

Our ref. : AB2305/LPA230223

Planning, Regeneration & Economy
The London Borough of Haringey
Level 6, River Park House
225 High Road
Wood Green
N22 8HQ

28th February 2023

Dear Sir/Madam,

FULL PLANNING APPLICATION – 419 LORDSHIP LANE, TOTENHAM, LONDON, N17 6AG

On behalf of our client, Sisters Spa, please find enclosed a full planning application relating to the currently vacant ground floor commercial premises located at 419 Lordship Lane, Tottenham, London, N17 6AG.

This planning application, which is being submitted to the London Borough of Haringey (the LPA) electronically by way of the Planning Portal website, comprises the following documentation ;

- Completed application forms and ownership certificate.
- Completed Community Infrastructure Levy (CIL) form.
- This covering letter prepared by Beamish Planning Consultancy, incorporating a supporting planning statement.
- 1:1250 scale OS plan of application site and surrounding area.
- 1:500 scale OS plan of application site and surrounding area.
- Drawing no. 001 – existing ground floor plan prepared by Akart Partners.
- Drawing no. 005 – existing (and proposed) front elevation prepared by Akart Partners.
- Drawing no. 002 – proposed floor plan prepared by Akart Partners.

Payment of the statutory planning application fee of £462, plus the Planning Portal service charge fee of £32.20, has been made electronically when submitting this planning application via the Planning Portal website.

Description of application premises and surrounding area

The premises which is the subject of this planning application comprise approximately 119 square metres of floorspace located at ground floor level within a three-storey (with rooms in the roof space) end of terrace building fronting Lordship Lane (the A109 road) to the north.

The application premises and its immediate surroundings are located within the designated Local Centre known as Lordship Lane Roundway.

The premises are currently vacant, having recently been vacated by a firm of solicitors, with the premises having been occupied by solicitors for many years. Accordingly, the most recent and lawful use of the premises is for Class E(c) (ii), i.e. professional services (other than health or medical services), which, prior to the amendments to the Use Classes Order which took effect in September 2020, fell within Use Class A2 (financial and professional services).

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The neighbouring building immediately to the west of the application premises, no. 421, comprises a single storey Sainsburys Local retail shop (Use Class E(a), previously Use Class A1), and similarly the neighbouring ground floor premises immediately to the east, nos. 415-417, comprises a double-fronted retail shop (also Use Class E(a), previously Use Class A1). The upper floors of both the application building and above nos. 415-417 comprise residential units.

The whole parade (extending from no. 405 in the east to no. 421 in the west and known as 'Nicholas House') within which the application premises is located comprises commercial units at ground floor level with residential above, and a similar pattern of usage exists within the parade (extending from no. 460 in the east to no. 470 in the west) immediately on the opposite (northern) side of Lordship Lane.

To the rear of the application premises is an access/service road, accessed from Downhills Way (the B155) to the west, and that service road previously joined up with Walpole Road to the east, but at some point a wall has been erected to prevent vehicular movement along the length of that service road.

Both sides of the carriageway of Lordship Lane which the premises fronts include double yellow lines, with no loading permitted at any time, with the premises being in close proximity to the traffic light-controlled junction of Lordship Lane, Downhills Way and The Roundway. The premises and its surroundings are located within the Tower Gardens Controlled Parking Zone, the normal operational hours of which are 08.00 to 18.30 each day of the week, but those operational hours vary when an event is taking place at Tottenham Hotspur stadium. Paid on-street parking (for a maximum of 2 hours, with no return within 2 hours) is available within on-street parking bays on the surrounding streets. There is also a cycle parking hoop set with the pavement to the front of no. 415-417 Lordship Lane, a matter of metres from the application premises.

The application premises and its immediate surroundings benefit from a Public Transport Accessibility Level (PTAL) of 3 (on a scale of 0 (worst) and 6b (best)). The premises is 2 minutes' walk from the closest bus stops, served by a number of local bus services travelling in a variety of directions, whilst the premises is also roughly equidistant from Turnpike Lane, Wood Green, Bruce Grove and White Hart Lane railway/underground stations.

The application building is not located within a Conservation Area, although the south-western boundary of Tower Gardens Conservation Area is located a short distance to the north. Neither the application building, nor any neighbouring building, is either statutorily or locally listed, although St Benet Fink Church, located to the south of nos. 405-411 Lordship Lane and fronting Walpole Road to the east, is Grade II listed, having been first listed in October 1994.

Proposals which are the subject of this planning application

Planning permission is sought for the change of use of the currently vacant application premises from its recent/ lawful professional services use (now Use Class E(c)(ii), previously Use Class A2), to a beauty salon/spa (sui generis use).

The proposed beauty salon would operate between the hours of 09.00 and 20.00 each day of the week. An indicative layout of the proposed beauty salon is provided by way of accompanying drawing no. 002 (proposed floor plan) prepared by Akart Partners. It is anticipated that the proposed beauty salon would employ 5 full-time staff.

No operational development is proposed/required to facilitate the proposed change of use of the application premises.

Relevant planning history of application premises and its surroundings

There is no recent planning history relating to the premises which are the subject of this planning application, or to either of the adjoining neighbouring premises.

