

Haringey Council
Planning, Regeneration & Economy
Level 6
River Park House
Wood Green
N22 8HQ

13 March 2024

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

RE: Application for the installation of shopfront incorporating roller shutter

AT: 34 High Street, Hornsey, London N8 7NX

SITE AND PROPOSAL

The application site is located on the ground floor of a three-storey building at 34 High Street, Hornsey. N8 7NX. The application site is located along a parade of shops and is located within the Hornsey High Street Conservation Area.

The immediate area is primarily residential, with a mix of houses, flats, and shops.

The Public Transport Accessibility Level (PTAL) rating for the site is 3 (where 0 is the lowest and 6b is the highest).

The proposal is for the amended application for the installation of a shopfront incorporating roller shutter and the construction of a rear garden canopy extension.

RELEVANT PLANNING HISTORY

Planning history directly relating to the site.

- An application (ref: HGY/2006/1801) for the '*installation of new shopfront*' was approved on 27/10/2006.
- An application (ref: HGY/2023/2884) for the '*Installation of shopfront incorporating roller shutter and the construction of a rear garden canopy extension*' was refused on 20/12/23.

PLANNING POLICY

- National Planning Policy Framework (NPPF) (2021)
- GLA's London Plan (2021)
- Haringey Development Management Document (2017)
- Haringey's Local Plan Strategic Policies (2017)

POLICY CONSIDERATIONS

Preliminary Matters

This application is the resubmission for the shopfront associated with the refused application ref: HGY/2023/2884 which also included a rear canopy extension which was the reason for the refusal.

The Council had no concern over the shopfront and detailed that they would like to see the roller shutter on the drawings. This resubmission has taken the comments on board and has shown the changes on the proposed drawings.

Shopfront.

Policy DM8 of the Haringey Development Management Document states that shopfronts must be of a high quality that relates well to the scale and character of the host property and the wider surrounding area. The policy states that '*Attractive shopfronts make a positive contribution to local distinctiveness and*

enhance the vitality of the shopping frontage as well as the wider town centre and area’.

Furthermore, the policy states that ‘New shopfronts should contribute positively towards a cohesive streetscape and attractiveness of the shopping parade. Materials, detailing, craftsmanship and finishes are equally important in achieving high-quality shop front design especially as they are viewed close-up’.

The new shopfront retains much of the original features of the previous shopfront. The metal cover that was previously placed on the shopfront which the Council took issue with has been removed.

To reiterate, the Council found the shopfront acceptable in the refusal. The Officer Report and Decision notice can be found in **Appendix 1**.

As such, the new shopfront complies with the Policy DM8 of the Haringey Development Management DPD.

Impact on Amenity

Policy D6 of the London Plan outlines that design must not be detrimental to the amenity of surrounding properties by not having an adverse impact on sufficient daylight and sunlight, any overshadowing and privacy.

DPD policy DM1 ‘Delivering High Quality Design’ states that developments must ensure a high standard of privacy and amenity for the users and neighbours of the development. To achieve this, developments must provide appropriate sunlight and daylight to adjacent buildings while also providing an appropriate amount of privacy to neighbouring buildings.

As detailed on the officer report for the refusal, the Council raised no concern regarding the impact on amenity from the shopfront.

CONCLUSION

The amended shopfront retains elements from the old shopfront that is in keeping with the shopping parade and removes the elements that the Council took issue with.

As such, the amended shopfront complies with the Council's policies.

The Council is respectfully requested to grant permission for the amended development.

Yours sincerely,

A handwritten signature in black ink that reads "MZA Planning". The signature is written in a cursive, flowing style.

MZA Planning

APPENDIX 1

Officer Report and Decision Notice for application ref:
HGY/2023/2884

Mr Courtney Dawson
14 Devonshire Mews
Chiswick
London
United Kingdom
W4 2HA

20 December 2023

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015
NOTICE OF REFUSAL OF PLANNING PERMISSION**

Case Reference HGY/2023/2884
Location 34 High Street, Hornsey, London, N8 7NX
Proposal Installation of shopfront incorporating roller shutter and the
construction of a rear garden canopy extension
Received 25 October 2023

In pursuance of their powers under the above Act, the London Borough of Haringey as Local Planning Authority hereby REFUSE the above development for the reason(s) listed in the attached schedule.

Title	Description	Date
Location Map.pdf	The location plan	25 October 2023
34 High street N8 7NX 03102023.pdf	Additional plans	25 October 2023
Block plan of the site_included_in_Additional plans.pdf	Block plan of the site	25 October 2023
34 High Street .pdf	Covering letter	25 October 2023

Robbie McNaugher

Robbie McNaugher
Head of Development Management and Planning Enforcement
Planning Service

Refusal Reasons: (1)

- 1 The rear garden canopy extension would facilitate use of the rear garden area for long periods of the year by a high number of patrons, as such raising specific concerns for neighbouring amenity in terms of noise and disturbance, hours of use and the intensity of use of the site, for which insufficient information has been submitted to assess such impacts or to identify measures to manage/ mitigate such impacts, as such contrary to policies DM1 and DM23 of the Haringey Development Management DPD 2017 and London Plan Policy D14 of the London Plan 2021.

