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DATE: 21/07/2023

DESIGN, ACCESS & HERITAGE STATEMENT

DESCRIPTION:

Installation of an extraction system to be located on the rear elevation.

PREPARED FOR:

Mr Ozgur Sengul
513 High Road
Haringey
London
N17 6SB

REF: 23.023

PREPARED BY: MR IRFAN KAYA

1. INTRODUCTION, PURPOSE AND DEVELOPMENT PROPOSAL

1.1 Introduction

- 1.1.1 Cadoo Limited, has been appointed by the applicant to prepare the necessary drawings and supplementary documents to obtain planning consent for the intended development, which consists the addition of an extractor flue to be located on the rear elevation at 513 High Rd, Haringey, N17 6SB (the 'site').

1.2 Purpose

- 1.2.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of this statement is therefore,
- to identify development plan policies that may be relevant in the assessment of the development proposal; and
 - to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the development.
- 1.2.2 The Courts have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is not necessary to accord with each policy contained within the Development Plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.
- 1.2.3 The position was confirmed by Patterson J in his judgement in *Tiviot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC* [2015] EWHC 2489 Admin) at paragraph 31:
- "I do not accept, lest it be thought to establish the proposition, that the case of *Hampton Bishop* (supra) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole."
- 1.2.4 In addition, *R (Kverndal) v Hounslow LBC* [2015] EWHC 3084 (Admin) confirms that the Development Plan must be read as a whole so that conflict with one or more policies does not mean that planning permission should be refused.
- 1.2.5 Furthermore, the NPPF (2019) also recognises this in paragraph 3 where it is made clear that the Framework should be read as a whole.
- 1.2.6 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and Development Plan documents, taken as a whole, which have been approved or adopted for the area.

- 1.2.7 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.

