

Officer's Report

Application Number	HGY/2023/1429
Type	Full planning permission
Location	Restaurant, 185 High Road, Wood Green, London, N22 6BA
Proposal	Erection of 2nd floor extension to provide additional seating area.
Case Officer	Zara Seelig
Valid Date	30/05/2023
Applicant	Mr Ercan Aksu
Agent	Mrs Valeriya Griбанova

RECOMMENDATION

Approve with Conditions

SUMMARY OF RECOMMENDATION

GRANT PERMISSION (with conditions)

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the erection of 2nd floor to provide additional seating area for the restaurant. Replacement of 1 x fascia sign and installation of 2 x illuminated letter signs.

*The advertisement element is being dealt with under a separate application.

Site and Surroundings

The application relates to a two storey detached building consisting of 2 units on the ground floor, one being a restaurant which applies to this application, the second floor is one whole floor associated with the restaurant unit on the ground floor. The site is situated on the Western side of High Road. The proposal is not located within a Conservation Area, it is not within the curtilage of a listed building. The site is designated in Haringey's Local Plan as a Primary Shopping Area.

Relevant Planning and Enforcement history

There is extensive planning history on the site, the most recent planning history is as follows:

- HGY/2023/1613 - replacement of 1 x fascia sign and installation of 2 x illuminated letter signs. - Approved (with conditions)
- HGY/20216/3509 - Retrospective change of use of land to outdoor seating area associated with Cafe/Sandwich Bar – Approved (with conditions)

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

LBH Transportation Team: Consulted, commented as follows:

- a. The site has excellent public transport accessibility (PTAL=6a) and is located within a CPZ.
- b. Cycle parking provision for 10 bicycles in the form of 'Sheffield' stand is proposed to be located to the rear of the property. Provision for two long stay cycle parking for employees should be provided and it should be secure, sheltered and accessible.

Subject to the above, there are no Transport objections regarding this application.

External:

None

LOCAL REPRESENTATIONS

The application has been publicised by way of 21 neighbour consultation letters. No representations were received from neighbours, local groups, in response to notification and publicity of the application.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Impact on neighbouring amenity; and
3. Transport Considerations

Design and appearance

DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 'Design' requires the highest standard of design that respects local context and character and historic significance, which is equally supported by the London Plan (2021).

The proposed extension is considered to be acceptable in terms of its design and materiality, its size and scale is acceptable, appearing in keeping with the existing pattern of development within its surroundings, compliant with Policies DM1 of the Development Management DPD 2017 and SP11 of the Local Plan 2017.

Haringey Councils Design Officer was verbally consulted on the application and agreed he is happy with the design and the recommendation for approval.

Impact on neighbouring amenity

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.

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.

Given the height of the surrounding commercial buildings being higher than the existing application site and the distance between the site and the residential units located at the upper floors of the terrace opposite the site, the proposed extension would not result in a significant loss of light to neighbouring commercial/residential properties. The site is located within a commercially dominated high road, with the closest building to the application site being a tiered 4 storey library building to the rear of the site.

The proposal is not considered to impact neighbouring amenity by reason of overbearingness, loss of daylight/sunlight or loss of privacy for the reasons set out above and so complies with policy DM1 of the Development Management DPD 2017 and policies D6 and D14 of the London Plan 2021.

Transport Considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision. Local Plan 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 DPD Policy DM31 'Sustainable Transport'. The Council's Transportation Team has been consulted, they consider the proposal acceptable subject to the addition of a condition requesting details of cycle parking/storage.

Conclusion

The development would continue to support the established use of the restaurant, providing additional space for the business. The proposed extension contributes to the continued vitality and vibrancy of the business, while increasing the capacity of customers and users. The development is therefore considered to result in economic, social, and wider public benefits.

The proposed extension would be used as ancillary to the existing use below. It is not therefore considered that the development results in further intensification of use, or would result in greater noise and disturbance than existing use provided that the existing opening hours is retained.

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

CIL APPLICABLE

Based on the information given on the submitted CIL form the Mayoral CIL charge will be £8,752.33 (135.59sqm x £64.55) and the Haringey CIL charge will be £0 (100sqm x £0).

The CIL charge will be collected by Haringey from commencement of the development and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the RICS CIL Index.

An informative will be attached advising the applicant of the CIL charge.

RECOMMENDATION

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 Prior to the commencement of development above ground, full details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until a minimum of 10 cycle parking spaces for users of the development in the form of 'Sheffield' stand and 2 long stay cycle parking for employees (these should be secure, sheltered and accessible), in accordance with the London Cycling Design Standards. Once agreed, the details shall be implemented as approved and retained/maintained as such thereafter.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan 2021 minimum cycle parking standards and the London Cycling Design Standards, policy T5 of the London Plan 2021, Policy SP7 of the Haringey Local Plan 2017 and to maximise the accessibility of the development.

- 4 Details and samples of the materials to be used in the external surfaces of the buildings shall be submitted to, and approved in writing by, the Local Planning Authority before any above ground development is commenced.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity 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

- 5 No development shall take place until a Construction Management Plan, to include details of:

- a) loading and unloading of plant and materials
- b) the location of a compound for the storage of construction materials
- c) storage of plant and materials used in constructing the development
- d) programme of works (including measures for traffic management have been submitted

to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality in accordance with paragraph 174(e) of the NPPF 2021, Policy SD1 and SI 1 of the London Plan 2021, and Policy DM23 of The Development Management DPD 2017.

Informatives:

- **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 : Community Infrastructure Levy**
The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £8,752.33 (135.59 x £64.55) and the Haringey CIL charge will be £0 (135.59 x 0). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.
- **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: 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.