



# Officer Report

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| <b>Application Number:</b> | <b>HGY/2023/0460</b>                                                               |
| <b>Application Type:</b>   | <b>Full planning permission</b>                                                    |
| <b>Address:</b>            | 64 Turnpike Lane, Wood Green, London, N8 0PR                                       |
| <b>Proposal:</b>           | rear and front extension to create new shop unit at front and storage unit at rear |
| <b>Case Officer:</b>       | Zara Seelig                                                                        |
| <b>Valid Date:</b>         | 05/06/2023                                                                         |
| <b>Applicant:</b>          | Mr Thiandson                                                                       |
| <b>Agent:</b>              | Mr GUY HAYNES                                                                      |

## **RECOMMENDATION**

**Approve with Conditions**

### **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) Hours of operation
- 4) Flue noise etc
- 5) Waste/Refuse storage details
- 6) Cycle parking/storage details
- 7) Shopfront details

Informatives:

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

### **PROPOSED DEVELOPMENT AND LOCATION DETAILS**

#### **Proposed development**

Rear and front extension to create new shop unit at front and storage unit at rear.

#### **Site and Surroundings**

The application site is a two storey end of terrace building situated on the Northern side of Turnpike Lane. The site is not located within a conservation area, it is not a listed building nor are there any TPO's on the site.

#### Relevant Planning and Enforcement history

There is extensive planning history, the most recent in relation to the site is as follows:

##### Planning Applications:

HGY/2023/1283 - Certificate of Lawfulness for the existing use of the first and second floors of 64 Turnpike Lane as two separate self-contained 1-bedroom dwellings. - Unlawful (Refused)

HGY/2021/3337 - Proposal to create a new shop entrance by extending the existing front to the pavement and new access to the upper flats. - Withdrawn

HGY/2020/0791 - Ground floor front extension and conversion to restaurant. Amendments to existing rear extension roof layout. - Refused permission

HGY/2017/1111 - Change of use of ground floor from residential (C3) to restaurant (A3) with associated single rear extension and alterations to the frontage to remove the existing bay window and create an active commercial frontage - Grant permission

HGY/2013/2195 - Conversion of upper floors to form 3 self-contained flats - Withdrawn

HGY/2008/2134 - Erection of rear dormer with new front gable roof. - Grant permission

##### Pre-Application Advice:

PRE/2022/0271 - Proposals to convert the ground floor to an restaurant by completing a front and rear extension. - The proposal was largely considered acceptable, the design was not considered to be acceptable.

##### Enforcement:

- UNW/2016/00860 - Large unauthorised rear extension - opened December 2016 and closed October 2021.

#### **CONSULTATION RESPONSE**

The responses below were received following consultation on the application:

##### Internal:

- 1) LBH Transportation: Consulted - Please see the 'Transport Considerations' section of this report for the details.

##### External:

None

#### **LOCAL REPRESENTATIONS**

The application has been publicised by way of 14 neighbour consultation letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses:

Objecting: 0

Supporting: 0

Commenting: 0

The following local groups/societies made representations:

- None

The following Councillor(s) made representations:

- None

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:

- None

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 Development
2. Design and appearance;
3. Impact on neighbouring amenity; and
4. Transport considerations.

### Principle of Development

The conversion element of the proposal from residential to restaurant at ground floor level has been previously approved under application reference HGY/2017/1111 and is still considered to be acceptable. It is noted that later application HGY/2020/0791 - 'Ground floor front extension and conversion to restaurant. Amendments to existing rear extension roof layout.' was refused, however, the reasons for refusal were regarding the extension and not the change of use.

Local Plan (2017) Policy SP10 states that Haringey's Local Shopping Centres will continue to be supported in providing core local shopping facilities and services (such as convenience store, post office, and newsagent) for their respective local communities, largely catering for a catchment area within walking distance. In this regard the reversion of a unit in this designated shopping centre is considered to be a beneficial change, which would enhance the vibrancy and viability of this centre.

DM Policy (2017) DM43 goes on to reiterate a desire to retain commercial uses within these frontages, as well as providing an active frontage. The provision of the commercial unit would be

beneficial in this regard. Details of this frontage and forecourt are recommended to be dealt with via a condition, to ensure an active frontage is created.

