

PLANNING STATEMENT

On behalf of Noya London

Ltd

**In respect of the variation of condition 3 attached to planning
permission application no.**

HGY/2022/1441 to allow an extension of opening hours

at

458-460 West Green Road, London, Haringey, N13 5PT

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1. INTRODUCTION

- 1.1. This statement has been submitted on behalf of Noya London Ltd (the applicants) in support of an application for the variation of Condition 3 attached to planning permission No. HGY/2022/1441 at No. 458-460 West Green Road, London, Haringey, N13 5PT
- 1.2. On 15th July 2022 planning permission was granted for Amalgamation of two separate ground floor commercial units at 458 and 460 West Green
- 1.3. Road to form one restaurant within the E Use Class Road to form one restaurant within the E Use Class. A number of conditions were attached to the permission which included amongst others, a condition to restrict the opening hours as follows: -

“The use hereby permitted shall not be operated before 09:00 hours or after 23:00 hours Monday to Friday, before 9:00 or after 23:30 Saturday, before 09:30 hours or after 22:00 hours Sundays and 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 DM1 of The Development Management DPD 2017.”

- 1.4. The applicants view these premises as an ideal location for their restaurant in London. In terms of opening times they would want to amend the opening hours to:
- Sunday – Thursday – 09:00am – 00.00am
- Friday - Saturday – 09:00am – 01.00am
- 1.5. These opening hours would correspond to their other restaurants which are located in similar mixed use areas. The company have never been refused a premises license which demonstrates the high quality nature of their establishments and management. They take their community responsibilities extremely seriously. They will be investing a considerable amount of money in the ‘fit out’ of the premises and have taken a long term lease with purchase options. The premises will become part of the local community.
- 1.6. The premises will operate as a ‘sit down’ restaurant. There is no stand up bar area and no loud music is played any music played is for background use and has a sound

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limiter installed. In addition the entrance doors are kept closed to avoid breakout of noise etc. Finally, customers are asked to respect the neighbours on leaving the premises.

- 1.7. Following this introduction, the Statement goes on to describe the site and surrounding area and relevant planning history. Section 4 will then outline the relevant planning adopted and emerging planning policy context and the proposal will be assessed and conclusions drawn in support of the proposal in Section 5. This will show that the proposal applies with the relevant policies in the statutory development plan and there are no material considerations that would prevent planning permission being granted.

2. SITE AND SURROUNDINGS

- 2.1. The application site is located within the London Borough of Haringey. West green Road runs a vibrant route within Haringey linking many social and residential spots, such as restaurants, cafes, bars, theatres and shops.
- 2.2. The existing character of West Green Road is mixed, comprising of brick, render and stone . Most of the historic shopfronts have been removed and replaced with aluminium/upvc with no continuity in design
- 2.3. The surrounding area comprises of various retail, restaurant and café uses along West green road. Building in close proximity are of different levels and design,
- 2.4. The site of 458-460 itself currently comprises on a terraced line of retail on ground floors and mixed residential above.
- 2.5. The site does not lie within any conservation zone
- 2.6. There are numerous restaurants within close proximity with longer opening time.
- 2.7. Banc at 261-263 west green road have opening times of :
Monday – Thursday 5PM-11AM | Shisha 5PM-00AM
Friday 5PM-00AM | Shisha 5PM-1AM
Saturday 3PM-00AM | Shisha 3PM-1AM
Sunday 3PM-00AM | Shisha 3PM-00AM

3. PLANNING HISTORY

- 3.1. The site has been the subject of a minimum number of planning applications. There are no relevant applications besides the one that this statement refers too.

4. PLANNING POLICY CONTEXT

- 4.1. This section sets out the relevant planning policy context for the proposal. The current planning policies for the site are contained in Haringey's Strategic Policies: Strategic Policies 2013-2026 (with alterations 2017)
- 4.2. The most relevant policies would be Policies 5.3.15
- 4.3. Policy 5.3.15 states:

This Local Plan policy seeks to promote new investment in the town centres to deliver good economic outcomes, consistent with the overall approach to growth, as set out in Strategic Policy 1 and section 23 of the NPPF. Bringing shop vacancies back into use will help achieve the anticipated required growth in comparison to floor space and this will promote greater diversity in the range of facilities being provided and act as a community hub. Development of new retail locations in town centres could encourage economic investment, delivering more jobs and possible diversification of businesses

5. JUSTIFICATION FOR THE PROPOSED DEVELOPMENT

- 5.1. The variation of condition 3 that is now sought is simply to allow slightly later opening throughout the week. In terms of opening times, the applicants wish to amend condition 3 to read:-

“The use shall not operate except between the hours of 09:00 and 00:00 Sunday to Thursday and 09.00 and 01.00 Friday and Saturday.”

