

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 24th July 2012

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
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Ward: Grange

Application Number : P12-01223PLA

Category: Change of Use

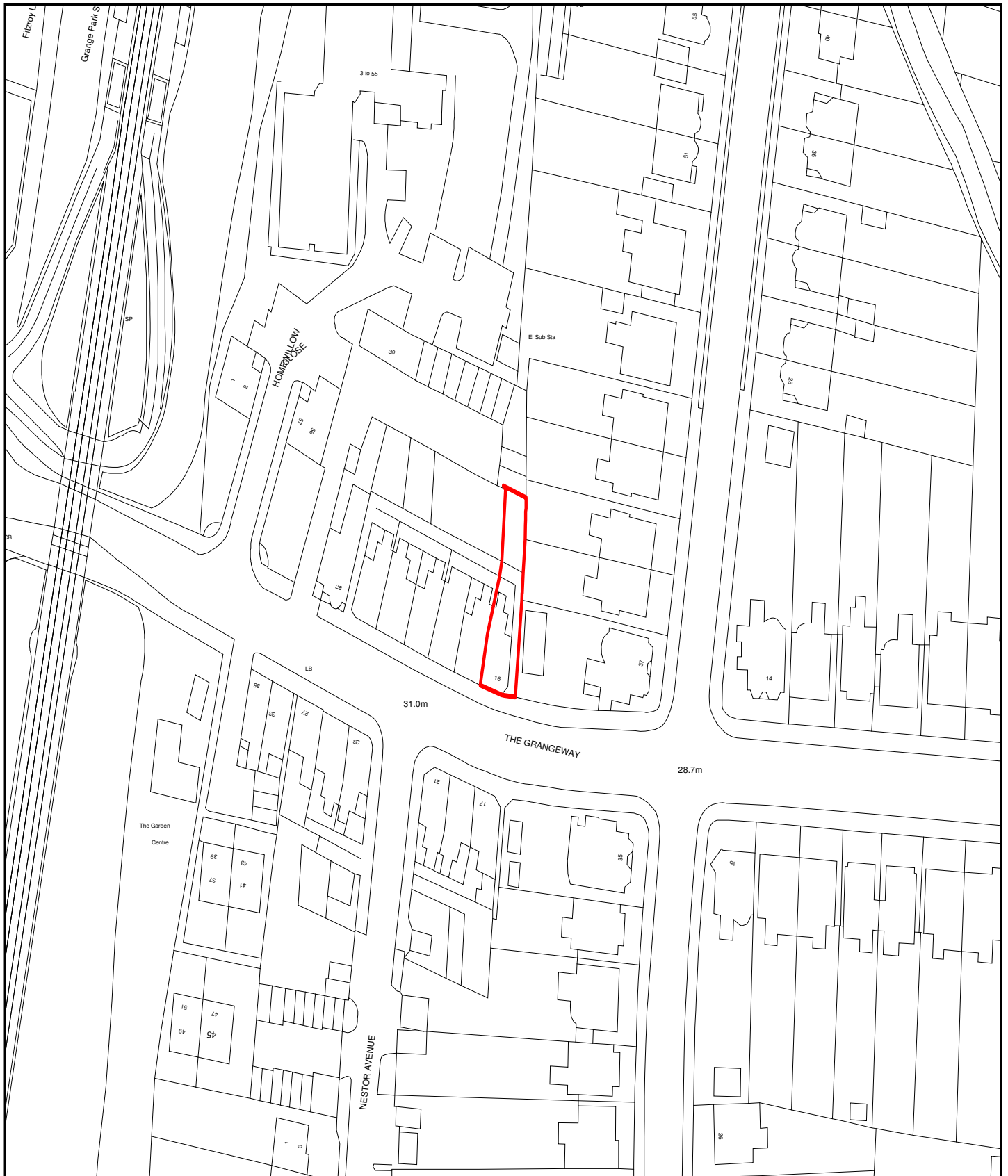
LOCATION: 16, THE GRANGWAY, LONDON, N21 2HA

PROPOSAL: Change of use of ground floor from (A2) to hot food takeaway (A5) together with extractor flue at rear.

