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Matthew Brewer
07919 890 207
Matt.Brewer@urbanspaceplanning.co.uk

Haringey Council
Planning, Regeneration & Economy
Level 6 River Park House
225 High Road
Wood Green
N22 8HQ

Via PlanningPortal

Dear Sir/Madam

**GROUND FLOOR & BASEMENT, 679 GREEN LANES, WELLINGTON TERRACE, WOOD GREEN
CHANGE OF USE OF GROUND FLOOR AND BASEMENT UNIT TO CLASS E USE**

On behalf of our client, Sherrygold No.1, please find enclosed an application for the change of use of the ground floor and basement unit of 679 Green Lanes, Wood Green, London, N8 0PX from Sui Generis use as a bar to Class E use.

The application is submitted together with the following drawings and documents:

- Application Form
- CIL Form
- Planning Statement (this letter)
- Site Location Plan & Ground and Basement Demise Plans

The application is for a change of use only and no changes to the external appearance or envelope of the building are proposed as part of this submission.

Site Description and Background Information

The premises is located in Wood Green, a densely populated suburb in North London. The property is located on Turnpike Lane in a highly accessible town centre area with a variety of independent traders. The site has excellent transport links, including Turnpike Lane underground station opposite the property.

Adjacent to the unit is Costa Coffee and independent food outlets, with a School of English above. Within close proximity on Turnpike Lane are health related uses, a selection of retail premises including food stores, restaurants and drinking establishments, and independent traders. Along High Road there are a large selection of retail, food and beverage and commercial properties offering a selection of goods and services.

The property comprises a mid-terrace single story bar with a ground floor area, and a basement area used as back of house accommodation accessed separately via the common parts of the building.

The property became vacant in 2019 following the cessation of the previous lease dated 6th April 1999 and former occupier departing the property. Following the closure in 2019 the property has remained unoccupied.

Proposed Development

The proposal is for the change of use of the vacant bar from Sui Generis to Class E use. The ground floor and basement area have a combined floorarea of 231 sq.m.

The property became vacant in April 2019 and marketing commenced in May 2019 on a free of tie lease. However, over this time whilst several enquiries were received, offers following viewings were very limited and the premises still remains vacant after 4 and a half years.

There have been numerous other parties proposing a wide variety of Class E uses interested in the unit, which has demonstrated there is a clear demand for Class E space within the local area as part of this district centre location. The restriction of Sui Generis use has so far restricted the ability to bring the unit back into use and take up any of these enquiries.

Given the long term vacancy the aim therefore is to utilise this empty unit and bring it back into active and beneficial use as a town centre use appropriate to this district centre location in Class E use.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be considered in accordance with the statutory Development Plan and other material considerations.

The National Planning Policy Framework (NPPF), updated in 2023, forms the national planning policy guidance document, and is supported by the National Planning Practice Guidance, which is an online resource.

The Development Plan for the London Borough Haringey consists of the London Plan (2021) and the Haringey Local Plan (2017)

National Planning Policy Framework (2023)

The NPPF includes a requirement on local authorities to plan positively for growth and identifies the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out three overarching objectives related to economic, social and environment objectives.

Paragraph 81 states that "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future".

Policy GG2 supports making the best use of land. It supports the reuse of brownfield land, prioritising sites which are well-connected by existing or planned public transport infrastructure.

Policy GG5 seeks to conserve and enhance London's economic competitiveness. It promotes the strength and potential of the wider city region and seeks to ensure that sufficient infrastructure is provided to support London's growth.

Policy HC7 Protecting public houses, seeks to conserve public houses where they have heritage, economic, social or cultural value and where they contribute to wider policy objectives for town centres, night time economy areas, Cultural Quarters and Creative Enterprise Zones.

