



Officer Report

Application Number:	HGY/2023/2829
Application Type:	Full planning permission
Address:	679 Green Lanes Wellington Terrace, London N8 0PX
Proposal:	Change of use from bar (Sui Generis) to Class E (Ea, Eb and Ec only) use for the Ground Floor & Basement
Case Officer:	Nathan Keyte
Valid Date:	20/10/2023
Applicant:	Neil Quantrill
Agent:	Mr Matt Brewer

RECOMMENDATION

Approve with Conditions

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This application is for a change of use of the Ground Floor and Basement of the application premises from a Public House/ Bar (sui generis) to Class E use – and which following submission has been limited to sub classes E(a), E(b) and E(c).

Site & Surrounding

The subject site contains the Public House premises referred to as 'The Wellington'. Access to the building is via Wellington Terrace/ Turnpike Lane. The Public House is shown to be single storey, however the basement component is located under the Costa Coffee shop to the north east, access to which is gained via shared parts of the building. It is understood that historically, The Wellington Public House included the premises of Costa Coffee and the floors above.

The building forms part of a terrace of shops, with Turnpike Lane underground station located opposite the property to the south east.

The submitted Planning Letters states that the property has been vacant since April 2019. The previous alcohol premises license is stated as having been surrendered with the previous tenants vacation of the premises.

The site is not located within a conservation area, nor is it a listed building. It is however located within the following policy areas:

District Centre – Wood Green Metropolitan Centre

Primary Shopping Areas – Wood Green
Growth Areas – Wood Green
Tall Building Areas – Wood Green/ Heartlands
Secondary Frontage

The site is not an Allocated Site, although it does sit in the vicinity of the Allocated Sites SA14, SA15 and SA16. Nor is the site a listed Asset of Community Value.

A visit was carried out to view the site from the public domain on 14.12.2023.

Planning and Enforcement History

The relevant planning history is as follows:

1 - HGY/1999/0800

Address: 679, Green Lanes, London, N8, London

Proposal: Creation of separate access to first floor accommodation.

Decision Date: 10 August 1999

Decision: Approve with Conditions

2 - OLD/1979/0391

Address: The Wellington Public House, 679, Green Lanes, N8

Proposal: 27/2/79 Use of part of Public House as unlicensed restaurant with take-away sales facilities.

Decision Date: 27 March 1979

Decision: Approve with Conditions

3 - OLD/1985/0443

Address: The Wellington Public House, 679, Green Lanes, London, N8, London

Proposal: 20/8/85 Extension of opening hours to 9 am to 11.30 pm weekdays and 9am to midnight Friday and Saturday.

Decision Date: 30 October 1985

Decision: Approve with Conditions

3. CONSULTATION RESPONSE

LBH Transportation Group – No comment

LBH Licensing – No comment

4. LOCAL REPRESENTATIONS

The application has been publicised by way of letters and on the Council Public Register. No comments have been received.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are: the change of use and loss of a Public House.

Local planning authorities are required by paragraph 93 of the National Planning Policy Framework 2021 to provide the social, recreational and cultural facilities and services the community needs by planning positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, Public Houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Policy SP10 of the Haringey Local Plan (2017) relating to the protection and enhancement of Town Centres notes:

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.

Wood Green Metropolitan Town Centre will be the principal focus of growth accommodating an extensive range of the types of development set out above, which should help to shape Wood Green into a thriving and vibrant centre for north London.

Development proposals which foster a diverse evening and night time economy in Wood Green will be supported providing that measures are in place to address issues such as community safety, policing, litter and the potential impact of noise and disturbance to local people.

Policy DM41 of the Haringey Development Management DPD (2017) states that new retail, leisure and cultural uses within the Metropolitan and District Town Centres will be supported where they:

- a Are consistent with the size, role and function of the centre and its catchment;*
- b Sustain and enhance the vitality and viability of the town centre network; and*
- c Contribute to the delivery of Haringey's spatial strategy.*

Policy DM50 of the Haringey Development Management DPD (2017) in relation to Public Houses adopted policy HC7 (Protecting Public Houses) of the London Plan, are of relevance when assessing the proposed change of use:

A) 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 thorough 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 an over-riding public benefit.*

B) Any permitted change of use from Use Class A4 involving the alteration and/or the extension of a Public House must ensure any proposed alteration does not affect the viability of the pub, the vitality of the area, detract from the character and appearance of the building and the street scene and any significant features of historic or character value are retained and, where possible, enhanced

Paragraph 7.21 of Policy DM50 outlines the following evidence in cases where a Public House is claimed to be unviable, and by inference, where a change of use is sought:

i Patronage levels and trading accounts over the past 4 years or from previous management;

ii The actions taken by the owner/operator to respond to falling 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.

The proposed change of use for the Public House formerly known as 'The Wellington' would enable the establishment to be operated for the likes of offices, cafes, restaurants, GPs, Light industrial use, creches and gyms to name a handful of options.