Applicant Name & Address:
Burhan Kurum
8, Risborough Close,
London,
N10 3PL

Agent Name & Address:
Halit Ertas,
Northpoint Planning
8 Risborough Close
London
N10 3PL

RECOMMENDATION:
That planning permission be **REFUSED**.



Development Control



Scale - 1:1250
Time of plot: 15:01

Date of plot: 09/07/2012

1. Site and Surroundings

- 1.1 A three storey end-of terrace property situated along the northern side of The Grangeway within an existing local centre. The ground floor commercial premises are currently vacant. However, the premises were previously occupied by an estate agent.
- 1.2 The surrounding area is mixed in terms of character, with parades of shops interspersed with predominantly residential single family dwellings. The application property is situated within the Grange Park Conservation Area.

2. Proposal

- 2.1 The application proposes a change of use of the ground floor to a hot food takeaway (Class A5). The existing shop front would be maintained and minimal internal alterations would be made. At the rear, it is proposed that an extractor flue would be installed onto the rear wall of the building at ground and first floor level.
- 2.2 The proposed use would operate between the hours of 08:00 and 21:30, Mondays to Saturdays. The business would employ 2 full-time and 2 part-time staff.

3. Relevant Planning Decisions

- 3.1 The relevant planning history at the application site is as follows:
 - TP/98/0243 – an application for the change of use from retail (A1) to financial and professional service (A2) (retrospective) was granted with conditions in April 1998
- 3.2 It should be noted that at Nos 21 & 22 The Grangeway, planning permission has been granted for the change of use of the ground floor from retail (A1) to hot food takeaway (A5) (LPA Refs: TP/95/0593, TP/95/0670).

4. Consultations

4.1 Statutory and non-statutory consultees

4.1.1 Conservation

The Conservation Officer comments that the proposed flue is very large and despite the assertion that it will be designed to match the existing building no information has been submitted to support this. The rear elevations are attractively designed and are not as plain as most back or terraces or shops. They are detailed with tiled quoins and decorative fenestration. Although they have suffered some harmful changes their design is still appreciable and the large flue will be an intrusive and unattractive feature on the rear elevation of No. 16. The rear elevations are visible from The Chine in views between the houses. These views are important as they add to the picturesque quality of the Conservation Area.

4.1.2 Environmental Health

No objections to the application for planning permission subject to the following conditions:

- Details of air conditioning or non-passive ventilation systems (extractor flue) must be submitted for approval to the local planning authority, prior to installation.

Reasons

To ensure that suitable measures have been put in place to prevent any potential noise/smell nuisance arising from the extraction system.

4.2.3 Traffic and Transportation

The development will not give rise to unacceptable on street parking conditions that would be prejudicial to the availability of existing on street parking spaces or result in conditions that may have a negative impact on the free flow of traffic and highway safety conditions.

4.3 Public

4.3.1 Consultation letters were sent to 67 neighbouring and nearby residential properties. In addition, notice was advertised by way of press notice dated 06 June 2012 and site notice displayed on 01 June 2012⁶⁷. Representations were received in response which raised all or some of the following points;

- Overprovision of takeaway/restaurants along The Grangeway;
- Additional litter and food smells associated with the restaurant, concerns regarding refuse storage facilities at the premises;
- Metal flue would be in a prominent location to the detriment of the character of the surrounding Conservation Area;
- Lead to higher traffic generation from passing trade and deliveries, pressure on parking in the area, danger to highway users and pedestrians;
- Noise nuisance from pedestrians using the premises in the evening.

4.3.2 Grange Park Conservation Area Study Group

They comment that the proposed flue will be unsightly to many passing by, not only in The Grangeway but it will also be clearly visible from The Chine. The flank wall of 16 The Grangeway and rear corner is a dominant feature when coming up from The Grangeway, and they feel this feature will do nothing to enhance the character of the Conservation Area. They also feel that even if painted matt black or dark grey it won't be any less obvious. Other concerns raised focus on the refuse storage and collection facilities for the proposed business, the business opening hours and the provision of another hot food takeaway.