### 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.

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.

The design of the proposal was discussed at the pre-application meeting with the frontage design as presented at pre-application not being considered acceptable. It was noted that the design should follow the pattern of development within the street, with a more traditional frontage and reference to be taken from no. 62 that recently received planning permission under reference HGY/2022/2221. It was also noted that the applicant should not take design reference from numbers 68-70, this is not a good example of a traditional frontage and would not be considered acceptable.

The design of the proposal is acceptable, the pre-app comments regarding taking reference from that recently approved at no. 62 was taken on board and has resulted in a traditional front/side extension/shop front that will complement the street scene. The rear extension element of the proposal that is being retrospectively applied for would not be visible from the street scene and is a modest addition to the rear extension already in situ. The proposed front and rear extensions are similar in size and design to other extensions within the row. The proposal therefore complies with relevant design policies and is considered acceptable.

### 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.

The rear extension element of the proposal that is being retrospectively applied for is 2 metres in height along the rear boundary, this is not considered to adversely impact neighbouring amenity. The attached neighbouring property of no. 62, have recently received planning permission for a front extension of a similar depth and height. The adjacent neighbouring property no. 66 has commercial use at ground floor and so the proposal would not adversely impact this property. There is not considered to be any potential impacts to neighbouring properties by way of overbearingness, loss of daylight/sunlight or loss of privacy as a result of the proposal.

### 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 and advises that:

- a. The site has excellent public transport accessibility (PTAL=6a) and is located within a CPZ. The proposal is car free.
- b. The proposed extension of the building at the front to the back of footway (along Turnpike Lane) will result in loss of front yard to 64 Turnpike Lane that may obstruct visibility sightlines between pedestrians and vehicles along the highway frontage to 66 Turnpike Lane.
- c. The proposed extension to the front of the property results in a narrow accessway (approx. 0.9m) for residents of existing flats. The width of this accessway should be a minimum of 1.2m to provide residents of flat an adequate accessway and space to manoeuvre the bicycles.
- d. Details of provision for refuse storage for flats and proposed shop should be provided.
- e. Details of provision for cycle parking (long-stay and short-stay) for the proposed shop should be provided to demonstrate compliance with London Plan standards.

Officer comment: Regarding point B, no. 66 has permission to extend to the front similarly to the others within this row.

Conditions will be attached to the decision reflecting the comments made by the transportation team above.

### Conclusion

The proposal is considered acceptable and complies with relevant planning policy.

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**

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.

## **RECOMMENDATION**

GRANT PERMISSION subject to condition(s):

### **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 use hereby permitted shall not be operated before 08:00 hours or after 22:00 hours Monday to Saturday and before 10:00 hours or after 17:00 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.

- 4 The design and installation of any new flue required as a result of this permission shall be such that, when in operation, the cumulative noise level LAeq 15 min arising from the proposed plant, measured or predicted at 1m from the facade of nearest residential premises shall be a rating level of at least 5dB(A) below the background noise level LAF90. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. Upon request by the local planning authority a noise report shall be produced by a competent person and shall be submitted to and approved by the local planning authority to demonstrate compliance with the above criteria.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

- 5 No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy 5.17 of the London Plan 2021.

- 6 The applicant will be required to provide a minimum total of 5 x long-stay cycle parking spaces in line with the London Plan (2021) standards and the London Cycle Design Standards. These spaces should be accessible, with a minimum width of the internal accessway to the cycle storage of 1.2 metres.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan (2021) minimum cycle parking standards and the London Cycle Design Standards.

- 7 Notwithstanding the approved plans, full detailed drawings, including sections, to a scale of 1:20 and materials of the shopfront hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and together with a full schedule of the exact product references for all materials. The Fascia should be reduced in scale, and reflect that approved at No. 62 Turnpike Lane in terms of proportions of width of fascia, pillars, fascias and should include any roller shutter incorporated into the design. The Fascia width should be reduced to extend the shopfront only and should not extend into include the residential entrance.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 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: 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.

#### 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.