



Officer Report

Application Number:	HGY/2023/1261
Application Type:	Removal/variation of conditions
Address:	252 Archway Road, Hornsey, London, N6 5AX
Proposal:	Variation of condition 1 (approved plans) attached to planning permission ref: HGY/2020/1853 to amend the approved scheme, including extension of Flat A into commercial premises, changes to the internal layout and changes to windows and balcony.
Case Officer:	Eunice Huang
Valid Date:	11/05/2023
Applicant:	Leesa Paton
Agent:	

RECOMMENDATION

Refuse

1. SUMMARY OF RECOMMENDATION

Refuse

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 This is an application for the variation of condition 1 (approved plans) attached to planning permission ref: HGY/2020/1853 to amend the approved scheme, including extension of Flat A into commercial premises, changes to the internal layout and changes to windows and balcony.

Site and Surroundings

2.2 The application site relates to a three storey terraced building with a retail unit on the ground floor and residential on the upper floors. This forms the predominant character of the buildings along this part of Archway Road. The upper floors which are set back from the ground floor have bay windows on 1st and 2nd floor level between nos. 246 – 254 Archway Road and front dormers are a feature on this part of the parade. The site is located within a designated Local Shopping Parade and the Highgate Conservation Area.

Relevant Planning and Enforcement History

2.3 The most recent planning history and enforcement relating to the site is as follows:

- HGY/2022/0036 – 252 Archway Road London N6 5AX – Display of a non-illuminated fascia sign, a wall sign and an awning sign – Approved with Conditions – 14/2/2022.

- HGY/2021/1232 – 252 Archway Road London N6 5AX – Alteration to window fenestration to front elevation, including installation of balcony to the rear. – Approved with Conditions – 08/6/2021.
- HGY/2021/0809 – 252 Archway Road London N6 5AX – Non-material amendment following a grant of planning permission HGY/2020/1853 involving alterations to rooflights, rear window and chimney stacks. – Approved with Conditions – 19/3/2021.
- HGY/2020/3212 – Flat 2 252 Archway Road London N6 5AX – Creation of a balcony area at the rear of the second floor flat. – Approved with Conditions – 18/01/2021.
- HGY/2020/3214 – 252 Archway Road London N6 5AX – Alterations to roofline to create a sunken balcony area. – Approved with Conditions – 22/1/2021.
- HGY/2020/1853 – 252 Archway Road London N6 5AX – Construction of a part two, part three storey rear extension to create an additional residential unit, and associated upgrades to the building. – Approved with Conditions – 28/9/2020.
- HGY/2010/2305 – 252 Archway Road London N6 5AX – Change of use from retail (A1) to tattoo studio (sui generis) and retail (A1). – Approved with Conditions – 11/02/2011.

3. CONSULTATION RESPONSE

3.1 The following responses were received following consultation on the application:

1) LBH Conservation: No objection. The revised scheme would be considered to have a similar impact on the significance of the Highgate Conservation Area as the previously approved 2020 scheme.

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 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: 1
 Objecting: 1
 Supporting: 0

4.2 The following issues were raised in representations:

- The original commercial floor space was about 125sqm, which was reduced to about 95sqm. This application proposes a further reduction to about 63sqm. A report on the viability of the commercial unit is requested.
- A daylight/sunlight report should be provided for the habitable rooms.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning considerations raised by the proposed development are:

1. Principle of the development;
2. Design and appearance
3. Impact on neighbouring amenity
4. Living conditions for future occupants

Principle of the development

5.2 Policy SP10 of the Local Plan 2017 states that the Council will promote and encourage development of retail, office, community, leisure, entertainment facilities, recreation uses, arts and cultural activities within its town centres according to the borough's town centre hierarchy.

5.3 Policy DM43 of the Development Plan 2017 states that the Council will seek to ensure that local centres continue to sustain their retail function. However in order to promote a balanced mixed of uses it will allow non-retail uses to occupy up to 50% of designated shopping frontage within a local centre, having regard to vitality and viability. The Highgate Neighbourhood Plan (2017) in policy EA3 'Archway Road' continues a similar approach. These Policies, along with the National Planning Policy Framework, set out the importance of retaining and enhancing town and local centre uses.

5.4 The site comprises a commercial unit at the street level on the Archway Road frontage, which enables an appropriate local centre use that contributes to the vitality and viability of the local centre.

5.5 The approved development involved the reduction in the floor area of the commercial unit from approximately 126sqm to 95sqm in total, across the ground and basement levels.

