

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2008/1152

Ward: Fortis Green

Date received: 28/05/2008

Last amended date: 12 August 2008

Drawing number of plans: 201 REV 01, 202, 203, 204 REV 01, 205 REV 01, 206 REV 01 & 207 REV 02.

Address: 22 Aylmer Road N2

Proposal: Conversion of property from single occupancy house to 1 x three bed flat and 1 x one bed flat.

Existing Use: Residential

Proposed Use: Residential

Applicant: Mr Achilleas Constantinou

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Classified Road

Officer contact: Gary Savins

RECOMMENDATION

GRANT PERMISSION subject to conditions.

SITE AND SURROUNDINGS

The subject site is located on the northern side of Aylmer Road, approximately halfway between its intersections with The Bishops Avenue and Bancroft Avenue respectively. The site is improved by an existing large two storey detached residential property. The site has dual vehicle access onto Aylmer Road and is adjoined to the north, east and west by similar large residential properties. Aylmer Road bounds the site to the south.

The surrounding locality is predominantly residential in nature, typically characterised by large residential dwellings on large plots.

There is evidence that the upper levels of the existing property had previously accommodated two separate bedsits as the existing building layout clearly facilitates self-containment.

A site inspection was undertaken by Council officers on Thursday 7 August 2008. During this site inspection it became clear that no identifiable unauthorised conversion works had previously been undertaken on the site. The majority of the works that had been undertaken on the site were minor refurbishment and improvement works (including re-painting). All the works that have been undertaken on the site prior to the site inspection were not unlawful and were compliant with the existing permitted development rights of the subject property.

PLANNING HISTORY

The following relevant town planning history was identified for the site:

OLD/1985/0056 – Construction of crossover to a classified road – Granted.

OLD/1985/0057 – Construction of crossover to a classified road – Granted.

HGY/2000/1161 – Certificate of Lawfulness for Erection of a dormer window to rear – Permitted Development.

HGY/2008/0376 – Conversion of property from single occupancy house to 1 x three bed flat, 1 x two bed flat, 1 x one bed flat and 1 x individual bedsit (AMENDED DESCRIPTION) – Withdrawn.

Of particular note to this application is the above withdrawal HGY/2008/0376. This application was for the conversion of the subject property into 3 x flats and 1 x bedsit. Following discussion between the applicant and Council, this application was subsequently withdrawn.

DETAILS OF PROPOSAL

This proposal is for the conversion of the existing property into 1 x three bed flat and 1 x one bed flat. The proposal is to accommodate the one bed flat on the ground floor and the three bed flat on the upper two levels. Primary access to both the flats is to be through the ground floor entrance hall/foyer area.

Notwithstanding the refurbishment and slight modification to the side access and installation of a roof kitchen extract flue, there are no substantial external building modifications or alterations proposed. These conversion works are moreso internal building and remodelling works.

The proposal also inclusion the provision of 3 x on-site car parking spaces in the existing hardstand forecourt area of the site.

CONSULTATION

Transportation Authority
Local Ward Councillors

9, 11, 18, 20, 24 Aylmer Road, N2
17-53(o) Bancroft Avenue, N2
1, 2, 5, 7, 48, 36, 38, 28 Aylmer Road, N2
1-50(c) Aylmer Road, N2
1-60(c) Bancroft Avenue, N2
1 High Street, E17
1 Alexandra Road, E10
206 Forrest Road, E17
32 Omnibus Way, E17
140 Wood Lane, RIM 5SR
102 Tenby Court, E17
156 Hoe Street, E17
23 Thurston Avenue, SS2
96 Wood Street, E17
8 Hermitage Close, E18
19 Colberg Place, N16
81 Tennyson Road, LU1

RESPONSES

Transportation Authority

The following comments were received from this Authority in relation to this proposal:

“Since this proposal falls on TfL road network and TfL is the highway authority for these roads, the previous application on this site has been referred to them for comment today. The comment, received from TfL on 07/04/08 in a letter dated 01/04/08, which still applies to this application reads.

