis of harm to the character of the area of non-compliance with Policy DMD 5 could not be substantiated in this instance and that the principle of development is acceptable.

#### Standard of Accommodation

##### *Room sizes*

- 6.15 The Mayor's Supplementary Housing Guidance provides minimum standards for the size and layout of different rooms. The minimum floor area for a single bedroom is 8sqm. All bedrooms would greatly exceed this requirement with bedrooms ranging in size from 14.1sqm-19.8sqm. The combined floor area for kitchen / dining / living for a 6-person occupancy dwelling house is 31sqm. The proposal features two shared kitchens with a combined area of 19.75sqm and does not include any shared dining or living areas. While this is less than the suggested area for kitchen / dining / living areas, given the nature of the use and the size of the bedrooms, this is considered acceptable. There is no minimum floor area for bathrooms and WCs.

6.16 It is otherwise noted that the Council's Housing Enforcement Officer has had discussions with the applicant prior to the application being submitted to ensure that the proposed layout meets the relevant HMO standards.

#### *Amenity space*

6.17 The adopted policies encourage residential development that provides good quality amenity space. There is no minimum standard for HMOs, however DMD 9 requires at least 35m<sup>2</sup> amenity space for a 4-bed 6-person dwelling which may be used as a guide. The proposal would exceed this standard and provide a garden at the rear of the property.

#### *Refuse*

6.18 The submitted plans show provision for refuse facilities within the front forecourt within an enclosure which is considered acceptable. Traffic and Transport has no objection to the proposed refuse provision subject to a condition requiring details of details of the design of the enclosure.

#### *Cycle storage*

6.19 The revised plans show provision for three bicycle spaces within a bike store to the rear of the property accessed via a side gate. The location is considered acceptable subject to a condition requiring the details of the design of the store to be submitted for approval.

#### Neighbouring amenity

6.20 Policy DMD 8 (General Standards for New Residential Development) requires (among other things) that new residential development preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking and noise and disturbance.

6.21 Policy DMD 5 also requires that HMOs must not lead to an unacceptable level of noise and disturbance for occupiers and adjoining properties.

6.22 The proposal does not include any external works and therefore there would be no additional impacts in terms of daylight, sunlight, outlook, privacy and overlooking. It is considered that the proposed use of the property as a HMO would not lead to any material adverse impacts in terms of noise and disturbance, noting that the proposed number of occupants would be similar to that of the former use as a children's home.

#### Traffic and Transportation

6.23 In terms of car parking demand, Traffic and Transportation has noted that 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. It is also noted that the site is relatively well served by public transport, with a Public Transport Accessibility Level (PTAL) of 3, and local amenities.

6.24 The proposal is therefore considered to be consistent with DMD policy 45 and the car parking standards set out in London Plan policy 6.13.



6.25 Policy DMD 5 also requires that residential conversions and HMOs must incorporate adequate parking and refuse storage arrangements that do not, by design or form, adversely affect the quality of the street scene.

6.26 The applicant has provided revised plans to show only one on-site car space in response to referral comments from Traffic and Transportation. Traffic and Transportation is now supportive of the proposed parking and access arrangements subject to conditions.

6.27 The proposed refuse provision is considered acceptable as discussed above.

#### CIL / S106 Contributions

6.28 The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012, the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. The Council is progressing its own CIL but this is not expected to be introduced until late 2015.

6.29 The development would not be CIL liable.

6.30 The proposal is not subject to any requirements for contributions under the Council's S106 SPD.

## **7 Conclusion**

7.1 Having regard to the above assessment and the former use of the site as a children's home, it is considered that the proposal would not result in any further harm to the character of the area or the amenities of the occupiers of adjoining properties.

## **8 Recommendation**

8.1 That Planning permission be GRANTED subject to the following conditions:

### **1. Approved Plans (C61)**

The development hereby permitted shall be carried out in accordance with the approved plans, including any plans 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.

### **2. Approved Layout**

The development hereby permitted shall be laid out in accordance with the approved plans. There shall be no deviation from the number, size or mix of bedrooms without prior approval from the Local Planning Authority.

Reason: To ensure the development provides an appropriate layout and density.

### **3. Bedrooms**

No independent cooking or laundry facilities shall be installed in any of the respective bedrooms and the communal kitchen shall be retained in perpetuity.

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. Occupation

The use of the property as a House of Multiple Occupation hereby approved shall be occupied by a maximum of 6 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.