5.6 This application would retain the shop frontage but would significantly reduce the floorspace available for the commercial use, which is considered to negatively affect the viability of the future use of the ground floor commercial use. This application seeks a further reduction of the commercial floorspace by approximately 29.8sqm, to a total of 65.2sqm. Specifically, the floor area the street level (ground floor) would measure 28.7sqm, and the basement level would have an area of 36.5sqm.

5.7 The applicant has not provided evidence to demonstrate that there is no reasonable prospect of the floor area being used to provide local service in the future or how the changes may impact on the day-to-day use of the current retail unit. As such, the principle of the loss of the commercial floor space would be contrary to policy, as it would affect the viability of the commercial unit and the overall vitality and viability of the local centre shopping parade.

Design and appearance

5.8 Policy SP11 of the Local Plan (2017) and Policy DM1 'Delivering High Quality Design' of the Haringey Development Management DPD (2017) (DPD) 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 specifies that development proposals should relate positively to their locality, including having regard to building heights; and form, scale and massing prevailing around the site.

5.9 The proposed amendment to the plans involves changes to the rear façade to amend the balcony siting and rear glazing. However, there would be no material impact on the appearance of locality arising from these changes.

Impact on neighbouring amenity

5.10 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.

5.11 The proposed changes to the rear balcony and glazing would not have a material impact upon the privacy of neighbouring occupiers, compared to the existing and approved views available from windows and balconies at the subject site.

Living conditions for future occupants

5.12 London Plan Policy D6 requires housing development to provide adequately sized rooms with comfortable and functional layouts. Dwellings must at least have the gross internal floor area (GIA) set out in Table 3.1 of the London Plan and an acceptable floor to ceiling height should be delivered. Dual aspect dwellings should be maximised and single aspect units should normally be avoided. This policy also requires sufficient daylight and sunlight to be supplied to new residential units, whilst also ensuring that overheating would be avoided. Private outdoor space should be provided for new dwellings, in line with the requirements of London Plan Policy D6. Proposals should achieve the highest standards of accessible and inclusive design, in accordance with London Plan Policy D5.

5.13 Pursuant to Policy D6, a dwelling with two or more bed spaces must have at least one double (or twin) bedroom that is at least 2.75m. A two bed space double (or twin) bedroom must have a floor area of at least 11.5 sqm.

5.14 Under the amendment, the approved one-bedroom flat would be revised to a two-bedroom flat. The proposed flat would meet the minimum internal space standards for 1 bedroom, 2- person unit (50m²). The internal floor areas of the bedroom measure 10.6sqm and 9.6sqm. The unit would therefore have two single bedroom. The internal floor area of the extended unit would be approximately 85 sqm. Satisfying the minimum internal space standard for a 2-storey, 2-bedroom unit as set out on in the London Plan and the Nationally Described Space Standards, 70sqm for a 2-bedroom 3-prson unit or 79 sqm for a 2-bedroom 4-person unit. However both Policy D6 and the The proposal therefore satisfies the minimum internal space requirements of Policy D6. However, both policy D6 of London Plan and the Nationally Described Space Standards require that a dwelling with two or more bedrooms has at least one double (or twin) bedroom and that a double (or twin) bedroom must have a minimum floor area of 11.5 sqm. Both the proposed bedrooms fall short of the relevant standard.

5.15 Despite being single aspect, the proposed unit would have adequate outlook and provision of daylight. The unit would also have external amenity space in the form of a small private rear garden and roof terrace. It is noted that the approved 1-bedroom unit was also single aspect.

5.16 The proposed development would fail to provide a sufficient standard of accommodation for the future occupiers of the unit du to the failure to provide at least one double (or twin) bedroom that meets the relevant standard.

6. CONCLUSION

6.1 The proposed reduction of commercial floorspace would adversely impact on the operation and viability of the commercial unit and therefore the vitality and of this local centre shopping parade. The applicant has not provided evidence to demonstrate that there is no reasonable prospect of the floor area being used to provide local service in the future. Furthermore the internal room sizes of the proposed unit do not meet the relevant standards set out in policy.

6.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above.

7. RECOMMENDATION

REFUSE PERMISSION

For the following reasons:

Refusal Reasons:

The proposed development would result in the loss of commercial floorspace which has not been justified in policy terms with the loss of such space having the potential to undermine the longer term vitality of this retail unit as such harming the overall vitality and viability of this local centre shopping parade, contrary to Policy SP10 of Local Plan 2017, Policy DM43 and Development Management DPD 2017 and Policy EA3 of the Highgate Neighbourhood Plan 2017.

The proposed development would fail to provide acceptable standard of living conditions for future occupiers in terms of adequate internal area, contrary to Policy D6 of the London Plan 2021.