

Response to Planning Application:

Date: 2nd Aug 2023

Case Reference: HGY/2023/1772

Location: Shop, 78 Myddleton Road, London N228NQ

Proposal: Change of use from Retail to Residential

History and Background:

We totally object to this extension being used as a residential unit. This extension we contend, was always built for financial gain from the conversion of retail to residential units. We are affected by any developments in the rear of 78 because as you can see in the plans, our whole garden and kitchen area runs down and adjacent to the narrow side pathway and is affected by anything which is greater than fence high or that takes place there. Our back bedroom also overlooks this site. [Please see page 1 of the images]

Please Note: We had **No** opportunity to object to its construction as both ourselves and residents living in 78A above the retail unit were NOT notified of the Planning Application. This is against the Haringey Statement of Community Involvement (Adopted 2017)

Appendix 3: Consultation policy – neighbour notification General Household Developments Rear extension: Site notice or **all adjoining properties and affected properties to the rear.**

Our first knowledge regarding this was when construction started. We awoke to the loud noise of a mechanical digger. [Please see page 2 of the images] This led to residents of No78A having no access to their flat via the staircase and a disabled woman blocked from using the narrow rear passageway. The size of it, the height of it, the intrusion into our light and aspect were all much more than was needed to provide a storage area for the retail unit.

A letter submitted to the planning Officer Kwaku Bossman-Gyamera (22nd June 2022) elicited no response.

We had much correspondence (both text and images) with the Planning enforcement officer (Mr J Ayres) with no satisfactory outcomes - missing the original chance to put in our views has cost us all dearly. Lack of notification was suggested as being a postal problem. I have checked with the postal service and there was no industrial action at that time and it was emphasised that any letter not being delivered by staff is taken very seriously. We received other post normally.

This is not the first time that we have had problems of construction in this backspace adjacent to our house, kitchen and garden. We wrote previously (25th Jan 2017- HGY/2016/2271) regarding a big Black Box that was constructed in this area. We had NO notice of Planning Permission for that either. [Please see page 3 of the images] That should have been in the records so it would have been known that we would wish to know of any extension on this site.

Principle:

Myddleton Road shopping centre is in a Conservation area. It has been a long established retail street for more than a hundred years. It has been correctly said that it has been providing the beating-heart to the community in Bowes Park for generations.

The acquisition of The Step pub is a very positive move by the community to help restore the footfall and aid the retail units in these difficult times. We need the help and support of the Local authority to continue this progress. Converting the retail units into Residential units will destroy this. It needs to stop.

The Agent letter - lack of interest in the retail unit:

This is not surprising. Anyone who lives around here can confirm that the view through the front window would not have impressed or attracted anyone. For most of the last year during the duration of the building work, the retail unit was carelessly stripped, filled with rubbish, rubble, building materials and boards, and tools etc. [Please see page 4 of the images] This would have put off any prospective interest in the unit. I contend that this seemed intentional and that the plan was always to build the rear extension and hopefully make both the retail unit and the extension residential units.

Encouraging this type of thinking would be disastrous for retail units in Myddleton Road and detrimental to any land to the rear of the retail units.

The Design and Access Statement:

The plan 157-03-01A is dated: 30 June 2023 This extension has been built over the last year to this plan which means that it was always the case that this was a residential unit plan and not an extension to a retail unit. I wrote to the Planning Officer on 22nd June 2022 to object to this very plan. In conclusion, the development does NOT represents a thoughtful and innovative approach converting a commercial property into a residential building and does NOT meet the needs of residents and the local community.

Disturbance:

The narrow passage-way in between our house border and the fence of the rear garden of the retail unit is less than a meter(0.85M). The new extension has been built with a very small gap between the rear wall and their fence, windows facing us so anything that happens there is heard in our kitchen, and rear bedrooms. If people walk down the rear passageway, we can hear them and have been frequently woken by them. For the past year, we have been woken (sometimes at seven in the morning) by loud talking, shouting, laughing, drilling, hammering, spray painting, breaking or manipulating the gate at the entrance etc.

Residents taking rubbish or general movement down the narrow passageway especially at night would be heard by us. The garbage collectors do not go down the passageway between us and these dwellings - we do NOT wish to have bins placed in front of our front wall. This will block the pavement or the narrow passageway. This should remain in Myddleton road and stay connected to the retail unit.