5. **Relevant Policy**

5.1 Local Development Framework

- | | |
|------|---|
| CP30 | Maintaining and improving the quality of the built and open environment |
| CP31 | Built landscape and heritage |

CP32 Pollution

5.2 Saved UDP Policies

(II)GD3	Aesthetics and functional design
(II)GD6	Traffic generation
(II)GD8	Site Access and Servicing
(II)C30	Quality of development in Conservation Areas
(II)S13	Local provision of retail units
(II)S14	Change of use in local centres
(II)S15	Alternative uses vacant shops
(II)S18	Food and drink uses

5.3 The London Plan

Policy 6.13	Parking
Policy 7.4	Local character
Policy 7.8	Heritage assets and archaeology

5.4 Other Relevant Policy

National Planning Policy Framework

6. **Analysis**

6.1 Effect on Vitality and Viability of Local Centre

6.1.1 The ground floor premises are currently vacant. However, they were formally occupied by an estate agent which falls under Class A2 (financial and professional services). The proposed change of use to A5 (hot food takeaway) does not therefore result in the loss of an A1 retail unit detrimental to the retail character of the centre. Moreover, having regard to the parade within which it is situated, there are no other A3/A5 premises. With regard to the overall centre, and noting the existing A3/A5 premises at 21 and 22 The Grangeway, it is considered the proposed use would not result in an overconcentration of such uses nor represent a use which would detract from the vitality and viability of the local centre.

6.1.2 It is also noted that the ground floor premises have been vacant for some time and the proposed change of use would enable the reuse of an otherwise vacant unit which would contribute to the overall vitality and viability of The Grangeway shopping parade

6.2 Neighbouring Amenity

6.2.1 It is considered that the characteristics and inherent sensitivities of smaller local centres are such that changes of use to A3/A5 uses are more likely to adversely impact upon the residential amenities of neighbouring properties through prolonged and sustained noise and disturbance. However, it is considered that the commercial premises are located at the end of a parade of shops which run along the northern and southern side of The Grangeway. The parade comprises of a mixture of retail, takeaways, restaurants and financial and professional services. It was also noted that there is a hot food takeaway at No. 21 The Grangeway opposite the application site.

6.2.2 Taking into consideration the range of uses within The Grangeway and the existing restaurants and takeaways which operate outside normal business hours, it is considered that the proposed change of use would not result in a significant level of noise or general disturbance that would be over and above that already experienced by nearby residential occupiers. Moreover, it is indicated that the premises would operate between the hours of 08:00 and 21:30, Mondays to Saturdays which could be controlled via condition. Given that the premises would not be open late in the evening and the proposal would not be likely to increase potential noise and disturbance in the area, it is considered that the proposal would not be detrimental to the amenities of nearby neighbouring occupiers.

6.2.3 Environmental Health have raised no objections to the proposal and it is considered that the provision of extraction equipment at the rear of the building would control the release of food odours that would otherwise have a detrimental impact upon nearby neighbouring occupiers, particularly those situated at first floor level and above in the shopping parade. Furthermore, it is considered that appropriate conditions could be recommended in the event of approval of the application ensure that food odours and vibration from extraction or air conditioning equipment would not have a harmful impact upon neighbouring amenity.

6.3 Refuse and Litter

6.3.1 No details of refuse storage facilities, nor has any confirmation been received regarding the existence of a waste collection agreement from commercial waste services. However, it is considered that capacity is available to the rear for refuse storage and it is therefore considered that a condition securing further details of these aspects and the requirement for the provision of an additional litter receptacle would be sufficient to ensure the development does not result in an increase in littering to the detriment of the environment and complies with servicing standards stipulated by Policy (II)GD8 of the Unitary Development Plan.

