

PETITION relating to OBJECTION re HGY/2024/0505 460 Lordship Lane (Tower Café) planning variation

All persons signing this petition are aware that their name and address will be viewable in the public domain. No personal details are detailed in this petition.

PRINCIPLE

The application for a variation of condition to permit late night opening at 460 Lordship Lane should be refused outright. The proposed addition to the property and its extended late night operations represent a tangible risk to the character of the Tower Gardens Conservation Area (as protected in an Article 4 Direction) – within which the development is sited.

The Tower Gardens Estate is celebrated as a ‘jewel in the heart of Tottenham’ and recognised as an ‘exemplar’ (p.2 Tower Gardens Conservation Area Appraisal and Management Plan, 2019) residential development characterised by ‘Arts and Crafts and vernacular architectural styles, high quality materials and craftsmanship’ (p.2 Tower Gardens Conservation Area Appraisal and Management Plan, 2019).

The design of the development, and the proposed late night extension of opening hours for commercial uses (to 23:00 hours Sunday to Wednesday and 00:00 Thursday to Saturday), explicitly contravene these key features of the Conservation Area – of which the development it is a part of – and threaten the right to comfort and peace of residents within the estate. This is further exacerbated by the addition of a new entrance to the building from Turnant Road – annotated within the provided drawings as a Fire Escape but referred to within the application’s Design and Access Statement (p.5) as a new ‘entrance lobby’.

In fact, the potential negative impact of the development has been identified within the Planning Officer’s Report for the successful 2022 application (ref HGY/2022/3867), stating it is *‘recognised that the setting and understanding of the designated heritage asset has been impacted by the proposed extension within the setting’*. The balance and *‘limited harm’* that is argued within the report is undermined by the significant extension of operating hours proposed within this application and the consequent harm to residents and the conservation area – an important and recognised heritage and historic asset within the borough.

While the above should be sufficient to reject the application, further evidence is provided below highlighting the deleterious impact the proposal. These arguments centre around two main themes: the potential for noise and disturbance to existing residents within the estate and the proposal’s incongruous character and use with the rest of Turnant Road and the Tower Gardens Conservation Area.

Potential for Noise and Disturbance:

1. The existing restaurant café hours of operation, as described in the 2022 application (ref HGY/2022/3867), are 7am – 8pm Monday to Friday and 9am – 8pm hours on Saturday, and not at all on Sundays. As detailed in the Officer’s report, one of the conditions (no. 3) attached to the permission ensured *‘no use on Sundays or Bank Holidays’*.

While we accept the purpose of this variation of condition is to amend these hours, the proposed operating times are unreasonable and invalidate the justifications used to grant the proposal permission. As the Officer’s report notes: *‘The proposed rear extension would be an ancillary and its use in terms of hours of use is controlled and managed by the existing opening hours. Within these hours the noise level would be kept within acceptable levels. The development is not therefore considered to result in an increase in noise, activity or disturbance that would justify a reason for refusal.’*

An extension to these hours will increase noise, activity and disturbance and should be declined.

2. Noise mitigation measures included within the Design and Access Statement are not sufficient, particularly considering a retractable roof to the extension is proposed and the number of covers for the unit will almost double. This will invalidate condition no. 4 within the Planning Officer’s report

from the 2022 application which ensures that: *'At no time should any amplified speech or music generated by audible within the adjoining residential premises'*. As the applicant's Design and Access Statement identifies, it is LB Haringey policy to ensure a development does *'not to cause a nuisance by way of excessive noise or disturbance to nearby residents'*. The inadequate design, hours of operation and its use as a late-night venue guarantee this policy will not be met. Furthermore, DPD policy DM1 states proposals should ensure a high standard of privacy and amenity for a development's users and neighbours – the proposal and extended opening achieve the opposite.

3. The need for security to manage entry and exit suggests there is an expectation that noise and attendant social issues/anti-social behaviour will pose a problem. This will present an issue to residents on all days but specifically Wednesday to Sunday when the venue will be open until 11pm on a residential street within a conservation area.
4. It is feared crime in the area, including violence and sexual offences, drugs and vehicle crime, are likely to increase with increased traffic and persons accessing and leaving the 'entrance lobby' on Turnant Road. This residential street is already impacted by traffic, noise, anti-social behaviour.

We would also request the police feedback back to this proposed late night opening due to concerns relating bringing anti-social behaviour into Tower Gardens Residential Estate.

Out of Character with residential Conservation Area:

1. The officers report states the property fronts Lordship Lane. The observed information in the amended plans identify an additional entrance to the extension from Turnant Road – *previously annotated* as a 'fire exit' but referred to as a new 'entrance lobby' within the Design and Access Statement. It is unclear if a proposed manned entrance in Turnant Road has been approved.
2. It is surprising that there was no condition as part of the 2022 application relating to the resolution of the façade on to Turnant Road considering the extension falls within a conservation area and there is specific guidance on the design of elevations and shopfronts within the 'Tower Gardens Conservation Area Appraisal and Management Plan' that the proposal does not appear to meet. High Quality Shop Fronts and street elevations form an important contribution to the character of the estate. The design of the side of the Tower Café does not enhance or mirror the character of the Article 4 and conservation area. Additionally, the Conservation Area Management Plan dictates no side facing road alteration/porch/hardstanding is permitted where is detrimental to the original design of the estate.
3. The importance of the Conservation Area is such that Historic England (English Heritage: NPPF: National Planning Policy Framework 27 March 2012. Paragraph 191) have identified the estate as a *'Model Housing Estate valued by those living and working in them as special places.'*
4. If the 'main lobby' on Turnant Road serves as an additional entrance to the unit, a bar/club alcohol venue goes against the garden suburb design of the estate – recognised within the Conservation Area Management Plan - which ensures quiet approaches to the estate for well being and quality of life for the residents.

As an important conservation area, we would request Haringey Principle Conservation Officer Elisabetta Tonazzi and Head of Planning Mr McRory both comments specifically on this variation of conditions application.

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