#### 5. Cycle Parking (C59)

Notwithstanding the plans submitted, the development shall not commence until details of the type, design of at least three cycle stands, lighting and access lock to the cycle store have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.

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

#### 6. Details of Hard Surfacing (C9)

The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance.

#### 7. Details of Refuse Storage & Recycling (C19)

The development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

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

#### 8. Time limit (C51)

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.



MELBOURNE AVENUE ✓

PALMERSTON ROAD

136

No.	Revisions Note	Date
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hifects

221 East Barnet Road,  
Barnet, Herts EN4 8QS  
Tel: 020 8449 5100  
Fax: 020 8449 5170

digy Estates Ltd

3 Palmerston Road  
London  
E2 8RD

g Title:

e Location Plan

Scale: 1:1250 @ A4

Date: Jun. 2015

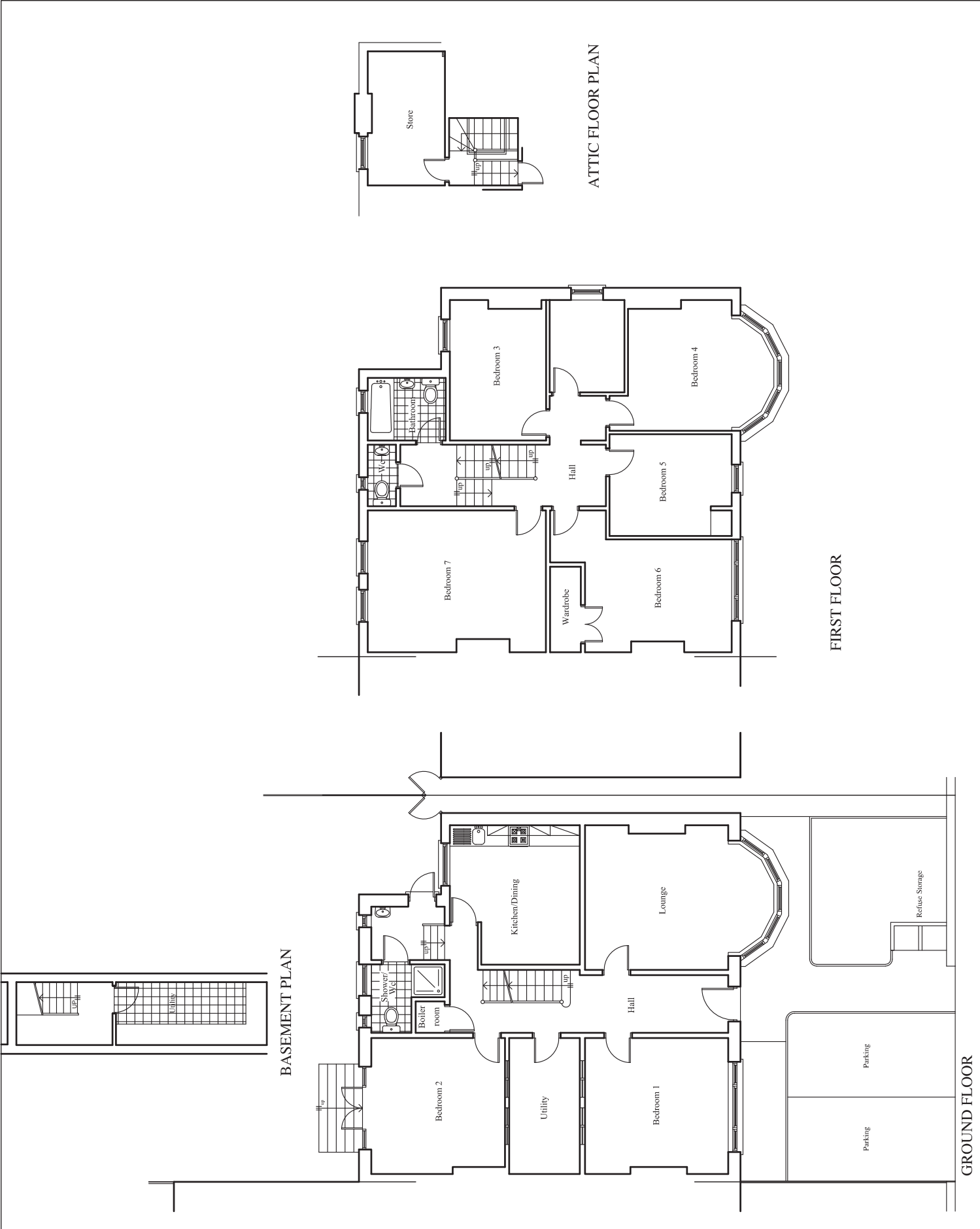
Drg No 1023/01 Rev.