Haringey Local Plan-Development Management Plan (2017)

Policy DM50A of the Haringey Local Development Plan (HLDP) 'Public Houses' states "*The Council will resist proposals for redevelopment or changes of use to non-permitted uses that will result in the loss of a public house, unless it can be demonstrated that:*

- a) The public house is no longer financially viable, as set out through a marketing campaign;*
- b) All feasible options for re-provision of the public house on site have been explored; or*
- c) The redevelopment of the site would secure over-riding public benefit.*

Policy DM50B of the HLDP goes on to state any permitted change of use from Use Class A4 involving alteration or extension of the premises must ensure it does not affect the viability of the pub, vitality of the area, or affect the character and appearance of the building and street scene.

Policy 7.19 of the HLDP states public house are an important community asset. Often providing hubs and social interaction for a community and '*closely associated with the life and identity of local communities.*' It goes on to state pubs can help support and promote the evening economy, enhancing the vitality of an area.

Policy 7.21 of the HLDP states that to demonstrate a public house is unviable, applications proposing the loss should provide the following evidence:

- i. Patronage levels and trading accounts over the past 4 years or from previous management;*
- ii. The actions taken by the owner to respond to failing profits/patronage, including maintenance, refurbishment and an evaluation of the potential for expansion, contraction and diversification;*
- iii. Suitable marketing activity of the business as an on-going concern over the past 12 months, as demonstrated through evidence of an unsuccessful campaign to market the site for the existing use at terms which are appropriate to the local economic area (including details of commercial agents, adverts in publications and lease terms offered to existing or previous occupants); and*
- iv. Adequate provision of public houses serving the local area.*

Policy 7.22 states Policy DM42, DM43 and DM44 of the HLDP need to be considered where the loss of the public house would affect the vitality, viability or diversity of the centre concerned.

Planning Appraisal

The NPPF states decisions should help create the conditions in which businesses can invest, expand and adapt with significant weight being placed on the need to support economic growth. The London Plan Policy GG2 supports making the best use of land and prioritises sites which are well-connected by existing or planned public transport infrastructure.

The proposal will provide the opportunity to bring a long term vacant unit in a highly accessible town centre location back into active use. The Marketing Report confirms the property has been marketed since May 2019 with limited interest over this time from potential bar operators.

At the time that the unit became vacant the use of the premises fell within Use Class A4 and a change of use to retail (A1), financial/professional services (A2), or restaurant/café (A3) would have fallen under permitted development rights and not required planning permission. However, the landlord has actively sought to secure a replacement bar use for the premises and the changes to the use class order in September 2020 means that a change of use application is now necessary.

Block viewings were performed with various interested parties and the demise and terms amended to seek to widen interest in the premises for a bar use. Only one offer was received from a potential bar offer over this period, however the hours of operation required to provide a financially viable use could not be agreed with the Local Authority and they were unable to proceed. The Council raised licence issues in respect of high crime rates, drugs and violence issues in this locality. Whilst further viewings did take place, all parties declined to offer and the only interest received in the last 12 months has been from Class E occupiers.

During the marketing process a number of Class E Use operators have enquired about the premises and been keen to occupy the unit, however a change of use is required to facilitate reuse within Class E and bring the premises back into beneficial use.

Class E Use would provide the opportunity to bring a vacant unit back into use and work within appropriate operational hours for the council and would provide a new facility for members of the public supporting the local area, and removing a use which previously attracted anti-social behaviour. Enabling active and beneficial re-use of this unit, which has been vacant for an extended period, allows businesses to invest and expand into the area and supports making the best use of land therefore complying with the NPPF and Policy GG2 of the London Plan.

Policy DM50A of the Haringey Local Development Plan (HLDP) states the Council will resist the loss of public houses unless a number of reasons can be demonstrated:

- a) The public house is no longer financially viable, as set out through a marketing campaign;*
- b) All feasible options for re-provision of the public house on site have been explored; or*
- c) The redevelopment of the site would secure over-riding public benefit.*

- a) The property has been marketed as a bar since 2019, in that time there has only been one offer which however did not proceed as the required premises licence to deliver a viable operation could not be secured. No other offers have been received despite the lengthy and active marketing process undertaken.