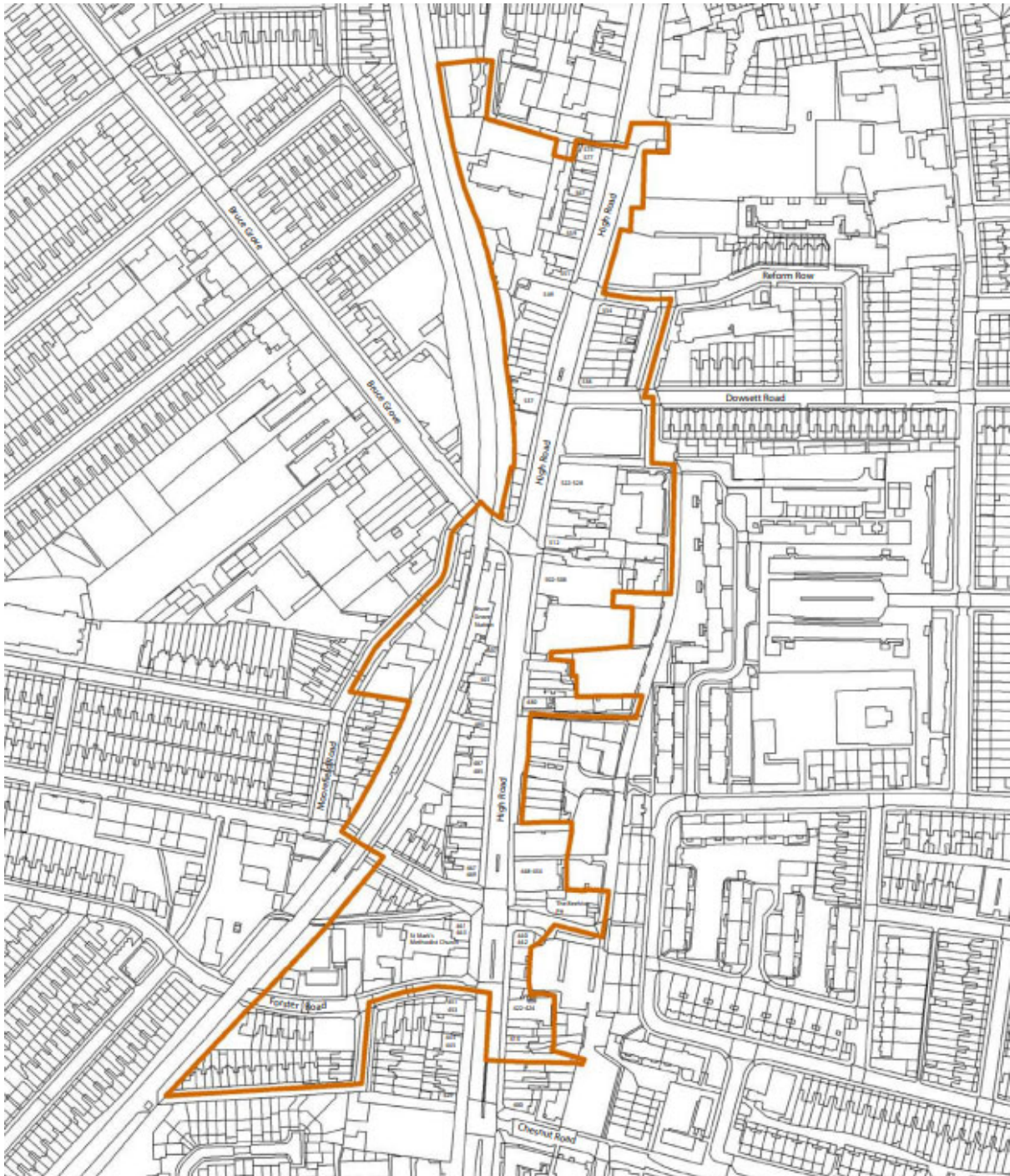
1.3 Development Proposals

- 1.3.1 The proposed development seek to change from a real estate agency to a fast food takeaway restaurant, whilst retaining the use class E.
- 1.3.2 The proposal also seeks to add an extraction system on the rear elevation to ventilate the premises.
- 1.3.3 The application site has a GIA of 52.9m². Existing characteristics and features on the front elevation will be retained.

2. SITE LOCATION, DESCRIPTION AND PLANNING HISTORY

2.1 Location

- 2.1.1 The application site is the ground floor of a corner plot building, between Bruce Grove and High Road. The street is occupied mainly by commercial units on the ground floor with residential flats above.
- 2.1.2 There are three other commercial units that occupy the main building, including a Phone Repair Shop to the west, a Western Union Trading Shop and a Dessert Cafe to the north.
- 2.1.3 The site is in an area which is at the lowest risk of flooding but high risk of surface water flooding but the impact of surface water run-off is negligible since the footprint of the existing building remains unchanged.
- 2.1.4 The property is not listed - either statutory or locally and there are no nearby statutory listed buildings. The property does falls within the Bruce Grove Conservation Area as shown below.

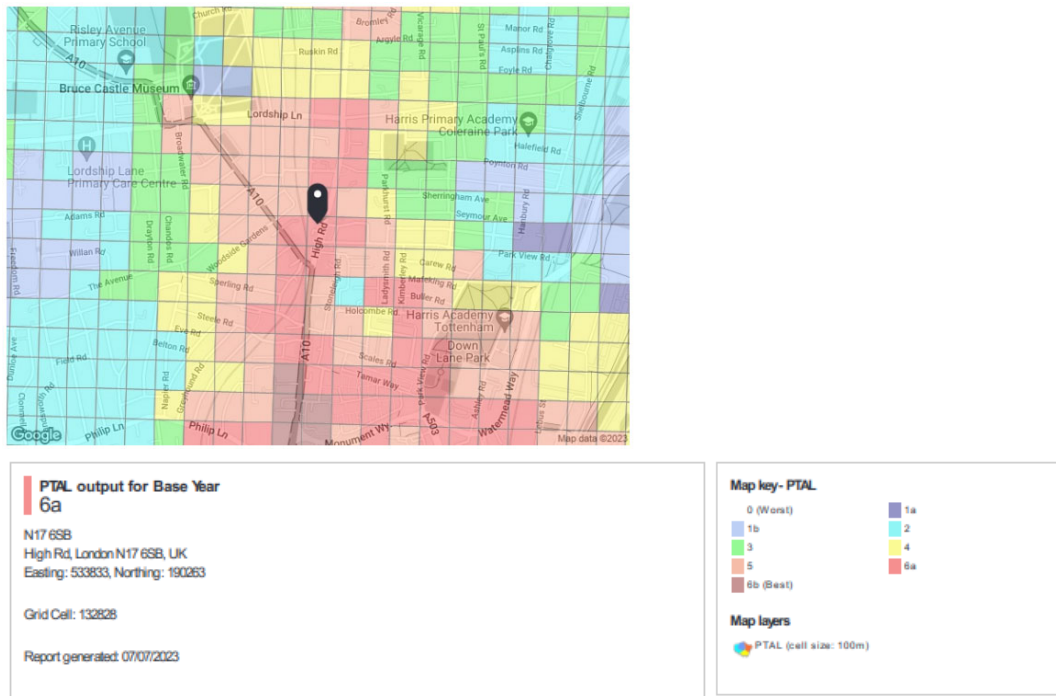


Map 2. The boundary of the Bruce Grove Conservation Area

 Conservation Area Boundary

- 2.1.5 The existing building has no car parking and no cycle parking. Bus routes pass along the site and the closest bus stops are located down the road 1-2 minutes from the site.

