

Officer Report

Application Number:	HGY/2023/1162
Application Type:	Full planning permission
Address:	Petrol Filling Station, 1-13 Willoughby Lane, Tottenham, London, N17 0QU
Proposal:	Demolition of the existing sales building and MOT centre on site and the erection of a new sales building, 4 no. new jet wash bays, amendments to the forecourt canopy, a new bin store, a new air/water vac machine, new parking spaces, a new boundary fence, and associated works at Northumberland Park Service Station, 1-13 Willoughby Lane, London, N17
Case Officer:	Sarah Madondo
Valid Date:	27/04/202 3
Applicant:	- -
Agent:	Julian Sutton

RECOMMENDATION

Refuse

Proposed development

Demolition of the existing sales building and MOT centre on site and the erection of a new sales building, 4 no. new jet wash bays, amendments to the forecourt canopy, a new bin store, a new air/water vac machine, new parking spaces, a new boundary fence, and associated works at Northumberland Park Service Station, 1-13 Willoughby Lane, London, N17

Site and Surroundings

The application site is an island site bounded by Northumberland Park to the north and west, and Willoughby Lane to the east. Northumberland Park Train Station is approximately 100 metres to the south-east. The site comprises a petrol filling station with a Shell fascia and with associated MOT centre. The MOT centre is to the north of the site, with the building aligning Northumberland Park. The petrol filling station sales building, operating under the Londis brand, is directly to the south of the MOT centre building. The sales building comprises an ATM to the front and an Amazon locker to the side. There is also an air/water unit and vacuum unit to the side of the sales building. The site has a sui generis use.

The petrol filling station forecourt, comprising pumps, pump islands and canopy, are to the south of the sales building, in the centre of the site. There are four pump islands in a foursquare formation, providing re-fuelling facilities for up to eight cars at any one time. To the west of the forecourt is a jet wash and manual car wash with associated plant.

Relevant Planning and Enforcement history

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

HGY/2022/0193 Petrol Filling Station 1-13 Willoughby Lane N17 Demolition of Existing PFS sales building, car wash area and MOT Garage. Construction of new single-story sales building with retail and food-to-go area (Class E/Sui Generis). 2no. New jet wash bays and additional car parking to be installed. Approve with conditions.

HGY/2021/0604 | Petrol Filling Station 1-13 Willoughby Lane London N17 OQU Installation of 5m EV Pole Sign Grant permission.

HGY/2021/0339 | Petrol Filling Station 1-13 Willoughby Lane London N17 OQU Additional 1no. EV Charger bay, 1no. EV Power pack and enlarged Canopy. Relocation of 1no. Pump island. Grant permission.

HGY/2020/2254 | Northumberland Park Service Station 1-13 Willoughby Lane London N17 OQU Installation of vehicle charging points and associated electrical infrastructure. Grant permission.

HGY/2016/3287 | Petrol Filling Station 1-13 Willoughby Lane London N17 OQU Advertisement consent application for internally illuminated ATM fascia and halo illumination to ATM surround. Grant permission.

HGY/2016/3285 | Petrol Filling Station 1-13 Willoughby Lane London N17 OQU London Retention of stand alone ATM and associated structure Grant permission.

CONSULTATION RESPONSE

The response below were received following consultation on the application:

Internal:

- 1) LBH Transportation Team: Application not supported
- 2) Noise Team: No response received

LOCAL REPRESENTATIONS

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:

Objecting: 1

Support: 0

The following Councillor(s) made representations

Cllr Bevan

The following issues were raised in representations that are material to the determination of the application:

- Boundary fence, I would request that it not be a stainless-steel prison type fence that we see around to many developments, that it be attractive and colour matching to the proposed development. I am requesting that all the existing prison type steel fencing that surrounds much of this site is removed and replaced with an attractive fence style, as has been done at many other similar developments, green in colour ?
- noise, smells, 24-hour usage and water usage, car wash to be operational with the minimum water usage possible, loss of the MOT facility and additional traffic volume at what is quite a busy junction.
- Very prominent corner site which needs an outstanding development / design to enhance the visual impact for users and residents.
- The much-increased sales area, in contrast to the previous application.
- The adjacent public street furniture, seating, and waste bins etc be renewed / replaced. This small area and the seating etc are looking very tatty and neglected, this area is known as Park Lane Beds. A 106 contribution from this development is requested to enable the Council to enhance this area to compliment this enhanced development and to also enhance the visual impact for users of this development and residents.
- The 106 contribution and the fencing issue is of prime concern, and I am opposing this development until I have confirmation that these two issues will be “taken on board” / addressed.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and appearance
3. Standard and quality of residential accommodation;
4. Impact on neighbouring amenity;
5. Transport considerations;