Notes:

You can find advice in regard to your rights of appeal at: <https://www.gov.uk/appeal-planning-decision>.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

This notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

For more information about making a Building Regulations application, please contact Haringey Council Building Control Team by email building.control@haringey.gov.uk, telephone at 020 8489 5504, or see our website at www.haringey.gov.uk/buildingcontrol



Officer Report

Application Number:	HGY/2023/2884
Application Type:	Full planning permission
Address:	34 High Street, Hornsey, London, N8 7NX
Proposal:	Installation of shopfront incorporating roller shutter and the construction of a rear garden canopy extension
Case Officer:	Ben Coffie
Valid Date:	25/10/2023
Applicant:	Mr Gjana
Agent:	Mr Courtney Dawson

RECOMMENDATION

Refuse

1. Site location

The application site is located on the ground floor of a three-storey building at 34 High Street, Hornsey. N8 7NX. The application site is located along a parade of shops and is located within the Hornsey High Street Conservation Area. The immediate area is primarily residential, with a mix of houses, flats, and shops.

2. Description of Proposal

The proposal is for the installation of a shopfront incorporating roller shutter and the construction of a rear garden canopy extension. The rear garden canopy will facilitate an increase in the number of seating however this not specified in the application.

3. Relevant Planning and Enforcement history

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

- **HGY/2006/1801,**

Address: 34, High Street, London, N8 7NX, London

Proposal: Installation of new shopfront.,

Decision: Approve with Conditions

- **HGY/2004/1593,**

Address: 34, High Street, London, N8, London

Proposal: Change of use of property from social club to restaurant (A3).,

Decision: Approve with Conditions

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Conservation officer: No response

5. Local Representations

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: 2

Objecting: 2

Supporting: 0

The following comments were raised in the representations received:

- Loss of Willow Tree
- Increase noise and disturbance

6. Assessment of planning considerations

The main planning considerations raised by the proposed development are:

1. Design and impact on the character and appearance of the area [CA];
2. Impact on Amenity
3. Inclusive access;
4. Highway/ public safety
5. Loss of Tree

Design and impact on the character and appearance of the conservation area

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."

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

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."

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

Shopfront

The proposed shopfront in terms of its proportions, materials and choice of colour is considered acceptable and will relate well to the scale and character of the original building and surrounding area. The fascia depth dimensions are proportionate to the size of the shopfront. The shopfront would be constructed from aluminium which is considered an acceptable material for a development of this nature.

The colour to the shopfront is considered acceptable in relation to both the host building and the wider area, where there are several other shop fronts which differ in colour. Notwithstanding of the above, the proposal does not include any details of the roller shutter, details of which should be submitted in the event of a further planning application being submitted.

Rear canopy extension

The proposed rear canopy would take up the whole of the rear garden area. However given the location being commercial and precedents set within close proximity, the scale, height and bulk of the canopy extension will not have any detrimental impact against the character and appearance of the conservation area.

On this basis giving special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, it is concluded that insufficient information has been submitted to ascertain whether the development would preserve or enhance the character or appearance of the Conservation Area and does not accord with policy DM9 of the local plan and policy HC1 of the London Plan.

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 shopfront allows for disabled access from the public highway into this retail unit.

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.

Due to the location of the residential occupation above the ground floor retail use, the canopy extension will not have adverse impact on the daylight/sunlight and outlook they enjoy nor would it cause any enclosure.

However, it is noted that the extension would facilitate the increase in the number of seatings with this restaurant use, which will potentially give rise to noise and disturbance. No detailed information has been provided regarding the use of the area covered by this canopy extension 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 a large 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 proposed does not have any impact on public safety as it does not include an awning or any projection onto the public highway.

Loss of tree

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy DM1 requires proposals to demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

Policy G6 of the London Plan states that in relation to 'requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Impacts on existing biodiversity or green space, as a result of minor housing developments, are required to be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover', which is also advocated in local plan policy: DM Policy (2017) DM19.

It is noted the application site consisted of a mature Willow Tree that has been felled to facilitate the canopy extension. While the loss of such a tree is regrettable, it is not protected by way of TPO.

7. Conclusion

The proposal is considered unacceptable as insufficient information has been submitted to assess whether the development respects the character and appearance of the property would not fail to meet the statutory test for proposals to preserve or enhance the conservation area, impacts on the amenities of residential occupiers and biodiversity.

All other relevant policies and considerations, including equalities, have been taken into account.

8. Recommendation

The application is recommended for refusal for the following reason:

Refusal Reasons:

The rear garden canopy extension would facilitate use of the rear garden area for long periods of the year by a high number of patrons, as such raising specific concerns for neighbouring amenity in terms of noise and disturbance, hours of use and the intensity of use of the site, for which insufficient information has been submitted to assess such impacts or to identify measures to manage/ mitigate such impacts, as such contrary to policies DM1 and DM23 of the Haringey Development Management DPD 2017 and London Plan Policy D14 of the London Plan 2021.