

Officer's Report

Application Number	HGY/2023/0381
Type	Full planning permission
Location	36 Chalgrove Road, Tottenham, London, N17 0NS
Proposal	The refurbishment of existing structure to form x1 shop for services (Class E) and installation of signage
Case Officer	Zara Seelig
Valid Date	07/02/2023
Applicant	Mr M. Jacob Berger
Agent	Shulem Posen

RECOMMENDATION

Refuse

SUMMARY OF RECOMMENDATION

Refuse permission for the following reasons:

- 1) Principle of Development
- 2) Design

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

The refurbishment of existing structure to form x1 shop for services (Class E) and installation of signage.

Site and Surroundings

The application site is a two storey building consisting of a retail unit and associated storage at ground floor level and residential units at first floor level, situated on the Eastern side of Chalgrove Road at its junction with Manor Road. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site.

Relevant Planning and Enforcement History

The most recent planning history in relation to the site is as follows:

HGY/2009/2101 - Erection of ground floor side / rear extension to accommodate increased shop floor area. Erection of first floor side extension to enable the conversion of upper floors to provide 1 x one bed and 2 x 2 bed self contained flats. Erection of 2 storey rear extension incorporating dormer window to create 1 x three bedroom dwelling house. - Refused permission

HGY/2023/0366 - The refurbishment of existing structure to form 1 x 2 bed flat for three persons - Current Application

CONSULTATION

The responses below were received following consultation on the application:

Internal:

LBH Transportation Team: consulted, response received and comments below in the transport section

External: None

LOCAL REPRESENTATIONS

The application has been publicised by way of 12 neighbour consultation letters. One representation has been received from neighbours, local groups, etc objecting to the proposal.

The following Councillor(s) made representations:

- Cllr Bevan

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Concerns as to an acceptable standard of light and single aspect issues that may impact, including to internal areas and to any loss of amenity space?

The following issues raised are not material planning considerations:

- None

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of the development;
2. Design and Appearance;
3. The impact on the amenity of adjoining occupiers; and
4. Parking and highway safety.

Principle of the development

Part b of Policy 4.7 of the London Plan 2016 states that retail and town centre development should be focused on sites within town centres, or if no in-centre sites are available, on site on the edges of centres well-integrated with the existing centre and public transport. Policy SP10 of the Haringey Local Plan 2017 states that the Council will encourage development of retail, office, community, leisure, entertainment facilities, recreation uses, arts and cultural activities within its town centres according to the borough's town centre hierarchy.

Policy DM41 of the Haringey Development Management DPD 2017 states that new retail, leisure and cultural uses in out-of-centre locations will only be permitted where:

- a) It is demonstrated through the sequential approach to site selection that there are no appropriate town centre or edge-of-centre sites available;
- b) Having regard to (a) above, consideration has been given to reasonable alternatives in terms of the format and scale of development in order to accommodate the use in town or edge-of-centre sites; and
- c) The proposal has been subject to an impact assessment, where required by national policy, and will not demonstrably harm centres within its catchment.

The site is not located within a town centre and is not located on the edge of any of the Borough's designated town centres. The applicant has not provided any justification why such a use could not be provided within a more appropriate town centre location.

The proposal would introduce a typically town centre use outside of a designated Borough town centre that is inappropriate bearing in mind its residential surroundings. The proposal, when viewed in conjunction with application reference HGY/2023/0366 that was submitted at the same time as this application, would result in the loss of all storage space associated with the existing retail unit. This would likely prejudice the viability of the existing retail unit. The proposed development is therefore contrary to policy 4.7 of the London Plan 2016, policy SP10 of the Haringey London Plan 2017 and policy DM41 of the Haringey Development Management DPD 2017.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

The proposed materials to be used are not clear, the plans appear to show the finish as render, and such a structure would need to be faced in brick. There are no details of the proposed shop front and so the proposed signage, as included in the description of works, cannot be assessed. Any development here needs to be comprehensive, removing and rebuilding the structures to the side and rear of the site, the proposed entrance is the current refuse store location with no alternative provision proposed. There is scope for developing this area, and it is noted the existing state of this area of the site and the improvement works required, however, a more well thought out design is required for such a prominent site within the street scene.

Impact on the amenity of adjoining occupiers

The London Plan (2016) Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. DM Policy (2017) DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The Council will support proposals that provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development.

The proposal is an ample distance from neighbouring properties, and as such, the proposal would not have any significant impact to the amenity of neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy, in accordance with the above policies.

Parking and highway safety

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting

public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

The transport officer commented as follows:

- a. The site has poor public transport accessibility (PTAL=2) and is located within a CPZ.
- b. The proposed development is car free.
- c. The proposed new shop would result in loss of storage area associated with the existing shop and that which was proposed to be retained as part of application HGY/2023/0366. I am concerned at the piecemeal approach for development proposal at this site and would recommend (if possible) that all proposals for this site be considered together.
- d. Clarification is required regarding the existing car park space in front of the proposed new shop - Is this parking allocated to the existing shop or residential accommodation or the proposed new shop. The application form indicates the proposal includes no provision for car parking. Under these circumstances the access to the new shop would be obstructed by existing car parking space.
- e. Details of provision for refuse storage, cycle storage and car parking allocation is required for each separate unit / use on this site. This should be considered together with proposals for application HGY/2023/0366.

The proposed new shop entrance is located in the current refuse storage location, directly in front of the only parking space for the site, with no alternative provision being proposed and no appropriate location appears available, as such the proposal would create refuse and storage issues, using all of the existing storage without an alternative, likely pushing this onto the footpath or public highway.

Conclusions

The proposal is not considered acceptable due to its design.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

CIL APPLICABLE

The development is less than 100 square metres and as such regulation 42 'minor development exemptions' applies and in addition the proposal is not for a whole new unit (a unit created entirely from new floorspace).

RECOMMENDATION

Refuse Permission, for the following reasons:

- 1) While representing an improvement to the current structures on site, the proposed development is considered unacceptable in design terms, due to its materials, and the absence of more comprehensive improvements to the site would fail to deliver good design and is not appropriately and sensitively designed in relation to the streetscene and the surrounding area, contrary to Policy D3 of the London Plan (2021), Policy SP11 of the Haringey Local Plan (2017) and Policies DM1 and DM12 and DM7 of the Haringey Development Management DPD (2017).
- 2) The creation of a separate retail unit would introduce an out-of-centre retail use not supported by sequential site selection, together with the total removal of all internal storage and external bin store for

the existing retail unit, will prejudice the vitality and viability of the current retail unit by virtue of the loss of storage space and to negatively impact conditions of access, contrary to policy SP10 of the Haringey London Plan 2017 and policy DM41 of the Haringey Development Management DPD 2017.

Refusal Reasons:

While representing an improvement to the current structures on site, the proposed development is considered unacceptable in design terms, due to its materials, and the absence of more comprehensive improvements to the site would fail to deliver good design and is not appropriately and sensitively designed in relation to the streetscene and the surrounding area, contrary to Policy D3 of the London Plan (2021), Policy SP11 of the Haringey Local Plan (2017) and Policies DM1 and DM12 and DM7 of the Haringey Development Management DPD (2017).

The creation of a separate retail unit would introduce an out-of-centre retail use not supported by sequential site selection, together with the total removal of all internal storage and external bin store for the existing retail unit, will prejudice the vitality and viability of the current retail unit by virtue of the loss of storage space and to negatively impact conditions of access, contrary to policy SP10 of the Haringey London Plan 2017 and policy DM41 of the Haringey Development Management DPD 2017.