- 2.1.6 Looking at the PTAL map below for transportation level we can see the site is within a level 6a area. The site is considered to be at a highly developed area with good public transport. The closest railway station is Bruce Grove Station, 1 minute walk away from the site.



2.2 Relevant Planning History

- 2.2.1 **HGY/2016/0378**: Approved with Conditions, Date of Registration: 25-05-2016
Continuation of use as a mini cab office.
- 2.2.2 **HGY/2015/0001**: Approved with Conditions, Date of Registration: 25-02-2015
Change of use from A2 (travel agents) to minicab office (renewal of time-limited permission HGY/2013/2448).
- 2.2.3 **HGY/2013/2448**: Approved with Conditions, Date of Registration: 20-01-2014
Change of use from A2 (travel agents) to minicab office.
- 2.2.4 **HGY/2012/0682**: Refused, Date of Registration: 31-08-2012
Change of use of premises from Shop (A1) to Mini Cab Office.
- 2.2.5 **HGY/2011/1316**: Refused, Date of Registration: 05-10-2012
Retrospective refurbishment of properties involving conversion of upper floors to 3 x one-bed flats, 3 x two-bed flats and 1 x studio flat, entailing alterations to fenestration and elevations.
- 2.2.6 **HGY/2000/1646**: Refused, Date of Registration: 27-03-2001
Refurbishment of properties and conversion of upper floors to 6 self-contained flats.
- 2.2.7 **HGY/2000/0397**: Approved with Conditions, Date of Registration: 03-05-2000
Approval of Details pursuant to Condition 3 (external appearance) attached to planning permission HGY/57279.
- 2.2.8 **HGY/1999/1301**: Approved with Conditions, Date of Registration: 11-04-2000
Refurbishment of properties involving the erection of new shopfront, unit layout and conversion of upper floors to 6 self-contained flats.

3. PLANNING ASSESSMENT

3.1. Development Plan

- 3.1.1. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan relevant to the application site comprises:

- National Planning Policy Framework (July 2021);
- London Plan (March 2021);
- Haringey Strategic Policies (March 2013); and

- Haringey Development Management (July 2017)

3.1.2. The appropriate weight needs to be applied to the policies and other material considerations, such as national planning policy.

3.2. National Planning Policy Framework (July 2021)

3.2.1. The NPPF provides general advice alongside the presumption in favour of sustainable development. Paragraph 7 notes that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 126 expresses the importance of creating high quality buildings and places which is fundamental to what the planning and development process should achieve. Paragraph 130 (f) seeks to ensure developments create places that are safe, inclusive and accessible and which promote health and well-being.

3.2.2 Paragraph 126 expresses the importance to create high quality buildings and places which is fundamental to what the planning process should achieve. It further states that good design is a key aspect of sustainable development which helps create better places to live and work.

3.3. London Plan (March 2021)

The adopted London Plan provides a high level planning policy position for forward planning and decision-making by local planning authorities within London. The most pertinent planning policies are identified below:

- 3.3.1
- Policy GG2 (Making the best use of land) To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:
 - Part B - prioritise sites which are well-connected by existing or planned public transport,
 - Part C - proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling,
 - Part D - applying a design-led approach to determine the optimum development capacity of sites,
 - Part E - understand what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London's distinct and varied character,
- 3.3.2
- Policy GG5 (Growing a good economy) To conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must:
 - Part A - promote the strength and potential of the wider city region,

Part B - seek to ensure that London's economy diversifies and that the benefits of economic success are shared more equitably across London,

Part C - plan for sufficient employment and industrial space in the right locations to support economic development and regeneration,

3.3.3 ■ Policy E9 (Retail, markets and hot food takeaways)

Part B - In Development Plans, boroughs should set out policies and site allocations to secure an appropriate mix of shops and other commercial units of different sizes, informed by local evidence and town centre strategies. Particular consideration should be given to the contribution large-scale commercial development proposals (containing over 2,500 sq.m. gross A Use Class floorspace) can make to the provision of small shops and other commercial units. Where justified by evidence of local need, policies should secure affordable commercial and shop units.