Comment :

“Transport for London (TfL) does not object to the proposed development application. Our only concern is to ensure that all vehicles that access the site can leave and enter in forward gear. We believe if the Borough is satisfied this parking layout allows this then TfL believes this application will not create any additional risk to the safe operation of the Transport for London Road Network (TLRN) - A1 Aylmer Road. ”

In the light of the TfL's comment above, we have assessed the proposed forecourt parking area and found that the proposed parking arrangement will not allow vehicles accessing this site to leave and enter in forward gear. We will subsequently suggest that the applicant proposes a car parking scheme that will alleviate this TfL's concern, perhaps with reduction in the number of car parking spaces, to create an adequate manoeuvring area on the forecourt to enable vehicles accessing this site to leave and enter in forward gear.

Consequently, the highway and transportation authority and TfL object to this application, in its present form”.

[Note that the parking layout has subsequently been amended to three spaces to take account of this objection]

Local Ward Councillors

Numerous discussions and correspondence was undertaken with Local Ward Councillors in relation to this application. The main issues that were involved in these discussions have been summarised as follows:

- concern that property will be operated as more than just 2 flats;
- clarification in relation to consultation that was undertaken;
- likely timing of any decision;
- questions in relation to site inspections undertaken by Council officers;
- concerns in relation to vehicle parking and pedestrian safety;
- inconsistency in the plans (existing windows drawn incorrectly or omitted);
- requirement for, and location of, fire exits;
- extent of works already undertaken by the applicant (is this proposal retrospective); and
- clarification of issues in relation to the location of refuse bins on the subject property.

Adjoining Borough Councillors

One response was received from a Local Councillor of LB Barnet. This response received was as follows:

"I am aware of representations that have been made to you by ward residents of mine in Aylmer Road and Bancroft Avenue, highlighting their concerns at the proposals set out in the above-mentioned planning application. I should be glad if you would pay careful attention to the points they have made".

Local Residents

14 separate third party responses were received during the publicity for this application, combined with 130 pro-forma letters. Some of the signatories to the 'pro-forma' letters had also written their own individual letters, included in the total of 14 separate responses. All these responses were objecting to the proposal. The main issues raised in all these objections received have been summarised as follows:

- all surrounding properties are single family dwellings only;
- conversion would not benefit the local community;
- no other houses have been converted into flats in surrounding area;
- proposal will set a precedent that would result in further applications;
- the special character of this area would decline;
- detrimental effect on the environment;

- noise, disturbance and pollution from increased personnel and traffic;
- harmful impact on the amenities of neighbours;
- tranquillity of the large rear gardens would be compromised;
- new side entrance would disturb neighbours at unsociable hours;
- overlooking into adjoining houses and gardens;
- loss of privacy;
- parking would become even more difficult;
- highways dangers on one of the busiest trunk roads in the UK;
- footpath hazards associated with multiple vehicles;
- proposal is predominantly just a minor amendment to that which was previously proposed (withdrawn) and will ultimately result in more than 2 flats operating on the site;
- concern that the top floor flat will function as a HMO;
- plans indicate more bedrooms per flat than which are prescribed by the developer;
- proposed external works are inconsistent and incompatible with the existing character of the property;
- concern that a retrospective application for a higher number of flats may be submitted by the applicant in the future;
- new kitchen likely to be detrimental to existing nearby properties;
- existing purpose built flats nearby and as such no need for any new flats;
- existing unauthorised building works carried out to the subject property;
- proposed conversion represents overdevelopment of the site;
- proposed conversion will result in loss of property values in the area; and
- cumulative detriment impact of a number of planning applications (within close proximity to each other) being undertaken concurrently on nearby properties.

One letter of no objection received from a local resident.

A full copy of all the responses received have been attached to the file.

All the comments raised in the responses received have been considered prior to the determination of this application.

