

Officer's Report

Application Number	HGY/2023/0782
Type	Full planning permission
Location	Shop, 40 West Green Road, Tottenham, London, N15 5NP
Proposal	Display of fascia sign and projecting sign, change of shop front and ground floor rear extension
Case Officer	Oskar Gregersen
Valid Date	21/03/2023
Applicant	Mr Mereb Mehari Ghede
Agent	Aryan Horoufi

RECOMMENDATION

Approve with Conditions

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Proposal: Display of fascia sign and projecting sign, change of shop front and ground floor rear extension

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Materials to match
- 4) No roof terrace

Informatives:

- 1) Land ownership
- 2) Hours of construction
- 3) Party Wall Act

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for the change of signage at the front of the retail unit to including a new illuminated fascia sign and projecting sign. Additionally the proposal seeks the removal of an existing rear extension and replacement with new extension 11.6m in depth to facilitate a new store room.

Site and Surroundings

3.2 The application site is a ground floor retail space, with two stories for accommodation above. The site is located in the east of the borough amidst a long parade of shops along West Green Road a short walk from Seven Sisters Station.

Relevant Planning and Enforcement history

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

- HGY/1993/0921 – Change of use of ground floor from A1 (retail) to A3 (hot food take-away)
Approved
- HGY/1993/1391 – Installation of internally illuminated fascia sign and projecting box sign
Approved
- HGY/2005/2031 - Variation of Condition 2 (hours of operation) attached to planning application reference HGY/46943 to allow premises to open 08:00 am to 00:00 midnight Sunday to Thursday and 08:00 am to 01:00 am Friday and Saturday.
Approved
- HGY/2016/3782 - Erection of a dormer in the rear roof slope and installation of roof lights on the front roof slope
Approved

4. CONSULTATION RESPONSE

4.1 The responses below were received following consultation on the application:

- No responses

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 18 letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

- No responses

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and appearance;
3. Impact on neighbouring amenity;

Principle of development

6.2 London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey –10 year target is 2,600).

6.3 London Plan Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

6.4 This site seeks the change from its use as a hot food take away in the form of a chicken shop, to a hardware, paint, and electrical store. Officers note that previously these uses would have fallen under separate use classes being A3 and A1 respectively.

6.5 Given recent changes to use classes, it is deemed that the use as a retail space and hot food take-away now both fall under 'Class E'. Therefore the change to a hardware shop is not considered to be a change of use class but instead a different use within the same class.

Design and appearance

6.6 DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

6.7 The proposal seeks the removal of an existing rear extension measuring 8.2m deep with a height of 3.25m, and replacement with a rear extension with a maximum depth of 16.2m when measured from the rear of the original property. The new extension would be similar in height to the existing.

6.8 The proposed rear extension would be finished in materials similar to that of the existing building and would serve as a stock room for all of the products sold on the shop floor.

6.9 Officers note that the proposed scale of the rear extension is much larger than is normally allowed on the ground floor, and would occupy almost the entirety of the outside space available to the site. This extension appears to be a near copy of an approved application at No. 36 West Green Road (HGY/2020/0546).

6.10 From a design standpoint, the proposed extension would not appear sub-ordinate to the host building, adding a large amount of additional bulk and covering the rear garden in its entirety. However, due to the extant allowed extension nearby, and commercial nature of the sites in the immediate vicinity, Officers deem that this extension can be allowed.

6.11 The proposal also seeks the alteration of the existing fascia and protruding box signage to match the branding of a hardware shop as opposed to a food take-away. The submitted drawings show that the proposed new signage would not appear out of character for the area and would not adversely affect the host building. The proposed alterations to signage can be supported in design terms.

Impact on neighbouring amenity

6.12 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

6.13 DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

6.14 With respect to neighbouring amenity, the sites to the east and west of the application site are both commercial units that have either fully or partially covered their amenity space to the rear. Along the northern boundary of the site lie small rear gardens of the dwellinghouses of Pelham Road.

6.15 The proposed rear extension would project from the rear wall of the original property for a total of 16.2m, at a height of 3m. The proposed depth would leave a minimum of 1.2m gap from the boundary, expanding up to 1.72m, with Nos. 36 and 38 Pelham Road.

6.16 Officers note that there is an extant approved application for a rear extension at a very similar scale to the proposed at No. 36 West Green Road. This application was approved under HGY/2022/0546.

6.17 The rationale behind the approval of the 2020 application was that the terrace is occupied wholly by commercial uses on the ground floor, with small residential gardens to the rear of the application site. There has been extensive coverage of the rear gardens of this terrace with extensions for commercial use, and therefore the scale was seen to be acceptable within the surrounding context.

6.18 In the case of this application, Officers note that the scale is not ideal in mitigating impact on neighbouring amenity, however due to the space left at the end of the garden and south facing nature of the gardens of the dwellinghouses on Pelham Road the impacts are lessened such that the application can be supported. This is in part due to the precedent set by the 2020 application, and in another case the scale of this proposal would not be deemed to be acceptable as it is overtly large.

Other considerations

A condition will be added to this application, as with HGY/2020/0546, that the roof of the new extension is not to be used as a balcony/roof terrace at any such as to mitigate any potential impact on neighbouring amenity.

Conclusion

6.19 The proposal is considered acceptable by virtue of other approved applications in the area at a similar scale. Further the commercial nature of the ground floor properties in the terrace lead to a redundancy in the garden space that allows for more coverage as opposed to residential uses. Lastly, the proposed rear extension has left a marginal amount of space from the adjoining residential rear garden, in an effort to mitigate the sense of enclosure created by its scale.

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

7. CIL APPLICABLE

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.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 No part of any structure hereby granted shall be used as a roof terrace or balcony.

Reason: In order to protect the amenity of occupants of the adjoining residential properties consistent with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of the Development Management DPD 2017.

Informatives:

- **INFORMATIVE: Land Ownership**
The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
- **INFORMATIVE: Party Wall Act**
The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.
- **INFORMATIVE: Hours of Construction Work**

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-
8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.