LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/0752 **Ward:** Harringay

Date received: 16/03/2015

Last amended date: NA

Drawing number of plans: Appendix 1

Address: 81 Turnpike Lane N8 0DY

Proposal: Change of use from A1 to A2

Applicant: Mr Kamal Uddin

Ownership: Private

Site Visit Date: 31/03/2015

Officer contact: Robbie McNaugher

2. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

Reasons for Refusal:

1) Harm to the vitality and viability of the local shopping centre

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for change of use from A1 to A2.

3.2 Site and Surroundings

The site is located at 81 Turnpike Lane, N8 in the Harringay ward. The property consists of ground floor commercial with A1 (Retail) use and residential on the upper floors. A small alleyway at ground level provides access to residential news houses at the rear of the shop, and provides a break in the continuous 3 storey shop frontages along the street. The site is contained within a designated Local Shopping Parade. The site is not located within a conservation area.

3.3 Relevant Planning and Enforcement history

HGY/2005/0277 GTD 19-04-05 81 Turnpike Lane London Conversion of 1st and 2nd floors to create 1 x 2 bed and 1 x 3 bed flats and erection of rear extensions at 1st, 2nd and attic levels. Alterations to elevations.

HGY/2012/1875 REF 20-11-12 81 Turnpike Lane London Change of use from Retail (A1) to Restaurant (A3/A5) and provision of external kitchen exhaust flue.

HGY/2013/0781 REF 11-06-13 81 Turnpike Lane London Change of use from A1 (retail) to A3 (restaurant) and provision of rear extract flue

This application was refused for the following reason:

The proposed change of use from A1 to A3 and provision of rear extract flue is unacceptable as it has not been demonstrated that the existing use is unviable and that there is no realistic prospect of the unit being used for retail in the future and the proposal would result in a break in the retail frontage and would harm the vitality and viability of the local shopping centre contrary to policies SP10 "Town Centres" and TCR4 ''Protection of Local Shops'' of the Haringey Unitary Development Plan (2006).

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

LBH Transportation

The following responses were received :

Internal:
1) LBH Transportation

The application site falls within an area that has a high public transport accessibility level of 6 and is within walking distance of Turnpike Lane underground station and bus interchange. It is therefore likely that the majority of staff and patrons would use sustainable transport for journeys to and from the site.

The residential streets within the immediate vicinity of the site are covered by the Wood Green (inner) and Wood Green (outer) controlled parking zones, which operate from Monday to Sunday 8:00am – 10:00pm and Monday to Saturday 8:00am 10:00pm and offer a good level of on-street parking control. Prospective patrons will be able to benefit from the Turnpike Lane “Stop and shop” on-street parking facility for short term parking.

The application is unlikely to result in any significant increase in traffic generation or parking demand. Therefore, the highway and transportation authority do not wish to raise any objections.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 14 letters

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

- None

6 MATERIAL PLANNING CONSIDERATIONS

6.1 Principle of the development

Saved UDP Policy TCR 4 states that proposals to change the use from existing Class A1 retail will be allowed provided that it can be demonstrated that there is no realistic prospect of the unit being used for A1 retail purposes in the foreseeable future, individually or cumulatively the proposed use does not have an adverse effect on the vitality, viability or where appropriate predominately retail function; and where applicable, the change of use does not result in a significant break in the continuity of retail frontage; at least 1 in every 3 frontages should fall within the A1 use class.

The previous proposal was refused on the grounds that it had not been demonstrated that the existing use is unviable and that there is no realistic prospect of the unit being used for retail in the future and the proposal would result in a break in the retail frontage and would harm the vitality and viability of the local shopping centre. It was noted that the applicant had provided very limited information to demonstrate that the existing use was unviable.

The applicant has provided less information for the current proposal, they have not demonstrated that the property has been vacant for a significant length of time and the shopping parade has a good occupancy rate which also suggests that an A1 use remains viable on this site. Therefore it is not considered that they have demonstrated that there is no realistic prospect of the unit being used for A1 retail purposes in the foreseeable future and as such, the proposal is not considered to comply with the first criteria of policy TCR4. Furthermore the change of use would result in a break in the continuity of the retail frontage as the property directly next door at number 83 Turnpike Lane is an A3/A5 use and as such the proposal would not comply with the third criteria of policy TCR4. There are other A3/A5 uses within the immediate area and therefore any further change of use is considered to have an adverse effect on the vitality and viability of the local shopping parade, contrary to the second criteria of policy TCR4. The previous reason for refusal has not been overcome.

6.2 Conclusions

The proposed change of use from A1 to A2 is unacceptable as it has not been demonstrated that the existing use is unviable and that there is no realistic prospect of the unit being used for retail in the future and the proposal would result in a break in the retail frontage and would harm the vitality and viability of the local shopping centre contrary to policies SP10 "Town Centres" and TCR4 ''Protection of Local Shops'' of the Haringey Unitary Development Plan (2006). The previous reason for refusal has not been overcome.

The proposal would not impact on neighbouring amenity of parking.

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

There would be no increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Major or Haringey's CIL charge.

8. RECOMMENDATION

REFUSE PERMISSION

Registered No. HGY/2015/0752

Applicant's drawing No.(s) Appendix 1

For the following reason(s)

The proposed change of use from A1 to A2 is unacceptable as it has not been demonstrated that the existing use is unviable and that there is no realistic prospect of the unit being used for retail in the future and the proposal would result in a break in the retail frontage and would harm the vitality and viability of the local shopping centre contrary to Local Plan (2012) Policy SP10 "Town Centres" and Policy TCR4 ''Protection of Local Shops'' of the Haringey Unitary Development Plan (2006).