

Officer's Report

Application Number	HGY/2022/2718
Type	Full planning permission
Location	70A, Willoughby Lane, London, N17 0SP
Proposal	Retention of part of the ground floor as a community centre/place of worship within the F1 & F2 Use Classes.
Case Officer	Sarah Madondo
Valid Date	05/10/2022
Applicant	Mr. Sadin Kilic
Agent	ADA GROUP

RECOMMENDATION

Approve with Conditions

Site and Surroundings

The application site is part of a three storey office block. The application itself relates to the ground floor of the property. It is within the Northumberland Park Industrial Estate, which is located east of Willoughby Lane. 3.3 The site is within a Locally Significant Industrial Site (LSIS). None of the of the buildings on the site area listed and the site is not located within a conservation area.

Planning History

HGY/2021/2044 – Planning permission granted for the change of use of part of the ground floor from a community centre/place of worship use to a barber shop (Use Class E) with related shopfront alterations.

HGY/2020/2793 – Two-year temporary planning permission granted for the retention of part of the ground floor as a community centre/place of worship (Use Class F1/F2).

HGY/2016/0508 – Approval of details pursuant to condition 5 (Management Plan) attached to planning permission HGY/2015/3053.

HGY/2015/3053 – Five-year temporary planning permission granted for the change of use of part of the ground floor from offices (Use Class B1) to a community centre/place of worship (Use Class D1) (retrospective application).

PRE/2015/0023 – Pre-Application enquiry seeking advice on the change of use of part of the ground floor from offices (Use Class B1) to a community centre/place of worship (Use Class D1).

HGY/2012/2087 – Planning permission refused for the change of use part of ground floor from offices (Use Class B1) to a community centre (Use Class D1).

COU/2012/0532 – Enforcement investigation into the unauthorised change of use of part of the ground floor into a place of worship. Enforcement notice served requiring the cessation of the use. This case was closed following pre-application discussions and the subsequent grant of planning permission (See HGY/2015/3053 above).

Consultation/Notification

One objection has been received in response to notification and publicity of the application making the following comment:

- *This is not a appropriate site for a community centre/place of worship with residential properties directly above the premises. Far too many people using the site throughout the day and night causing overcrowding. Vehicles parked on pavements outside residential properties making it very difficult to access homes not to mention a danger to the public.*

Two comments supporting the application have been also been received:

- *We are an office next door to the site and when the mosque opened had concerns that it would be disruptive to the operation of our business. However, that has not been the case. The management of the mosque have proved to be considerate and helpful neighbours and we are very pleased to welcome them to the local community.*
- *We fully support the plan, we have been residents in this area for 3 years and this Mosque is very important to us, we pray there 5 times a day is always open, and we don't have to travel far.*

Officer's note that Cllr Bevan has stated he would support an application for temporary permission, however officer's would like to highlight that this application is for the permanent retention of the existing use as community centre/place of worship.

Principle of development

The site has been used on temporarily basis as a community centre/place of worship since 2015 and evidence was provided to show that there was no demand for this unit to be used as an employment/business use. In this application, the applicant seeks for permission to retain the use as community centre/place of worship permanently. The applicant argues that the economic climate for small to medium office units such as this one has deteriorated even more as a result of various macro-economic events and and changing work patterns. It is acknowledged that the Town and Country Planning Use (Use Classes) (Amendment) (England) Regulations 2020, has introduced greater flexibility into the range of uses that can be applied to such units through the new E Use Class (commercial , business and service) however given the size, age, location and transport/servicing constraints of the unit it is still considered little prospect of the unit finding an appropriate tenant operating within the E Use class in the foreseeable future.

It is also noted that the unit has been used as a community centre/place of worship for the past seven years with planning permission, and for longer than that without permission.

Since the refusal of the first application for this use back in 2012 information has been submitted to the Council to demonstrate that the unit has been vacant for a long period of time. Officers have issued pre-application advice supporting the use of the site as a community centre and place of worship and have granted two temporary permissions for the use covering the last seven years. Given the previous marketing evidence submitted to

support previous applications and the issues raised above, officers are satisfied that there is little prospect of the premises being brought back into an appropriate viable commercial use.

Policy SP8 of Haringey's Local Strategic Policy DPD (2017) identifies Locally Significant Industrial Sites (LSIS) as well established industrial areas where the aim is to retain them solely for uses that fall within B1 (b), B1 (c), B2 or B8 uses, or uses that share strong similarities to this use class. It is noted that once the existing temporary use expires the premises would return to its previous office (formerly Use Class B1(a) and now part of the new E Use Class), so outside the range of uses considered appropriate for an LSIS. The permanent change of use would therefore not result in the loss of one of these preferred uses. It has been established during its period of temporary permission that the use of the premises as a community centre and place of worship has not prejudiced the continuing operation of the wider LSIS for ongoing industrial and/or other appropriate commercial uses. Given the public benefit of the community use, and the unlikelihood of obtaining an appropriate alternative commercial use for the premises, the grant of permanent permission for the unit to continue to operate as a community centre and place of worship within the F1 & F2 Use Classes is on balance considered acceptable.

Impact on neighbouring amenity

Given that the unit has been used as a community/place of worship for the last 7 years, without any detriment to the neighbouring amenities, it is considered that the continued use as community centre/place of worship would not have a significant impact on the neighbouring properties.

Concerns have been raised regarding overcrowding have been noted. If minded to approving this application a condition would be attached requiring the applicant to submit a Management Plan to the Local Planning Authority indicating how the management and mitigation of any potential noise nuisance, outside congregation and general disturbance arising from the continued use will be addressed.

Transportation considerations

The Council's Transportation Team has been consulted and no response has been received, however it is noted that responses received in the previous application under (HGY/2020/2793 & HGY/2016/0509), the transportation officers had no objections subject to a management plan condition being attached to the approval, to assist in making the development more sustainable in transportation terms, and manage issues such as crowding on the footway and external congregation of attendees, as per conditions attached to the original permission. Subject to this element being covered by a condition, the Council's Transportation Team do not object to the proposed development.

Conclusion

The proposed use of the unit as a community centre and place of worship is considered acceptable given the above considerations.

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.

Community Infrastructure Levy

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

Recommendation

GRANT PERMISSION subject to conditions.

Conditions:

- 1 The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

- 2 The development shall be carried out in accordance with the Management Plan details as approved under application reference HGY/2016/0508, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenity of adjoining uses consistent with Policy DM1 of The Development Management DPD 2017.

- 3 The use hereby permitted shall not be operated outside of the hours of 09:00 to 21:00 pm, Monday to Sunday and no Bank Holidays.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy D6 & D14 of London Plan (2021) and Policy DM1 of the Haringey Development Management DPD (2017).