- 5.2. The slightly later opening hours will not increase the level of activity to a degree which would affect the living conditions of any local residents. Indeed those residents living along West Green Road do so because of the convenience of shops, bars and restaurants. They would expect a level of activity greater than that to be expected in a residential suburb.
- 5.3. The key issue for consideration in the determination of this application is whether the proposed opening hours would have a detrimental effect on neighbouring residential amenity.
- 5.4. The premises are situated along West Green Road, which is a busy route through Haringey, for both daytime and evening uses where there is a high existing

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background noise level from traffic throughout the day and night. In addition there is a high level of pedestrian footfall of people utilising the existing late night facilities not just along West Green Road but also within the wider Haringey area. There are already a significant concentration of other late night uses nearby including the various other eating and drinking establishments in and around the premises open to a similar (or later) time to that now proposed. Most notably these include: -

Banc

- 5.5. The premises are located at 261-263 west green road.

The permitted opening hours of the premises are:

Monday – Thursday 5PM-11AM | Shisha 5PM-00AM

Friday 5PM-00AM | Shisha 5PM-1AM

Saturday 3PM-00AM | Shisha 3PM-1AM

Sunday 3PM-00AM | Shisha 3PM-00AM

16:30 - 02:00 Friday and Saturday

Alici's

- 5.6. The premises are located at 405-407 Lordship Lane, West Green, London, N17 6AG.

The opening times are as follows:

Monday	Opens 08:00 - Closes 00:00
Tuesday	Opens 08:00 - Closes 00:00
Wednesday	Opens 08:00 - Closes 00:00
Thursday	Opens 08:00 - Closes 00:00
Friday	Opens 08:00 - Closes 00:00
Saturday	Opens 08:00 - Closes 00:00
Sunday	Opens 08:00 - Closes 00:00

Coco Lounge

- 5.7. 7, Vicarage Parade, West Green Road, West Green, London, N15 3BL

Their hours of opening are as follows:

Monday	Opens 16:00 - Closes 02:00
Tuesday	Opens 16:00 - Closes 02:00
Wednesday	Opens 16:00 - Closes 02:00
Thursday	Opens 16:00 - Closes 02:00
Friday	Opens 16:00 - Closes 02:00
Saturday	Opens 16:00 - Closes 02:00

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Sunday Opens 16:00 - Closes 02:00

Dulce Pecado

5.8. 263 High Road, West Green, London, N15 4RR

The hours of openings are as follows:

Monday	Closed
Tuesday	Closed
Wednesday	Closed
Thursday	Closed
Friday	Opens 21:00 - Closes 03:00
Saturday	Opens 21:00 - Closes 03:00
Sunday	Closed

5.9. *The Nile Bar & Restaurant*

435 West Green Road, West Green, London, N15 3PJ

The hours of openings are as follows:

Monday	Opens 12:00 - Closes 03:00
Tuesday	Opens 12:00 - Closes 03:00
Wednesday	Opens 12:00 - Closes 03:00
Thursday	Opens 12:00 - Closes 03:00
Friday	Opens 12:00 - Closes 03:00
Saturday	Opens 12:00 - Closes 03:00
Sunday	Opens 12:00 - Closes 03:0

Comment

- 5.10. It is apparent that the area within which the restaurant operates obviously has a high level of activity from traffic, pedestrian activity and existing late night uses. The premises will not increase the level of activity to a degree which would affect the living conditions of any local residents. Indeed those residents living in the area do so because of the convenience of shops, bars and restaurants. Clearly they expect a level of activity greater than that to be expected in a traditional residential suburb.
- 5.11. In addition as stated the applicants are a highly reputable operator and take their responsibilities extremely serious. This is apparent from the fact that they have never been refused a premises licence or had any objection to the operations of any of their premises from the Police and Environmental Health Department. These premises would be no different and would operate without any adverse impact.

5.12. In view of the above, it is requested that the condition be duly amended.

6. CONCLUSIONS

- 6.1. The premises benefit from planning permission for a Class E restaurant. The permission however restricts the opening hours to 08:00 to 23:00 Monday to Friday, 23:30 Saturday, 22:00 Sunday and bank holidays throughout the week.
- 6.2. The applicant is a high quality restaurant operator with existing restaurants in the country. These premises will add further to there mixed business stock within the uk and provide additional employment within the borough. In support of these proposals:
- i. The surrounding area has an eclectic mix of uses, including late night takeaways, restaurants and public houses;
 - ii. The level of background noise and activity is high being in proximity to West Green Raod, the level of pedestrian footfall and the various uses identified in i) above;
 - iii. The applicants have never been refused a premises license or had complaints regarding the operation of their existing restaurants with regards noise and disturbance;
 - iv. There will be no takeaway element associated with the proposals nor does it have live or loud music (background music will have a limiter installed);
 - v. The premises will be well managed and will not result in any problems to the local area; and
 - vi. There are other late night premises in the vicinity of these premises.
 - vii.
- 6.3. In view of the above, it is concluded that the variation in opening hours will not result in any detrimental impact on the living conditions of nearby residents. It is therefore requested that planning permission be granted.

Prepared By

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For and behalf of

TMG Consultancies Ltd