



Officer Report

Application Number:	HGY/2023/2156
Application Type:	Full planning permission
Address:	268 High Road, Wood Green, London, N22 8JX
Proposal:	Retention of existing shop front with seating and proposed rear single storey extension
Case Officer:	Zara Seelig
Valid Date:	08/08/2023
Applicant:	MR M OSMAJ
Agent:	Mr T AY

RECOMMENDATION

Refuse

SUMMARY OF RECOMMENDATION

REFUSE Permission

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Description of Proposal

This proposal is for the retention of existing shop front with seating and proposed rear single storey extension.

Site and Surroundings

The application site is a three-storey mid terrace property that comprises of flats on the upper floor levels, and a commercial unit on the ground floor level, which is the subject of the application. The site is in the north of Wood Green in a parade of shops outside of the Wood Green town centre area. The site is not in a designated local shopping parade. The site is not of any architectural significance. It is not located within any conservation area and does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement History

The most recent applications for this site are summarised as follows:

PLANNING CASES (4)

1 - HGY/2011/1492

Address: 268, High Road, London, N22 8JX, London

Proposal: Change of use from A1 (retail) to A3 (restaurant / cafe)

Received Date: 15 August 2011
Valid Date: 15 August 2011
Decision Date: 24 October 2011
Decision: Approve with Conditions

2 - HGY/2007/0260

Address: 266 268, High Road, Wood Green, London, N22 8JY, London
Proposal: Retrospective planning application for the change of use of premises from retail to social club.
Received Date: 5 February 2007
Valid Date: 5 February 2007
Decision Date: 25 June 2007
Decision: Withdrawn

3 - HGY/2007/1259

Address: 268, High Road, Wood Green, London, N22 8JY, London
Proposal: Change of use from retail (A1) to Pizza take-away (A5).
Received Date: 4 June 2007
Valid Date: 4 June 2007
Decision Date: 26 July 2007
Decision: Refuse

4 - PRE/2017/0206

Address: 266-268, High Road, London, N22 8JX
Proposal: The erection of 9 new flats to the rear of 266 High Road, Wood Green
Received Date: 19 May 2017
Valid Date: 19 May 2017
Decision Date: 16 October 2017
Decision: PreAppSent

ENFORCEMENT CASES (5)

UNW/2019/00703

Address: 268, High Road, London, N22 8JX
Unauthorised Works
Type: Unauthorised Works
Status: Closed
Decision: No Breach
Decision Date: 15 November 2019

CON/2020/00418

Address: 268, High Road, Wood Green, London, N22 8JX
Breach of Conditions
Type: Breach of Conditions
Status: Closed
Decision: Breach Resolved
Decision Date: 31 July 2020

UNW/2020/00524

Address: Ground Floor, 268, High Road, Wood Green, London, N22 8JX
Unauthorised Works
Type: Unauthorised Works
Status: Closed
Decision: Breach Resolved
Decision Date: 26 August 2020

CON/2021/00466

Address: Flamuri Bar, 268, High Road, Wood Green, London, N22 8JX

Breach of Conditions

Type: Breach of Conditions

Status: Closed

Decision: Breach Resolved

Decision Date: 19 August 2021

ENF/2023/0176

Enforcement Type: Unauthorised Works - Shopfront Alterations

Address: 268 High Road, Wood Green, London, N22 8JX

Description: Unauthorised Works – Shopfront Alterations

Status: In Progress

Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation officer: Comments in the Transport section of the report

Local Representations

The application has been publicised by way of 31 neighbour notification 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: 0

Objecting: 0

Supporting: 0

The following comments were raised in the representations received:

- None

Assessment of planning considerations

The main planning considerations raised by the proposed development are:

1. Design;
2. Impact on Amenity;
3. Inclusive access;
4. Highways & Public Safety
5. Transport

Design

Policy context

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that "development proposals should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character."

Local Plan Policy SP11 (2017) and Haringey Development Management Development Plan Document (DPD) Policy DM1 'Delivering High Quality Design' 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. Policy DM1 contains design standards which include, amongst other things, a need

to relate positively to the locality having regard to, amongst other things, distinctive local architectural styles, detailing and materials.

Policy DM8 specifically concerns shopfronts and states that “The Council will require shopfronts, including their signs, security shutters and canopies, to be designed to a high standard and contribute to a safe and attractive environment. In particular:

- a) The Council will seek the retention of traditional shopfronts of distinctive character contributing to the visual, architectural or historic quality of the local townscape;”
- b) Replacement shopfronts should conserve original materials as far as possible
- c) The alteration or replacement of an existing shopfront or a new shopfront must allow for easy access by all members of the community;
- d) The Council will not support shopfront canopies fixed in the ‘down’ position. Retractable shopfront canopies may be acceptable where they are of an appropriate design and maintain sufficient clearance; and;
- e) Security shutters should be open mesh and wherever possible, be located internally.”