- b) The property has been vacant for an extended period of time, the Marketing Report sets out the steps taken to find a new leaseholder and adapt the premises and lease to achieve this. This included an initial lease incorporating the upper parts of the building alongside the public house. When this was unsuccessful the demise of the property was altered to be solely the ground floor and basement of the public house, this reduced the rent and would therefore be more attractive to prospective tenants. The lease was also offered on a free of tie lease. These steps have been unsuccessful and all feasible options for re-provision have been explored.
- c) The property is located in an area causing concern for anti social behaviour, crime, drugs and violence, as reflected in the licencing application. The former operation did attract anti-social behaviour, which an alternative use would address. The proposal will bring a long term vacant premises back into active and beneficial use, with the proposal providing a Class E use for visiting members of the public. The Marketing Report identifies that there are a number of interested businesses whose main trading hours would be within the working day and the proposal would remove a vacant unit reducing the possibility these premises as a target for anti social behaviour.

Policy DM50B goes on to state any permitted change of use from Use Class A4 must not affect the viability of the pub, vitality of the area, or the character and appearance of the building and street scene. As stated above, the bar has been empty for an extended period and despite ongoing marketing no replacement tenant has been secured. Therefore, the change of use to Class E would allow a new business to enter the premises and improve the appearance, character, vitality and viability of the centre. The proposal therefore complies with Policy DM50 A and DM50 B of the HLDP.

The bar does not provide a community asset which promotes appropriate evening economy and enhancement of the area. It's history of anti-social behaviour and closure due to limited use and its associated issues neither enhanced the area, nor provided a community hub. The long term vacant building is unattractive and does not provide any community benefit. The bar does not hold any heritage, economic, social or cultural value and its loss does not conflict with Policy HC7 of the London Plan. The proposal provides the opportunity to reuse the premises for a town centre use appropriate to the location and benefitting local people.

The centre contains a variety of existing bar and public house facilities, which do provide a beneficial community facility, these include The Tollgate 26-30 Turnpike Lane, The Westbury 57 Westbury Avenue, The Nags Head 203 High Road, The Lord Nelson 232 High Road, IL BEBO's Bar 2 Cheapside, High Road. As such the centre and local area will continue to be appropriately served by bar and public house facilities.

The proposed Class E use is supported by planning policy as providing appropriate town centre uses in this district centre location. It will enable the unit to be appropriately marketed for these uses to secure a beneficial town centre occupier. As located within this highly accessible location within an existing centre, adjacent to the underground station the unit is in an appropriate location for a Class E use and the proposed reuse is therefore appropriate and in accordance with the retail policies of the Local Plan and London Plan.

Conclusion

The length of vacancy of the unit and active marketing history has demonstrated that there is no opportunity to bring the premises back into use as a bar. The premises previously attractive anti-social behaviour and its continued vacancy provides no beneficial contribution to the centre. The proposed alternative use of this premises provides an opportunity to deliver a town centre use that will add to the viability and vitality of the centre and removes the previous issues associated with the bar use. The centre contains a number of existing bars and public houses and the area is therefore well provided for in terms of the community and social function of these uses. The reuse within Class E will provide an active and beneficial use for members of the public, appropriate to the retail centre location of the site and as located in an accessible and sustainable district centre setting.

The proposal therefore complies with Policy DM50A and DM50B of the Local Plan and HC7 of the London Plan. The change of use to Class E would allow a new business to enter the premises and improve its character and appearance and support the local community with a new offering appropriate to the town centre location and meeting the requirements of the Local Plan and London Plan policies.

We look forward to receiving confirmation of receipt and validation of this change of use application. If you have any questions or required any further information please do hesitate to contact Matt Brewer.

Yours faithfully,

URBANSPEACE Planning Ltd

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