RELEVANT PLANNING POLICY

Unitary Development Plan 2006

G2 – Development and Urban Design
UD3 – General Principles
UD4 – Quality Design
HSG1 – New Housing Developments
HSG10 – Dwelling Mix
M10 – Parking for Development

Supplementary Planning Guidance

SPG1a – Design Guidance
SPG3a – Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes
SPG3b – Privacy/Overlooking, Aspect/Outlook, Daylight/Sunlight

ANALYSIS/ASSESSMENT OF THE APPLICATION

Principle of Conversion

Policy HSG1 New Housing Developments outlines that the minimum size of properties suitable for conversion is that of 120m² of internal floor area and at least 5 habitable rooms.

SPG3a Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes outlines, amongst other considerations, that the conversion of properties into self-contained flats should ideally be carried out within the existing building without the need for extensions. Additionally, this Guidance also outlines that the best conversions are usually those that change the existing rooms and features in the building as little as possible and usually result in no more than one flat per floor.

The subject site is not in an area that has reached its capacity for conversions and the existing property is well in excess of the minimum 120m² in internal floor size and five habitable rooms required for conversions. Furthermore, the subject site is not within an identified Restricted Conversion Area.

The proposed conversion essentially requires only internal refurbishment of the existing property and does not result in more than one flat per floor.

The subject site is located within adequate proximity to public transport options and a number of non-residential facilities, including shops.

The proposal also includes the incorporation of an acceptable mix of flat sizes, thus ensuring that a satisfactory housing choice is available for future residents of the locality.

The proposal is considered suitable given the existing conditions on the site and surrounding attributes of the immediate location. This proposal is supported.

Design and Scale

SPG1a outlines that extensions to existing buildings should be subordinate in scale to the original building and should respect its architectural character.

This development essentially involves internal building works and modifications only. Notwithstanding, some modification and alteration works are proposed to the side walkway along the eastern boundary of the site, adjoining the property at No. 24 Aylmer Road.

These works essentially involve the complete refurbishment of this side walkway and installation of a new door and brickwork to this area. The works also involve the introduction of elements of the existing 'pillar and pediment' main entrance to the property. These works are considered to be an improvement on the existing inconsistent building approach on the site.

The applicant has advised that the external construction materials are to match those of the existing property. Notwithstanding, appropriate conditions have been set to ensure that the proposed materials are commensurate with those of the existing property.

The proposal is considered to be acceptable in relation to design and scale.

Residential Amenity

Policy UD3 General Principles outlines that proposals are required to demonstrate that there is no significant adverse impact on the residential amenity of nearby properties. This includes consideration of elements such as loss of daylight or sunlight, privacy, overlooking and aspect.

The proposed conversion works do not require any new habitable windows facing side or rear boundaries, nor any substantial building works to be undertaken.

The size of both the proposed units are well in excess of the minimum dimensions and size prescribed by Councils SPG3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes'. Further, the subject site is to be provided with a generous rear garden which will be able to function as amenity space.

A new kitchen is proposed within the upper flat, at first floor level. Notwithstanding that this kitchen is considered a typical size commensurate with the intended use of the first floor flat and unlikely to have any detrimental amenity impact on the property at No. 20 Aylmer Road, extract through the roof (as opposed to the side flank of the building) has been proposed by the applicant. This extract is to run through the building itself and sit proud of the

existing roof profile. Through this elevated position, it is considered unlikely that this new kitchen will result in detrimental amenity impacts on the property at No. 20 Aylmer Road.

It should be noted that an existing single family dwelling house would be able to locate a new kitchen anywhere within its building envelope, and not require planning permission.

The side walkway is to be refurbished to be more solid in nature and whilst it is located along the side boundary, adjoins the side walkway of the property at No. 24 and not likely to result in any adverse impacts. Further, the main entrance to this adjoining property at No. 24 is also near this common property boundary.

Further, there are no new windows proposed to the existing property and as a result it is not considered that there will be any additional direct overlooking of adjoining properties from residents of these new flats.

It is considered that future residents of the new flats will be afforded high levels of living space and residential amenity, without unreasonably impacting on the amenity currently enjoyed by occupiers of nearby properties.