Shopfront

The shopfront is being retrospectively applied for and is in situ as proposed. It is considered unacceptable in terms of the loss of a traditional shopfront. The shopfront being applied for is set back from the original shopfront that has been removed, with an open seating space and low level glass balustrading and a full frontage shutter. This appears jarring within the row of established traditional shopfronts and would detract from the character and appearance, distinctive within the row. This is contrary to policy DM8 part (a) and (b) of the Development Management DPD as set out above.

The specific details of the shutter have not been included as part of the application, however, it appears from pictures taken that the shutter is solid and external, contrary to policy DM8 part (e) of the Development Management DPD (2017).

The retractable canopy measures 2.2 metres height clearance from ground level, this is under the recommended 2.3/2.4m clearance as set out in general guidance. This is contrary to policy DM8 part (d) of the Development Management DPD (2017).

The proposal is therefore contrary to policies DM1, DM8 parts (a), (b), (d) and (e) of the Development Management DPD (2017) and SP11 of the Local Plan (2021) for the reasons set out above.

Rear Extension

The proposed rear extension would be in keeping with the pattern of development within the row. It is a subservient addition and measures 2.75m in height and 2.15m in depth. The proposed materials are brick to match the existing.

On this basis, the proposed rear extension complies with policy SP11 of the Local Plan (2017) and policy DM1 of the Development Management DPD (2017).

Inclusive Access

Policy D5 of the London Plan and local plan policy DM3 sets out that inclusive design is to be considered in all aspects of development; this includes the refurbishment of existing buildings. Inclusive design enables all users of the premises to enter and exit the premises independently without additional effort, separation or special treatment and with dignity.

The new open shopfront with balustrading that has an offset opening to the right and then an entrance door to the internal space with a central door with a narrow seating area in between does not allow for disabled access from the public highway into this unit without the need for additional effort/special

treatment in the movement of proposed seating to allow for the space required. This is contrary to policy D5 of the London Plan (2021), DM3 and DM8 part (d) of the Development Management DPD (2017).

Impact on Residential amenity

London Plan 2021 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.

Development Management DPD 2017 Policy DM1 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. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

It is noted that the removal of the existing shopfront to allow for open external seating could potentially give rise to noise and disturbance. No detailed information has been provided regarding the use of the covered area to the frontage and the application is not supported by a noise report, as well as measures on how to mitigate/ manage against noise and disturbance.

As such due to insufficient information being submitted in relation to the increase activity facilitated by the development here, it is viewed that the noise and activity in association with such an open/ external seating area and in the absence of mitigation measures would be injurious to neighbouring residential amenity, which is required to be protected by policy, as set out above.

Highway & public safety

As outlined above Policy DM8 requires shopfront and associated structures to not affect ease of access.

The shop frontage, as discussed above, does not project onto the public highway, however, the awning would not allow for adequate headroom between the retractable canopy and the ground level. The decision will include this as part of the recommendation for refusal.

Transport

The transport officer was consulted and commented as follows:

- a. The proposed rear extension appears to encroach onto the passageway that provides access to the rear of several properties. I recommend that land ownership and access rights over this passageway should be checked to avoid inadvertently adversely affecting these.
- b. The minimum headroom (clearance) of 2.4m below the awning is required.
- c. The installation of tables / seating and balustrade at the front of the site will unacceptably restrict access to bar/restaurant for wheelchair users.
- d. Details / plan and provision for cycle parking, refuse storage and corresponding access for all occupiers / uses at this site should be provided.

It is considered there is still ample passageway room to the rear in terms of through access to Canning Crescent. Points b and c raised have been addressed elsewhere in the report.

Part d would not be requested as this application is being recommended for refusal.

Conclusion

The proposal is considered unacceptable as the shopfront alterations detracts from the character and uniformity of the row of shops it is situated within. The retractable awning does not allow for sufficient

headroom between the canopy and the floor level. In addition, the proposal would give rise to inclusive access issues and the solid shutters would not be supported.

All other relevant policies and considerations, including equalities, have been taken into account. The proposal is being recommended for refusal, the details of which are set out in the RECOMMENDATION.

Recommendation

The application is recommended for refusal for the following reason:

1. The shopfront alterations by virtue of their design, arrangement and materiality would detract from and fail to enhance the character and uniformity of the row of shops it is situated within and would be detrimental to the original building design. The retractable awning does not allow for sufficient headroom between the canopy and the floor level. In addition, the proposal would give rise to inclusive access issues and the solid and external shutters would be contrary to policy. As such it would be contrary to Policies D5 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policies DM1, DM3 and DM8 parts (a), (b), (c), (d) and (e) of Haringey's Development Management DPD (2017).

Refusal Reasons:

The shopfront alterations by virtue of their design, arrangement and materiality would detract from and fail to enhance the character and uniformity of the row of shops it is situated within and would be detrimental to the original building design. The retractable awning does not allow for sufficient headroom between the canopy and the floor level. In addition, the proposal would give rise to inclusive access issues and the solid and external shutters would be contrary to policy. As such it would be contrary to Policies D5 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policies DM1, DM3 and DM8 parts (a), (b), (c), (d) and (e) of Haringey's Development Management DPD (2017).