The LPA would point out that Public Houses have an economic role, contributing to employment generation, the local economy and the vitality of an area, but they are often more than just private businesses. Many pubs also play a valuable role in local community life, providing a hub for social interaction and contributing to the culture, identity, heritage and character of an area. Both the development plan and the NPPF also recognise that Public Houses can contribute greatly to social cohesion and enhance the vitality of residential neighbourhoods

In respect of the financial viability of a Public House being exhausted and all options to retain such a use fully looked at, in line with policy, Officers would point out that this is difficult to carry out in light of the recent global pandemic and current cost of living/ inflationary environment. Clearly the hospitality sector has been challenged in recent years and it needs to 're-find its feet'. As such while Officers accept that a marketing exercise has been carried out and information submitted with this application, it is pointed out in this case as in others, that as the timeframe the property has been advertised included falling over a period where there was significant risk and difficulties for Public Houses, the uncertainty of the pandemic and immediate aftermath will have strongly affected interest. As such there are specific factors at play in this period of time which make it difficult to fully understand if the use of this premises as a Public House use is still financially viable.

Each application is to be judged on its own merits. Therefore the detail/ evidence required to demonstrate the viability/ unviability of a particular establishment will differ across applications, on the basis of the features of each individual case. For the past 4 years the site has been vacant. The submitted marketing report details the history of the site, the interest/ offers received, and the value and terms at which the lease has been advertised. The marketing report submitted with respect to the current application is considered to provide sufficient detail for the subject site, considering its size, history and the context of the streetscape.

The following is further noted with regard to this particular application:

- ☐ The Public House has already been impacted by historic change in use that has reduced its size from that of its historic origins, and where the appearance from the street of the remaining Public House is considered to have a neutral contribution to the streetscape of the area. There is no outdoor seating area associated with the Public House.
- ☐ The Public House is not located within a conservation area, nor is a listed building.
- ☐ The application has not received any comment from members of the public or community group, objecting to the application for the change in use. Nor is the building a listed Asset of Community Value.
- ☐ Noting point iv of paragraph 7.21 of Policy DM50 of Haringey Development Management DPD (2017), the Planning Letter submitted with the application notes the following existing bar and Public House facilities within 500m of the subject site:
 - o The Tollgate 26-30 Turnpike Lane (within 100m to the west of the subject site)
 - o The Westbury 57 Westbury Avenue (500m to the east of the subject site)
 - o IL BEBO's Bar 2 Cheapside, High Road (350m to the north of the subject site).
- ☐ The site is located within the Wood Green Metropolitan Centre. The change in use to Class E(a)-(c) would not be contrary to the character of the area and streetscape, and would continue to support the vibrancy of the area.

In this case, considering the particulars of the application site outlined above, the evidence provided, and the lack of community objection to the proposal, the change in use to Class E(a)-(c) is considered to be acceptable in principle.

However, as noted earlier, the proposed change of use to Class E(a)-(c) would enable the establishment to be operated for the likes of offices, cafes, and restaurants, to name a handful of options. The site is located within a Secondary Shopping Frontage, and where Policy DM42(B) of the Haringey Development Management Plan (2017) notes the following:

a The overall number of units in non-retail use (including extant planning permissions) will not exceed 50% across the entire frontage, unless it can be demonstrated the proposal will significantly enhance the vitality and viability of the centre; and

b An active frontage is provided, or if this is not possible, a window display or other appropriate town centre frontage.

There are three shop fronts in addition to the subject site located within the relevant Secondary Shopping Frontage. These are observed to be in relation to the use of ground floor units to include two hot food/ beverage outlets ('Avenue '97 Pizzeria' & 'New Capital') and a health care/ Nomad Travel Clinic. The application has been revised from that originally submitted to limit the change of use to those of Class E(a)-(c). Noting the existing proportion of non-retail use (1) in this particular Secondary Shopping Frontage, the proposal will be consistent with Policy requirement DM42(B)(a).

The Agent has also accepted in principle a condition requiring any future use to provide an active frontage/ window display or other appropriate town centre frontage. This is recommended as a pre-commencement condition, and will ensure Policy DM42(B)(b) is met.

Subsequently the proposed change of use of the premises from a Public House/ sui generis into a Class E(a)-E(c) use is consistent with policy and on balance satisfies the requirements set out in National Planning Policy Framework, March 2021, Policy HC7 of the London Plan (2021), Policy SP10 of the Haringey's Local Plan Strategic Policies (2017) and Policies DM41 and DM50 of the Development Management DPD (2017).

6. CIL APPLICABLE

N/A – Change of use.

7. 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 Following this decision, Condition 2 on the decision notice for planning application xxx dated xxx for this site, shall be amended to read as follows:

The development hereby permitted shall be carried out in accordance with the following approved pla

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: 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: Active Frontage

An active frontage is required to be provided for any use falling within Class

E(a)-E(c), unless otherwise approved in writing by Council prior to commencement of the use.