Part D - Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs that wish to set a locally-determined boundary from schools must ensure this is sufficiently justified. Boroughs should also carefully manage the over-concentration of A5 hot food takeaway uses within town centres and other areas through the use of locally-defined thresholds in Development Plans.

Part E - Where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition.

3.3.4 ■ Policy HC1 (Heritage conservation and growth)

Part A - Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.

Part C - Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

3.4. Haringey Strategic Policies (March 2013)

The following policies from Haringey's Strategic Policies are considered pertinent to the determination of this application:

- 3.4.1 ▪ Policy SP8 (Employment) Local Employment Areas: The Council has identified other local employment generating sites in the borough that need protection. Local Employment Areas (LEAs) are employment sites that offer a more flexible approach to the uses on them. This category has been divided into two sub-categories: Employment Land and Regeneration Areas.
- A Regeneration Area (RA) is the most flexible of the categories as it can include uses appropriate in a mixed use development, such as small scale “walk-to” retail, community and residential uses. However, the approach to mixed uses in Regeneration Areas must have regard to London Plan town centre and retail policies, so not to encourage retail development outside of town centres, as well as other Local Plan policies. Local Employment Areas classified as RA include: High Road West, N17.
- 3.4.2 ▪ Policy SP11 (Design) All new development should enhance and enrich Haringey’s built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. To achieve this all development shall:
- Be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey’s sense of place and identity;
 - Seek the highest standards of access in all buildings and places.
- 3.4.3 ▪ Policy SP12 (Conservation)
- The Council shall ensure the conservation of the historic significance of Haringey’s heritage assets, their setting, and the wider historic environment. The borough’s heritage assets include Statutory Listed Buildings, Conservation Areas, Registered Parks and Gardens, Archaeological Priority Areas, and other locally important heritage assets such as Locally Listed Buildings, Local Historic Green Spaces and Sites of Industrial Heritage Interest. Where archaeological excavation is required, findings should be published, disseminated, and used as the basis for archaeological interpretation on site.
 - The Historic Environment should be used as the basis for heritage-led regeneration and as the basis for good design and positive change. Where possible, development should help increase accessibility to the historic environment. All development shall protect the Strategic view from Alexandra Palace to St Paul’s Cathedral as protected in the London Mayoral “London View Management Framework” Revised SPG, July 2010, and key local views.

3.5. Haringey Development Management Policies (July 2017)

- 3.5.1 Policy DM9 (Management of the Historic Environment) Haringey’s Heritage Assets:
- Part A - Development that conserves and enhances the significance of a heritage asset and its setting will be supported.
- Conservation Areas:
- Part D - The Council will give consideration to, and support where appropriate, proposals for the sensitive redevelopment of sites and buildings where these detract from the

character and appearance of a Conservation Area and its setting, provided that they are compatible with and/or complement the special characteristics and significance of the area. Part E - Proposals for alterations and extensions to existing buildings in Conservation Areas should complement the architectural style, scale, proportions, materials and details of the host building and should not appear overbearing or intrusive.

3.5.2 ■ Policy DM47 (Hot Food Takeaways)

Part A - Proposals for hot food takeaway shops should be located within town centres and will be permitted where:

- a) It can be demonstrated that the proposal will not result in an overconcentration or excessive clustering of hot food takeaways having regard to the existing number of hot food takeaways within the centre or frontage;
- b) It can be demonstrated that there will be no adverse impact on the vitality and viability of the centre;
- c) There is no unacceptable impact on the amenity of neighbouring uses, either adjacent to and surrounding the development;
- d) Access, servicing and parking arrangements do not result in an adverse impact on the safety of pedestrians and traffic flows or cause unacceptable increases to traffic and parking.

Part B - The Council may apply conditions on any planning permission granted for a hot food takeaway to ensure appropriate management of noise, vibration and odours, waste management, hours of operation and community safety.

4. DESIGN

3.6 Proposal

- 4.1.1 The proposed works seek to install an extraction system to the rear elevation in order to ventilate the premises, with associated internal works to promote the new proposed fast food takeaway restaurant.

4.2 Conclusion

- 4.2.1 Overall, the proposed conversion of a dis-used real estate agency to a fast food takeaway restaurant is considered acceptable. The proposed works would be entirely in accordance with national policy guidance, London Plan, the Haringey Strategic Policies (March 2013) and Haringey Development Management Policies (July 2017). The proposal does not seek to alter the external fabric of the existing building, and therefore would not harm the conservation area.
- 4.2.2 Should there be additional information or clarification required to progress this application please do not hesitate to contact Cadoo Ltd.