Dwelling Mix

The applicant is proposing to effectively refurbish the existing property and convert the resulting building into 1 x one bed and 1 x three bed flats.

The proposed dwelling mix for this proposal equates to 50% x 3 bed units and 50% x 1 bed units. This mix is considered to be generally in accordance with the recommended mix as outlined by Council's SPG3a. The dwelling mix guidelines are intended to preclude the provision of an excessive number of small flats within a conversion. Clearly the proposed scheme, with just two units, does not provide an excessive number of small flats.

The proposed dwelling mix, including the number of each of the unit types proposed, is considered to be consistent with the relevant planning provisions for the site.

Car Parking

The existing hardstanding would comfortably accommodate 4 cars off the road. Following the comments of the Transportation Officer, the applicant has proposed to incorporate three (3) off-street car parking spaces in association with this proposed. These spaces are to be located in the front hardstand forecourt directly accessed via Aylmer Road.

The proposed development is for the creation of 2 units. The provision of three spaces for 2 units is in excess of the minimum requirements required by the Unitary Development Plan. Further, the existing property has dual

crossovers and there is no reason as to why all vehicles will be unable to enter and exit the site in a forward gear.

Due to the type of development proposed and location characteristics of the site, the provision of 3 car parking spaces is considered sufficient and adequate to meet the needs of this development. Further, due to the existing dimensions of the hardstand forecourt area and the existing dual crossovers, there is no reason for any vehicles not to enter and exit the site in a forward gear.

Objections from Local Residents

Whilst a considerable number of objections has been received, and these are set out in the "Responses" section above, it is not felt that these raise any grounds or substantive reasons to refuse this application.

There is no Policy in the UDP against allowing conversions in the Aylmer Road area.

There is nothing to support the claim that there would be an adverse effect on amenity by having two flats, or that there would be overdevelopment; no extensions are proposed, and if the existing 5-bedroom house were occupied as it stands, it could easily accommodate 8 persons, with a level of car ownership of say three to five cars if many of the occupants were over 18. If divided into two flats it would not necessarily accommodate 8 persons. Generous off-street parking exists, and would continue to be provided. The same is true of rear garden space.

As no extensions are proposed, and no major changes to windows, it is hard to see how there would be any overdevelopment or loss of privacy.

There is no evidence from visits to the site that any unauthorised works have been carried out.

SUMMARY AND CONCLUSION

The proposed conversion will provide adequate levels of residential amenity for future residents without unreasonably impacting on the amenity of neighbouring occupiers. Further, the amended proposal facilitates continued residential use on the site and is consistent with Council's Conversion Policy. As such, the proposed development is considered to be in keeping with policies G2 'Development and Urban Design', UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Developments', HSG10 'Dwelling Mix' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan (2006) and Supplementary Planning Guidance SPG1a 'Design Guidance', SPG3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes' and SPG3b 'Privacy/Overlooking, Aspect/Outlook, Daylight/Sunlight'. Accordingly, this application is recommended for approval.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2008/1152

Applicant's drawing No.(s) 201 REV 01, 202, 203, 204 REV 01, 205 REV 01, 206 REV 01 & 207 REV 02.

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.
Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
3. That not more than two flats shall be established on the site.
Reason: In order to avoid overdevelopment of the site.
4. The roof of the rear ground floor projection shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area without the benefit of the grant of further specific permission in writing from the Local Planning Authority.
Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

REASONS FOR APPROVAL

The proposed conversion will provide adequate levels of residential amenity for future residents without unreasonably impacting on the amenity of neighbouring occupiers. Further, the amended proposal facilitates modest and satisfactory increase in the intensity of the residential use on the site and is consistent with Council's Conversion Policy. As such, the proposed development is considered to be in keeping with Policies G2 'Development and Urban Design', UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Developments', HSG10 'Dwelling Mix' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan (2006) and Supplementary Planning Guidance SPG1a 'Design Guidance', SPG3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and

Lifetime Homes' and SPG3b 'Privacy / Overlooking, Aspect / Outlook, Daylight / Sunlight'.