6.4 Highways/Access

6.4.1 It is acknowledged that the proposed change of use is likely to attract car borne trade which could result in vehicles standing on the highway close the premises. Traffic and Transportation (T&T) have acknowledged the nature of the proposed development, however, they comment that on-street parking is available for vehicles on both sides of The Grangeway. Taking into consideration that the busiest times of the takeaway is likely to be after the neighbouring A1 retail units have closed, they conclude that it is reasonable to expect the on-street parking space to be able to accommodate the expected number of visitors to the site. Vehicles are therefore unlikely to cause an obstruction or prejudice highway safety for either vehicles or pedestrians. Furthermore, it is also considered that the cumulative effect of another A% use would not give rise to unacceptable levels of on street parking.

6.4.2 It is therefore considered that the proposed change of use would not give rise to unacceptable on-street car parking conditions that would be prejudicial to the availability of existing on street parking spaces or result in conditions that may have a negative impact on the free and safe flow of traffic and highway

safety conditions, in accordance with Policies (II) GD6 and (II) GD8 of the Unitary Development Plan and Policy 6.13 of the London Plan 2011.

6.5 Impact on the Character and Appearance of the Existing Property and Surrounding Conservation Area

6.5.1 Grange Park Conservation Area Character Appraisal highlights this area as a 'focal point' in the locality. This particular parade is described as a Richard Metherall design of 'high architectural quality' with properties that have 'retained their distinctiveness'. No. 16 The Grangeway is situated on a prominent corner at the end of the northern shopping parade. The side/rear elevation of this building is attractively designed with detailed tiled quoins and decorative fenestration. The side and rear elevations are clearly visible on the western approach along The Grangeway and from the wider Conservation Area, including views between groups of houses within The Chine.

6.5.2 Policy (II)C30 seeks to ensure that all alterations/extensions to buildings within a conservation area serve to replicate, reflect or compliment the characteristics of the area in all aspects. The applicant contends that extractor flue would not be visible from street level. However, it is considered that the premises are situated in a prominent location within the Conservation Area and the eastern side/rear elevations are visible from the immediate vicinity of The Grangeway as well as surrounding residential streets. The extractor flue would be large in size and would extend from ground floor level to above the eaves of the building, 8.6 metres ground level. It is therefore considered that the size, siting and design of the extractor flue, together with the overall prominence of the side/rear elevation within the surrounding area, would have a harmful effect on the visual amenities of the area, detrimental to the appearance of the host building and would detract from the character of the Conservation Area.

6.5.3 Consideration has been given to whether appropriate conditions could be recommended to militate against the impact of the extraction flue on the surrounding Conservation Area. However, it is considered that such measures, including painting or otherwise disguising the extractor flue with a surround or casing, would not be sufficient to overcome its significant impact on the Conservation Area, not least because the flue would be situated in a prominent location and visually incongruous within the Conservation Area.

6.5.4 With reference to the principle of the use, although the premises are located within a Conservation Area, it is considered that the use would not be unacceptable and would not affect its special character and appearance

7. **Conclusion**

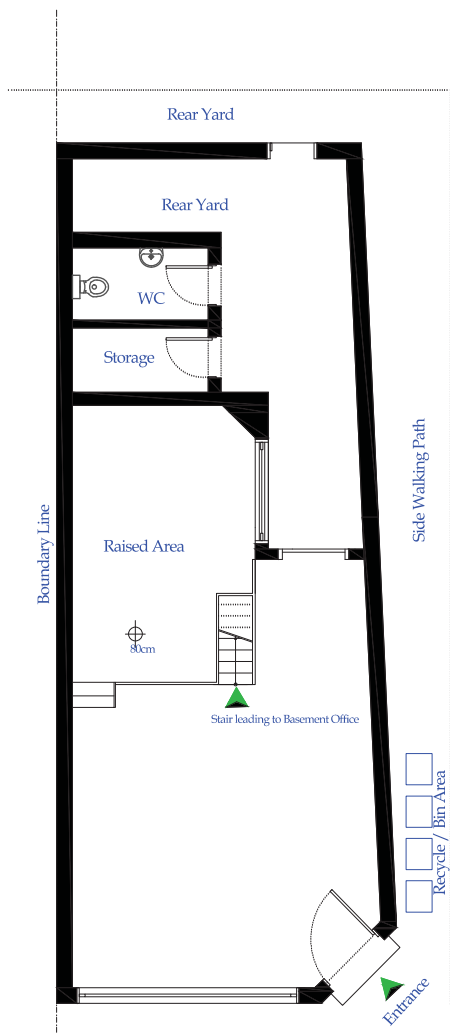
7.1 Having regard to those considerations outlined above, it is considered that the proposal is unacceptable because of the visual impact of the external flue