The most recent planning application relating to the application building dates back to December 1998, when the LPA granted planning permission (application ref. HGY/1998/1404) for the upper floors of the building to be converted into 3 x 1 bedroom flats.

Relevant planning policies and associated guidance

At local level, the Development Plan for the application premises and Borough as a whole currently comprises the Local Plan : Strategic Policies Development Plan Document (DPD) 2013 (with alterations 2017), the Development Management DPD, the Site Allocations DPD and the Tottenham Area Action Plan, all of which were adopted by the LPA in July 2017.

The LPA has commenced work on a new Local Plan which will replace the currently adopted Local Plan documents, but that new Local Plan is at a preliminary stage, with no draft Local Plan published for consultation at this time. Accordingly full weight must continue to be attached to the currently adopted Local Plan documents, as long as they confirm with the content of the more up-to-date London Plan, NPPF and NPPG, as detailed below.

At regional level, the Development Plan comprises the new London Plan, which was published by the GLA in March 2021 following independent Examination in Public and subsequent review by the Secretary of State for Housing, Communities and Local Government.

At national level, the latest National Planning Policy Framework (NPPF) was published by the Government in July 2021 and streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.

The National Planning Policy Guidance (NPPG) was first published by the Government in March 2014 and is regularly updated, and also streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements, into a single document.

Planning Appraisal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

In light of how the application premises are located within Lordship Lane Roundway Local Centre, the key local development plan policy of direct relevance to the proposed change of use is adopted policy DM43 (Local Shopping Centres) of the Development Management DPD. Policy DM43 states ;

‘Within Local Shopping Centres, as defined on the Haringey Policies Map, the use of ground floor units for appropriate town centre uses will be permitted where:

- a) The overall number of units in non-retail use (including extant planning permissions) will not exceed 50% across the entire frontage, unless it can be demonstrated the proposal will significantly enhance the vitality and viability of the centre; and*
- b) An active frontage is provided, or if this is not possible, a window display or other appropriate town centre frontage.’*

Having regard to criteria (a) set out above, we would point out that this development policy predates the September 2020 amendments to the Use Classes Order which introduced Class E (Commercial, Business and Service) usage and which combined a number of previous, separate Use Classes, including Use Class A1 (retail) into the same use class, meaning that the change of use of a premises from one Class E use to another Class E use no longer constitutes ‘development’ as defined by Section 55 of the Town and Country Planning Act 1990 (as amended).

Consequently, very limited weight can now be attached to this policy, given that existing retail shops can (unless a condition imposed upon an original permission expressly states otherwise) be changed to other Class E uses, such as a restaurant or gym, without requiring planning permission. Furthermore, and crucially in regards to the current proposals, the most recent and lawful use of the site was for professional services (formerly Use Class A2), so the proposed change of use would not result in the loss of an existing retail use.

Turning to criteria (b) of policy DM43, the proposed use of the premises as a beauty salon is a 'main town centre use', as defined within the Glossary (Annex 2) to the National Planning Policy Framework (NPPF), and no alterations or additions to the existing front elevation of the premises (which comprises three large windows and a glazed door) are proposed by way of this planning application, thereby maintaining the existing active frontage.

Additionally, the proposed change of use would retain a main town centre use within a designated Local Centre, in accordance with adopted Development Management DPD policy DM41 (New Town Centre Development), adopted Strategic Policies DPD policy SP10 (Town Centres), London Plan SD6 (Town Centres and High Streets), as well as national planning policy and associated guidance as set out in the NPPF and NPPG.

Indeed, and noting that the application premises have recently become vacant, we would also emphasise the economic benefits associated with the proposal, which would make a positive contribution to the vitality and viability of Lordship Lane Roundway Local Centre, as well as creating 5 new full-time jobs.

Furthermore, the proposed use of the premises as a beauty salon would not result in an over-concentration of such uses within the immediate vicinity, with both neighbouring premises in Class E usage, and the only existing non-Class E use within the parade which the application premises is located in is the New Moon public house at nos. 411-413 Lordship Lane. Nor would the proposed use have any adverse impact upon residential impact, stressing the proposed closing time of 20.00 each day of the week, considerably earlier than the public house and Sainsburys Local, whilst the existing supermarket at nos. 415-417 Lordship Lane is open 24 hours a day.

The application premises is also located in a highly sustainable location, within 2 minutes' walk of bus stops, served by cycle parking a matter of metres from its front door, and roughly equidistant from 4 railway/underground stations, which can be travelled by either on foot or by bus.

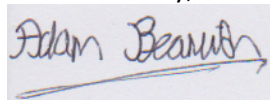
Conclusion

For the reasons set out within this planning statement, the proposed change of use of the currently vacant application premises from its lawful use for professional services (Class E(c)(ii)) to a beauty salon (sui generis) use fully accords with the development plan at both local and regional level, as well as national planning policy and associated guidance as set out in the NPPF and NPPG, and all other material planning considerations.

Planning permission should therefore be granted for this proposed change of use, subject to the imposition of appropriate, necessary and reasonable conditions, the content of which we welcome discussions with the Case Officer regarding in due course.

We look forward to corresponding with the Case Officer to whom this planning application is allocated in the coming weeks, but should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,



Adam Beamish
BA (Hons), DIP TRP, MRTPI