Principle of development

The site is located within the Northumberland Park (NT4) site allocation in the borough's Tottenham Area Action Plan adopted in July 2017. The allocation proposes comprehensive masterplanned improvement of the area to improve existing, and create new, residential neighbourhoods through the delivery of a major estate regeneration programme that will include: the provision of additional high quality housing with an increased range of types, sizes, and tenures; improvements to existing housing stock; new public spaces; and new community infrastructure. The development guidelines for the NT4 allocation requires that the site be brought forward in a comprehensive manner to best optimise the regeneration opportunity. The proposal is for the demolition of the existing sales building and MOT centre on site and the erection of a new sales building, 2 no. new jet wash bays, reconfiguration of pump islands, amendments to the forecourt canopy, a new bin store, a new air/water vac machine, new parking spaces, a new boundary fence, and associated works at Northumberland Park Service Station. Given, that the proposed development is relatively minor in scale and reuse of existing land, it is not considered likely that the scheme would prejudice the future redevelopment of the site in line with its allocation in the Tottenham AAP. Therefore, in principle the proposed development is considered acceptable subject to complies with other policies.

Paragraph 90 of the NPPF (2021) states when assessing applications for retail and leisure development outside town centres, which are not in accordance with an upto-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private

investment in a centre or centres in the catchment area of the proposal; and
b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

Policy DM41 states that proposals for new retail, leisure and cultural uses in out-of-centre locations will only be permitted where:

- a It is demonstrated through the sequential approach to site selection that there are no appropriate town centre or edge-of-centre sites available;
- b Having regard to (a) above, consideration has been given to reasonable alternatives in terms of the format and scale of development in order to accommodate the use in town or edge-of-centre sites; and
- c The proposal has been subject to an impact assessment, where required by national policy, and will not demonstrably harm centres within its catchment

Following the approval of planning application reference HGY/2022/0193, the applicant has submitted a new application with a revised scheme from what was approved under the above reference. Planning permission is sought for the demolition of the existing sales building and MOT centre on site and the erection of a new sales building, 4 no. new jet wash bays, amendments to the forecourt canopy, a new bin store, a new air/water vac machine, new parking spaces, a new boundary fence, and associated works at Northumberland Park Service Station. The proposed building would be 307 sqm, therefore larger than the existing buildings and the approved building; however, the threshold is not large enough to trigger the impact assessment, therefore acceptable. Furthermore, the proposal is for the replacement of existing old building with modern buildings and it is considered that impact assessment would not be required in this case.

The NPPF sets out that local planning authorities should require a retail impact assessment and sequential test if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). In this case, LPA do not have locally set floorspace and according the NPPF, if there is no locally set threshold then the default threshold of 2,500m² should apply. The floor space would be 307 sqm therefore would less than the figure set in the NPPF. It is therefore considered that proposed development does not require a retail impact assessment and would not be detrimental to the vitality and viability of the existing designated centre. Although, the principle of replacement of the existing building with a modern building is acceptable. It is considered, however, that the proposal for the intensification of site comprising of 2 no. food to go facilities at least (130 sqm) each, 4 car wash bays and extra parking has not been fully justified by the applicant in their planning statement, therefore intensification of it is not supported in this respect. Amongst other things, it is considered that the proposal submitted would result in a cramped development due to the increase in a number of various installations.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 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 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing

around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

The application proposes the demolition of the existing sales building and MOT centre on site and the erection of a new sales building to include 2 no. food to go facilities. The new sales building has a GIA of 307 sqm, with a retail area and food-to-go area of 130 sqm each. The building will be single storey with a modern, glazed frontage. As well as providing a retail sales area and food preparation area for the food to go facility, the sales building will also provide customer an accessible WC, paying facilities for the fuel, and an ATM. The sales building will include a back of house area for stock and staff facilities.

The proposal comprises of 4 no. new jet wash bays, reconfiguration of pump islands, amendments to the forecourt canopy, a new bin store, a new air/water vac machine, new parking spaces, a new boundary fence, and associated works at Northumberland Park Service Station. In design terms, the area is predominantly residential in character, comprising of two-storey terrace properties on the opposite side of Willoughby Lane. To the north of the site, on the opposite side of Northumberland Park, is a five-storey flatted residential development and to the west of the site, on the opposite side of Northumberland Park, are further two-storey terraced properties. To the west of the site, is a bus terminal/bus stop. The site is not in a conservation area, nor is it in the vicinity of any listed buildings.

