



Officer Report

Application Number:	HGY/2026/1242
Application Type:	Full planning permission
Address:	292 High Road, Wood Green, London, N22 8JZ
Proposal:	Change of use from a restaurant (Use Class E) to a restaurant with ancillary shisha use
Case Officer:	Kwaku Bossman-Gyamera
Valid Date:	05/05/2026
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Applicant:	MR ATES YILMAZ
Agent:	ALI KOSELE

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for proposed change of use of the premises from a restaurant (Use Class E) to incorporate ancillary shisha use within the established restaurant/café.

Shisha use is strictly limited to the designated seating and smoking area at ground floor level. The proposed shisha lounge would occupy 57 square metres and have capacity to hold 48 persons, within this designated area with table and seating.

The proposed shisha lounge would follow the licensed/approved established opening hours of the existing restaurant: Monday to Friday 07:00 – 23:30, Saturday, Sunday/Bank Holidays 08:00 – 23:00.

Site and Surroundings

The application site is a building located on the Western side of High Road, N22 which is currently in use as a restaurant (Use Class E). The building falls within the curtilage of Woodside Park and is near 2 locally listed buildings – George Meehan / Woodside House (No.294) and Wood Green Police Station.

The site is not within any Conservation Area. The site is a designated a locally important, Site of Importance for Nature Conservation (SINC). SINCS are areas protected through the planning process having been designated for their high biodiversity value.

Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows.

- HGY/2022/2007 – Granted 29/03/2023 - Retrospective planning application for construction of a single storey side canopy extension, alterations to the façade.
- HGY/2027/2525 – Granted 03/10/2017 - Construction of a basement for existing restaurant/café.
- HGY/2012/0111 – Granted 06/03/2012 - Replacement of existing awning with tile roof.
- HGY/2011/0088 – Granted 14/03/2011 - Erection of additional floor to existing cafe / restaurant.
- HGY/2009/1913 – Granted 31/12/2009 - Erection of single storey rear extension to existing cafe / restaurant.

Enforcement History

- ENF/2026/0258 – Enforcement investigation into the use of the restaurant to shisha bar dated 04/03/2026.

2. Consultation response

2.1 The responses below were received following consultation on the application:

Internal:

- 1) LBH Transportation Team: No objection.
- 2) LBH Environmental Health Team: no comments.

External:

- 3) Transport for London (TfL): No comments.

3. LOCAL REPRESENTATIONS

The application has been publicised by way of 94 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: 5

Objecting: 5

The following issues were raised in representations that are material to the determination of the application and are summarised and addressed in the next section of this report:

- Noise level particularly on Friday and Saturday nights exceeds what is tolerable in a predominantly residential area.
- Level of noise caused to my young son and family late in the night.

Comments on representations:

- The objector's comments are noted and revolve around the noise level surrounding the existing restaurant. The proposed shisha lounge would be an ancillary use to the existing restaurant which would be compatible with the nature of the site. Hours of operation has been controlled by planning condition to ensure that the use does not exceed sociable hours. 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.
- Public health and safety concerns, in relation to shisha lounges, are not planning matters and do not form part of the assessment of this application. Licensing and Trading Standards would be responsible for regulation of such matters.

4 MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Impact on the character and appearance of the area;
2. Impact on neighbouring amenity;
3. Transport considerations;
4. Other considerations.

Character and appearance

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 proposal is for change of use of the existing restaurant to incorporate into the original building to a shisha lounge. The proposed shisha lounge would be an ancillary use to the existing restaurant. The proposed use would therefore be compatible to the nature of the site and would not harm the character and appearance of the site and surrounding area.

The proposal contributes to the use and function of the seating shisha area, and consequently supports the existing business premises, particularly the current economic

conditions. The public benefit arising from the development is a material consideration of weight and is considered to outweigh the limited harm arising from the development.

The proposal is considered to be of a modest scale, form and appearance that sits appropriately within the context of the building and considered to allow the continued perception and understanding of the host building. The proposal is not therefore considered to result in significant harm to adjacent locally listed buildings to justify a reason for refusal on the grounds of design or visual amenity.

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.

Shisha use is strictly limited to the designated seating and smoking area located at ground floor level. This area is designed to provide a controlled and well-ventilated environment, incorporating a pergola structure above the seating area which is capable of being fully retracted.

Beneath the pergola, the frontage is fitted with an existing guillotine glazing system, with panels that can be opened to approximately 1 metre above finished floor level. This arrangement allows for effective natural ventilation while maintaining a degree of enclosure. As the adjoining nearest residential neighbours are approx 35m away, it is unlikely that smoking odours and smell will significantly affect their living conditions.