8. **Recommendation**

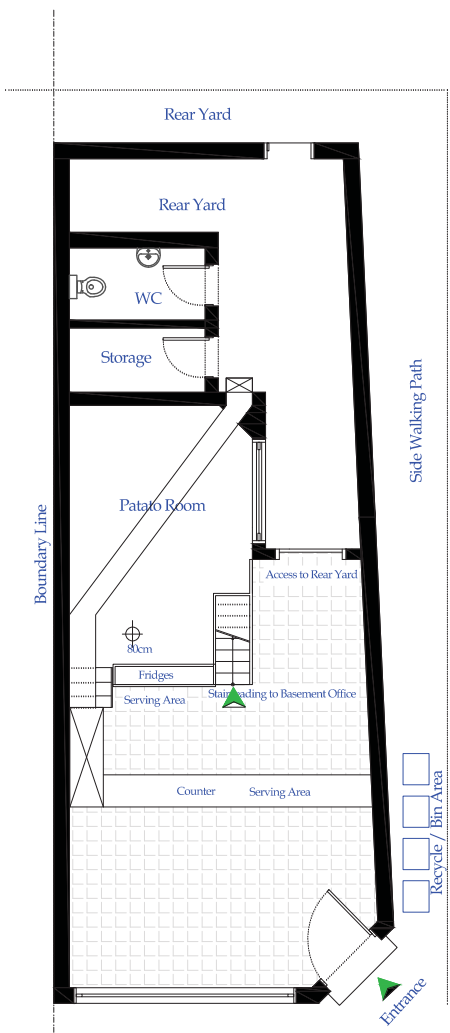
8.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed extractor flue, by reason of its size, siting, external design and finish, would be unduly prominent and would have a harmful effect on the visual amenities of the area, detrimental to the appearance of the host

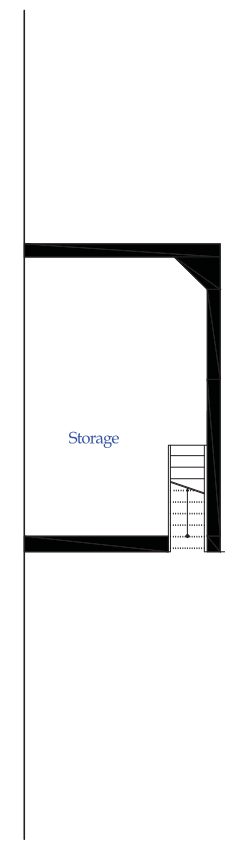
building and detract from the character of the Conservation Area. The proposal would thereby be contrary to Policies (II)GD3 and (II)C30 of the Unitary Development Plan and Policies 30 and 31 of the Core Strategy.