The proposed sales building including a food to go area would be approximately 307 sq.m and the proposal includes new jet wash area. The new sales building would be single storey with a modern glazed frontage, utilising lightweight materials to create modern appearance. The proposed building would not be higher than what currently exists. The proposal is considered proportionate and subordinate to the host building and therefore, the local character and visual amenity of the area will be protected.

The proposal includes 4 x new jet wash bays to be installed with 2.5 m height glazing screens three out of the four bays will be covered, one will be open. The existing jet and car wash to the west of the forecourt will be removed, and 4 no. new EVC bays are proposed in their place. As stated previously, it is not clear why 4 new jet wash bays are required. It is considered that increasing the number of jet wash machines here would increase the demand for parking within the forecourt especially in the summer months when these would used more frequently. Also the applicant has submitted "Noise Impact Activity Assessment" dated 22 December 2021 which only assesses two jet car washer instead of 4 x jet wash machines.

A new two-metre high boundary fence is proposed around the site and considered to acceptable given that the site is isolated from neighbouring properties and given that there is currently an existing metal fencing around the site.

Impact on neighbouring amenity

London Plan Policy D4 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.

The applicant has submitted a Activity Noise Impact Assessment reported carried out by Environmental Equipment Corporation Ltd dated 22nd December 2021. Officers note that, the applicant has submitted the same report submitted with the previous application reference (HGY/2022/0193) which refers the assessment of two jet wash machine instead of the four that are being proposed in this application. Therefore, it is considered that without an update "Activity Noise Impact Assessment report", it is not clear if the 4 x jet wash machines would have any impact in terms of noise. Therefore, the proposal cannot be fully assessed as the applicant has not submitted an updated report and cannot be supported on these basis.

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'.

DPD Policy DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people; and parking is designated for occupiers of developments specified as 'car capped'.

The Council's Transportation Team has been consulted and advises that has PTAL value of 4 considered to "good" access to public transport service being located very close to bus services and is 3 minutes' walk from Northumberland Park rail station. The site is within the Tottenham Event Day CPZ, which is in place on match and event days and evenings.

The transportation officers advises that the transport statement accompanying this planning application includes an assessment of trip generation and parking accumulation on site that is based on data from selected Trics sites having similar uses to the proposed. The transport assessment (November 2023) indicates that that the proposal would generate 76 vehicular trips during each peak hour. Based on a robust 10 minute dwell time, a maximum of 13 parking spaces (total of fuel pumps and retail customer spaces) would be justified. However, the application proposals includes provision for a total of 17 parking spaces (8 fuel pumps and 8 retail customer spaces) representing an over-provision of 4 customer car parking spaces. Furthermore, the proposal will additionally double the existing provision of four spaces for electric vehicle charging to eight spaces and include four spaces for jet car wash facilities on site – these eight additional spaces would also be available for accommodating some of the vehicular trips generated. Hence there is no sound justification for supporting the proposed provision of general parking spaces.

Paragraph 10.6.5 of Policy T6 states where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity. In addition,

paragraph 5.4 of Policy DM32, states that the Council will apply its parking standards to restrain car use, to reduce congestion, to improve road safety, to give priority to essential users and people with disabilities, to improve the environment, to improve local accessibility and to encourage sustainable regeneration.

Overall, it is considered that the proposed development is therefore considered unacceptable for reason of unjustified over-provision of car parking onsite that is contrary to Development Management Policies DM32 & London Plan Policy T6.

Conclusion

The proposed development is considered unacceptable, as the results of assessments of Trics data indicates that the proposals includes an over-provision of car parking without justification, over - intensification use of site due, to increase in sales floor area, increase in additional installations without justification and lack of an updated "Noise Impact Activity Assessment", contrary Development Management Policies DM1, DM32, London Plan Policy (2021) T6 & D4,D14 and Local Plan Policy SP11.

Refusal Reasons:

The proposed development, by reason of additional provision of car parking, additional sales floor area and increase in other additional installations, resulting in intensification use of the site, contrary to Development Management Policies (2017) SP11, DM1, DM32, London Plan Policy (2021) D4, D14 and T6.

Informatives:

INFORMATIVE : Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £21,265.89 (307 sqm x £69.27). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

Note: The CIL rates published by the Mayor and Haringey in their respective Charging Schedules have been inflated in accordance with the CIL regulations by the inflation factor as published on-line.