Together, these features enable the operator to actively manage airflow and environmental conditions, ensuring that the ancillary shisha use does not give rise to unacceptable impacts on neighbouring residential amenity.

Given the position of the existing restaurant within the curtilage of Woodside Park and its relationship with adjoining neighbouring properties, the proposal would not result in a significant harm to neighbouring residential properties.

Notwithstanding, the above considerations, it is noted that there are residential properties adjoining or directly opposite the site, including family housing, with the nearest 35m away. The site is on the edge of local centre and is close to much quieter residential streets. The proposed use is ancillary to the existing restaurant and as such not the predominant use of the site.

It is recognised that concerns have been raised regarding the noise level generated by the restaurant and the impact this is having on wider area. Of particular note, concerns have been raised regarding the noise impact on the residential streets close to the site.

While the proposal would increase activity at the restaurant and within this area, the development relates specifically to the modest area on the ground floor level for seating and smoking area within the immediate area of the building. This area has historically been used as seating area in association with the restaurant use, with the structures considered to form an ancillary part of this use. It is not therefore considered that the development subject of the application would result in an intensification of use of the site.

The development relates solely to the operational development comprising of section of the existing ground floor area of the restaurant to be used as shisha area within the existing restaurant, with no change of use taking place. The land to which the proposed extension is located have historically been used as ancillary to the operation of the subject building and would continue to remain in such use.

The existing restaurant café has permission to operate between the hours of 11am – 11pm Monday to Friday and 11am – 11pm hours on Saturday, and not at all on Sundays, or Bank Holiday. It should therefore be noted that application seeks to retain the existing operating hours which would provide a shisha space.

The proposed change of use to incorporate a shisha lounge would be an ancillary and its use in terms of hours of use is controlled and managed by the existing opening hours. Within these hours the noise level would be kept within acceptable levels. The development is not therefore considered to result in an increase in noise, activity or disturbance that would justify a reason for refusal.

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 raised no objection. The shisha lounge would be an ancillary use to the existing restaurant and is likely to be used alongside the other uses at the site. It is considered that the additional comings and goings are unlikely to generate an unacceptable increase in the amount of traffic on the local highway network.

Other considerations

Health and safety concerns is acknowledged. The Council does not have any public health policy or planning policy in relation to shisha or shisha premises. Public Health do however expect shisha premises to: only operate in premises for which they have planning consent; not allow smoking in 'substantially enclosed' premises – the same as for cigarette smoking; protect employees from reasonably avoidable unhealthy exposure to second-hand tobacco smoke; pay duty on all smoking products; provide statutory tobacco health warnings; and undertake the operation in a safe way. In the absence of any public health and planning policy, it is considered that planning permission cannot be refused on these grounds.

Conclusion

The proposal is considered acceptable. The proposed shisha lounge is an ancillary use to the existing restaurant which is considered compatible with the nature of the site. The proposal as a whole is not considered to harm neighbours' living conditions or result in any severe harm to the local road network.

The development would continue to support the established use of the restaurant, providing an additional facility for the commercial enterprise. The proposal contributes to the continued vitality and vibrancy of the business, while increasing the offer to customers and users. The development is therefore considered to result in economic, social, and wider public benefits. While recognised that the setting and understanding of the designated heritage asset proximity to the application site. Proposal would not have no significant has been impacted on the setting of the heritage assets. It is therefore considered that the harm arising is modest, with the public and economic benefits resulting from the development considered to outweigh this limited harm.

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

5. 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.

6. RECOMMENDATION

GRANT PERMISSION subject to conditions

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 below, other than where those details are altered pursuant to the conditions of this planning permission.

Approved drawings list:

HR26-01 Rev.001,
HR26-02 Rev.002,
HR26-03 Rev.001,
HR26-04 Rev.001,
HR26-05 Rev.001,
HR26-06 Rev.002,
HR26-07 Rev.001,
HR26-08 Rev.001,
HR26-09 Rev.001.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The use hereby permitted shall not be operated before 0700 hours or after 2330 hours Monday to Friday, before 0800 hours or after 2300 hours Saturdays, Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of adjoining residential properties in accordance with policies DM1 Context, character and Noise of the adopted Development Plan DPD.

- 4 At no time shall any amplified speech or music generated from the site be audible within the adjoining residential premises.

Reason: To prevent loss of amenity to neighbouring residential premises due to noise generated from the premises in accordance with DM1 and SP12 of the adopted Local Plan.

Informatives:

INFORMATIVE : Owners Consent. The applicant is advised of the need to obtain separate consent under the Town and Country Planning (Control of Advertisement's) Regulations 1992 for any advertisements requiring express consent which you may wish to display on these promises.