No scaled dimensions to be taken from this drawings. All dimensions to be site checked.








**CGA** architects  
 221 East Barnet Road,  
 Barnet, Herts EN4 8QS  
 Tel: 020 8449 5100  
 Fax: 020 8449 5170

Client:	Profigy Estates Ltd
Site:	136 Palmerston Road London N22 8RD
Drawing Title:	Floor Plans as Existing
Scale:	1:100 @ A3
Date:	Jun, 2015
Dwg. No.	1023/02
Rev.	#



No scaled dimensions to be taken from this drawings. All dimensions to be site checked.

KEY:

-  Existing Structure
-  Brickwork
-  Blockwork
-  Partitions
-  Compartment walls

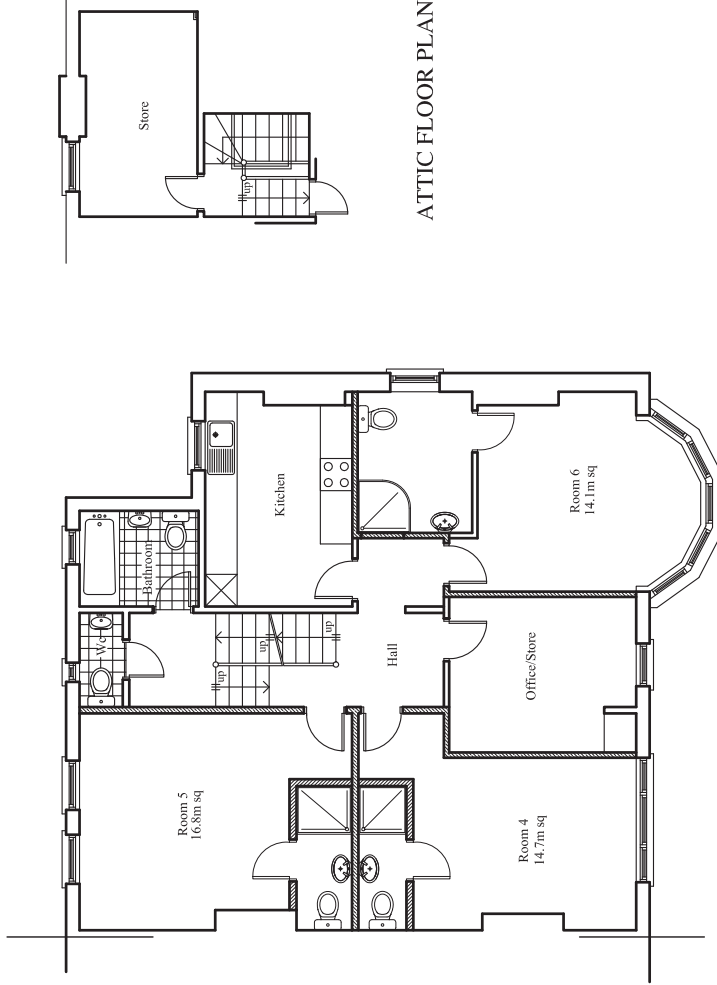


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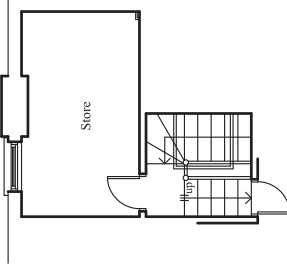
Client:	Prodigy Estates Ltd
Site:	136 Palmerston Road London N22 8RD
Drawing Title:	Floor Plans as Proposed
Scale:	1:100 @ A3
Date:	Jun. 2015
Dwg. No.	1023/03
Rev.	A