Parking, access for Service vehicles and deliveries:

Parking in front of our own house in Marlborough Road is already very difficult. I need to park and use my car in front of our house as my wife has Parkinsons and Lewy Body Dementia (hence real concern about blocking the pavement). Any new

residents of the extension and service vehicles for them will park in Marlborough Road. We really do not need more cars parking in the residential area.

We and residents of 78A have already thought that there were residents in the extension (lights on late, noises etc.) We have been told that this is "just late work on the interior". However, on Sunday 4th June, someone was clearly there at 14 minutes past midnight. This is working late to an extreme and we suspected this was a resident trying to keep a low profile. This also seems to already go directly against the conditions for the hours for construction. This has now receded as this new planning application is going on as it was mentioned in HGY/2023/1236 which has now been withdrawn.

Overbearing: Out of Character:

The scale of this extension was always out of proportion for use as a retail storage area. The design document says it is 7.6M by 4M which was always very large. The height in the Planning Application was stated as 2.7M - it has built to be over 3.1M. We complained previously to the enforcement officer and was told that the height was "scaled" correctly to the drawings. If we HAD received notice of the Planning Application, residents would not have known that the height stipulated in the Planning Application can be ignored by "scaling". Why is this so? We have said previously to the enforcement officer that we suspected that this was to be used for residential rather than retail use.

What we need are good, viable and supported retail units, NOT more residential units replacing retail units.

Environmental:

This space used to be a garden with a tree which birds particularly liked. Over time, the tree has gone, it has been built over,, ground drainage reduced by buildings and concrete which affects infiltration and runoff. We suffered a flood under our kitchen some years ago as the drains were blocked somewhere close in the rear of the retail units near to our house and garden. We do not wish to go through that again.

Recently, in the last month, the entrance to the extension via the narrow rear pathway was concreted over and the level raised. With the rain and the ground drainage problem, the wet concrete runoff came under our side gate and flowed into our drain on the side of our house. This is just a small sign of things to come and is not welcome.

We have also previously suffered from an invasive species growing in the space where this block has been built. The owners would not do anything about it and we had to have it dealt with at considerable expense so that it did not jump the pathway and grow into our property.

Access:

If the rear extension is to be separated from the retail unit, where is access to the residential unit going to be? It will be down the narrow passageway (<0.85M) separating our house and garden from the rear of the retail unit. We have mentioned above in "Disturbance" the noise disturbance etc of that.

Some years ago, there was a fire in one of the residential flats above one of the retail units close to us. My son, sleeping in our middle bedroom was awakened and raised the alarm to residents and fire brigade. They had to come down the narrow pathway with difficulty and operated from the area where the new extension block has been built. It would be much more difficult to do this now and the fire hazard will vastly increase with any change to residential use. It should be noted that wooden storage units have also been constructed right up to the fence and mattresses placed on top of them [Please see page 5 of the images] This is also a fire hazard.

Density of people:

This is already a fairly densely populated area and we really do not need for it to increase by many retail units developing "rear extensions" which end up as residential.

Decision:

The Planning Application says this is "delegated" which I presume means the planning Officer designated. We ask that the decision is taken by Councillors or a Committee rather than the officer who passed the Planning Application for this extension without notifying us in the first place. Passing this extension for residential use will create a precedent and very disturbing example for many rear areas of the retail units.

After our complaints, we received a letter regarding HGY/2023/1236 to change to residential use. HGY/2023/1236 was withdrawn and the very next day HGY/2023/1772 was put up. We have NOT received a letter about this latest Planning Application even though our address says "Consulted" in the Planning Application list.

Please note:

The original Grant Permission was subject to conditions:

4 The extension area shall be used only for purposes ancillary to the use of the hereby permitted.

Reason: **To avoid the introduction of a separate use resulting in an over intensification of the site thereby adversely affecting the area**, accordance with Policy DM1 of the adopted DPD 2017.

Our house and garden area runs down the narrow side pathway and is affected by anything which is built greater than fence high or that takes place in the rear of 78.

In conclusion, we object in the strongest possible terms to this extension changing to residential use.

Yours Sincerely,

Noel and Christine Lawler,
41 Marlborough Road, Bowes Park, London N22 8NJ



Above: View from kitchen window

Below: View from Bedroom window





Above: Composite of Noisy digger and Blocked staircase entrance to No 78A

The residents to 78A could not use the staircase for entry to their Flat.



Above: View from our garden & fence

Below: View from rear Bedroom window



'Black Box''



Above: View from retail window - A

Below: Detail view from retail window - B



Retail window 'rubbish'



Above: View from our garden & mattresses **Below:** wooden sheds & narrow pathway

