

Officer Report

Application Number:	HGY/2023/1632
Application Type:	Full planning permission
Address:	4 Salisbury Promenade, Green Lanes, Hornsey, London, N8 0RX
Proposal:	Installation of an extraction pipe to facilitate the change of use of a retail unit (Class E) to a restaurant (Class E).
Case Officer:	Daniel Boama
Valid Date:	20/06/2023
Applicant:	Mr SABAN CEVIK
Agent:	Miss Merve Tay

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

No representations were received in response to notification and publicity of the application.

REASONS FOR GRANTING PERMISSION

The subject site is a ground floor level commercial unit Salisbury Promenade, Green Lanes, that can be accessed from street level. It is in the Green Lanes Town Centre Secondary Frontage and Green Lanes District Centre within the Haringay ward of the borough. The site is not within any conservation area nor is it within the curtilage of listed building.

The neighbouring properties are Selale restaurant at no.3 and a charity shop called Human Relief Foundation at no.5. Above the site is Haringey Snooker Club on the first floor. The surrounding area is predominantly in commercial area on Green Lanes in 2 and 3-storey mixed used buildings. To the northwest on corner of the junction of Green Lanes and Allison Road is Haringay United Church, and a few properties to the south is Tesco Express.

The planning history of the site has been taken into account when coming to this decision.

HGY/2023/0165 GTD 16/2/2023 Advertisement consent for the installation of internally illuminated fascia sign.

HGY/2022/4549 GTD 16/2/2023 Erection of single storey front extension and installation of internally illuminated fascia sign.

HGY/1999/0995 REF 02/11/1999 4-5 Salisbury Promenade, Green Lanes, London, N8 0RX, London Erection of canopy to front of shop.

OLD/1985/1319 REF 01/10/1985 4-5, Salisbury Promenade, Green Lanes, London, N8 0RX, London 16/7/85 Extension of opening hour until 5 am.

The proposal comprises the installation of an extraction flue system to facilitate the change of use of the unit at ground floor level from retail to restaurant. There are no proposed changes to the external features of the property.

The site is in a Local Centre area that is considered to be a busy area, whereby there is a mix of commercial uses at ground floor level with residential units on the upper floors. The extraction flue system has been designed to remove odour and fumes above the existing height of the building.

The extractor flue shown on the submitted plans would not be excessive in bulk. It is considered that the size, location and design of the extractor flue would ensure that it is not visually dominant in appearance and would not be considered to have an unacceptably detrimental impact upon the character and appearance of the host building and the visual amenities of the area. Therefore, the local character and visual amenity of the area will be protected.

The extraction flue fixed to the rear wall of the neighbouring property on the first floor is proposed to use an anti-vibration mounting system to prevent it from impacting the neighbouring property. Acoustic foam is also proposed to be provided between the ceiling and the extraction flue to prevent transfer of noise. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms.

The proposed development is in general accordance with Policies DM1 and DM42 of the Development Management, Development Plan Document 2017, and policies SP10 and SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

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

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 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 design and installation of new items of fixed plant hereby approved by 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.

- 4 The extract duct, filters and silencers as shown in the approved drawings shall be regularly maintained, cleaned and or replaced to minimise odour and nuisance. The ducting shall also include anti-vibration mountings to minimise vibration.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

Informatives:

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.

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: Mechanical Extract Ventilation

Any mechanical extract ventilation or other associated equipment installed in or on the building must be designed so as not to cause a nuisance through noise, vibration, or fumes. The grant of planning permission does not obviate the need to comply with relevant environmental protection legislation, nor imply that these other approvals will be given. The Council's Environmental Health Services (tel. 020 8489 1000) should be contacted on the detail of any such mechanical extract ventilation or equipment to be installed. Any new extraction/ventilation equipment requires planning permission. It is also pointed out that any changes to plant or equipment required to comply with other legislation may require further planning permission.

INFORMATIVE: Food Safety and other requirements

The applicant is advised to contact the Council's Environmental Health Services (tel. 020

8489 1000) regarding the provision of adequate sanitary facilities, refuse storage facilities, fire requirements and compliance with the Food Safety (General Food Hygiene) Regulations 1995 that may be required in conjunction with this approval.