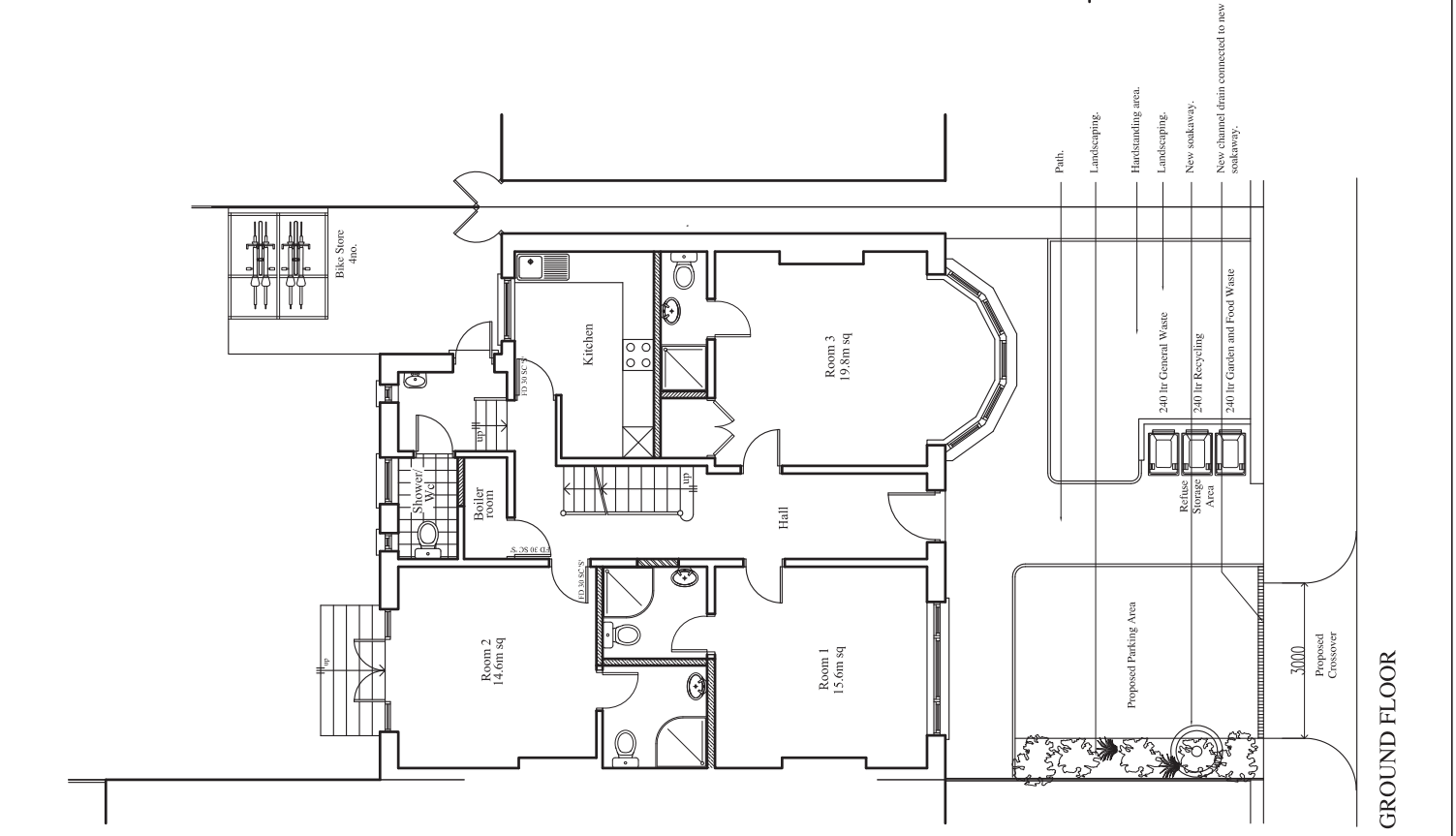
BASEMENT PLAN



FIRST FLOOR

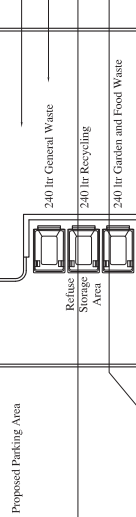


ATTIC FLOOR PLAN



GROUND FLOOR

- Paths.
- Landscaping.
- Handstanding area.
- Landscaping.
- New soakaway.
- New channel drain connected to new soakaway.



3000  
Proposed Crossover

No scaled dimensions to be taken from this drawings. All dimensions to be site checked.



No.	Revisions	Note	Date

**CGA** architects  
221 East Barnet Road,  
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Client:  
**Prodigy Estates Ltd**

Site:  
**136 Palmerston Road  
London  
N22 8RD**

Drawing Title:

**Site Plan as Existing  
and Proposed**

Scale: 1:200 @ A4

Date: Jun. 2015

Dwg. No. 1023/04  
Rev. A