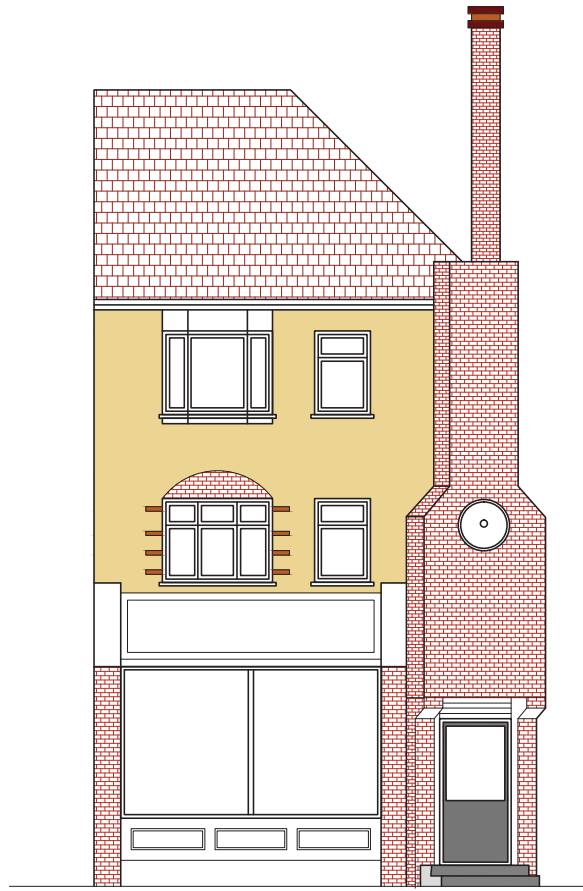
EXISTING GROUND FLOOR PLAN 1:100



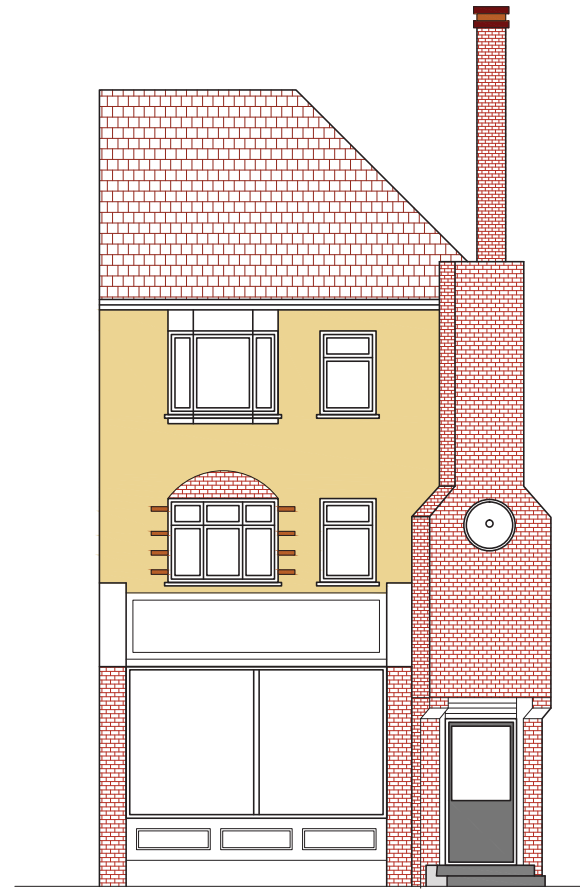
PROPOSED GROUND FLOOR PLAN 1:100



PROPOSED BASEMENT FLOOR PLAN 1:100



EXISTING FRONT ELEVATION 1:100



*THERE WILL BE NO ALTERATION ON THE FRONT APPEARANCE OF THE PROPERTY

PROPOSED FRONT ELEVATION 1:100

Planning Application	Proposal : Change of use from (A2) Premises to A3 use fish and chips Shop	Date: 10/04/2012	Drawn: H.E	Scale: 1:100
Project: 16 Grangeway , N21 2HG	Drawing Title: Existing and proposed Front Elevation	Drawing no : NPAPR12-003		



EXISTING SIDE ELEVATION 1:100

PROPOSED SIDE ELEVATION 1:100

Planning Application	Proposal : Change of use from (A2) Premises to A3 use fish and chips Shop	Date: 10/04/2012	Drawn: HE	Scale: 1:100
Project: 16 Grangeway , N21 2HG	Drawing Title: Existing and proposed Side Elevation	Drawing no : NPAPR12-002		