

Public Document Pack



PLANNING COMMITTEE

Tuesday, 26th April, 2011 at 7.30 pm
Venue: Room 1 / 2
The Civic Centre, Silver Street,
Enfield, Middlesex, EN1 3XA

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Committee Administrator
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MEMBERS

Councillors : Andreas Constantinides (Chairman), Toby Simon (Vice-Chairman),
Kate Anolue, Ali Bakir, Yusuf Cicek, Don Delman, Ahmet Hasan, Ertan Hurer,
Nneka Keazor, Dino Lemonides, Paul McCannah, Anne-Marie Pearce,
Martin Prescott, George Savva MBE and Tom Waterhouse

**N.B. Any member of the public interested in attending the meeting
should ensure that they arrive promptly at 7.15pm.**

**Involved parties may request to make a deputation to the Committee by
contacting the committee administrator before 12:00pm on 21/04/11.**

SUPPLEMENTARY AGENDA – PART 1

- 13. TP/10/0972 - NO. 8, CHASEVILLE PARADE, CHASEVILLE PARK ROAD,
LONDON, N21 1PG (Pages 1 - 12)**

RECOMMENDATION: Refusal
WARD: Southgate

- 14. TP/07/1795REN1 - NO. 9, CHASEVILLE PARADE, CHASEVILLE PARK
ROAD, LONDON, N21 1PG (Pages 13 - 22)**

RECOMMENDATION: Approval subject to conditions.
WARD: Southgate

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LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 26th April 2011

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
Aled Richards Tel: 020 8379 3857
Andy Higham Tel: 020 8379 3848
Mr R. Lancaster Tel: 020 8379 4019

Ward: Southgate

Application Number : TP/10/0972

Category: Change of Use

LOCATION: 8, CHASEVILLE PARADE, CHASEVILLE PARK ROAD, LONDON, N21 1PG

PROPOSAL: Change of use of ground floor from retail (A1) to mixed use retail (A1) and restaurant (A3).

Applicant Name & Address:

Mr Mustafa Kabalak
8, CHASEVILLE PARADE,
CHASEVILLE PARK ROAD,
LONDON,
N21 1PG

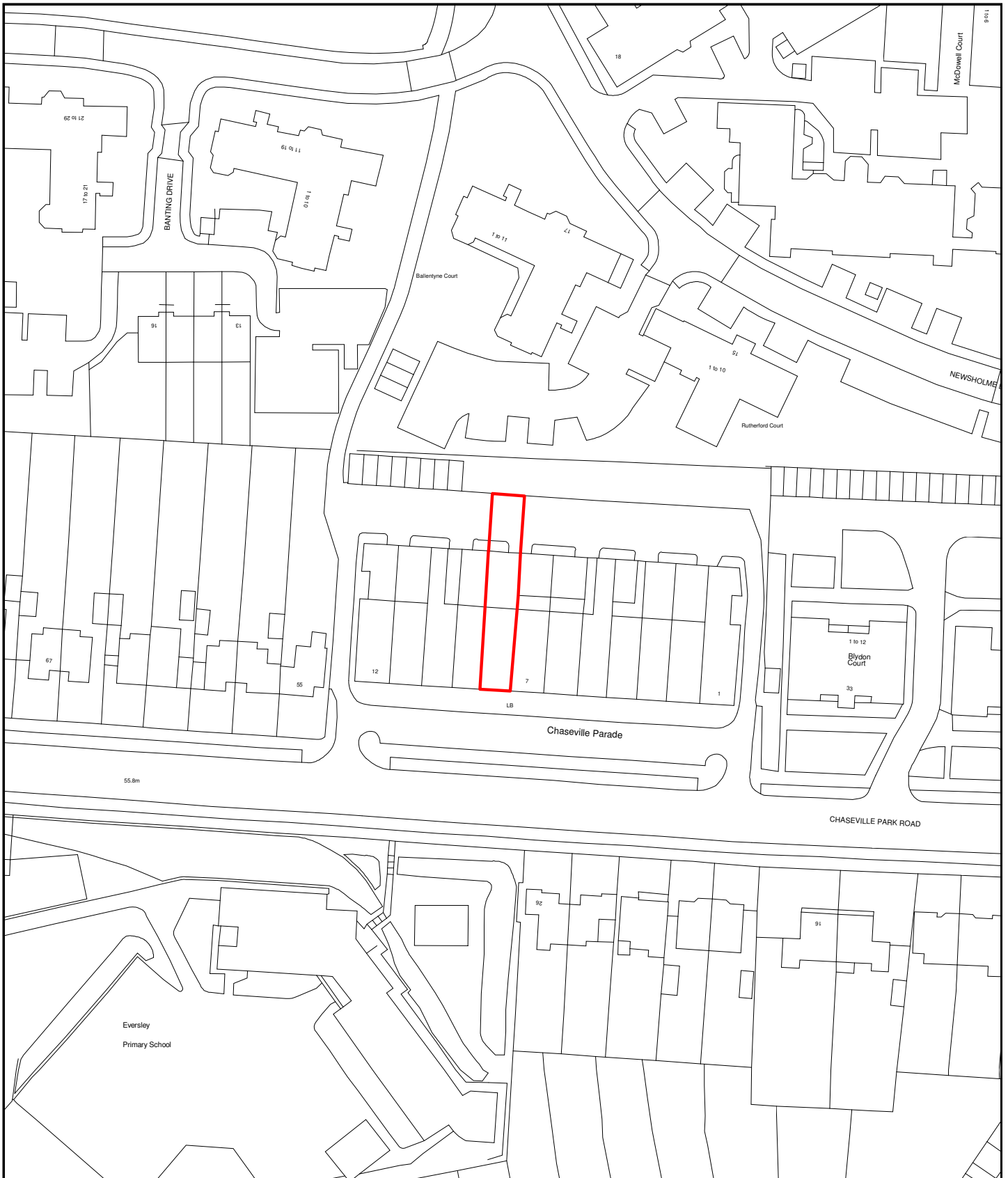
Agent Name & Address:

Mr Jun Simon,
ADA GROUP
167, Stoke Newington Road
London
N16 8BP

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

Note for Members:

At Planning Committee on 29th March, Members resolved to grant permission for this development. However, the Officers report was inaccurate in a matter of fact. This inaccuracy may have been significant in Members' determination. Therefore, Officers consider it necessary to report the application back to Committee for their redetermination. In light of the correction in the number of extant but unimplemented permissions for food and drink uses on the Parade, Officers' recommendation is now that planning permission be refused.



Development Control



Scale - 1:1001
Time of plot: 15:34

Date of plot: 18/04/2011

1.0 Site and Surroundings

- 1.1 Chaseville Parade is located on Chaseville Park Road opposite Eversley Primary School. The parade contains 13 ground floor units, is 3 storeys in height with commercial units on the ground and residential above. The retail parade benefits from the service road in front. Parking and additional servicing for both the retail and residential is available to the rear.
- 1.2 The parade is designated as a Local Parade with the hierarchy of retail centres set out in the recently adopted Core Strategy and the surrounding area is residential in character.

2.0 Proposal

- 2.1 Permission is sought retrospectively, for the change of use from A1 to a mixed A1 (retail) and A3 (café / restaurant) use.
- 2.2 The proposal also involves the installation of external ducting at rear.

3.0 Planning History

Site

- 3.1 TP/09/0266: an application to change of use of ground floor from retail (A1) to restaurant and café (A3) was refused in April 2009. An appeal against this decision was dismissed in December 2009.
- 3.2 TP/10/0094: an application to change of use of ground floor from retail (A1) to restaurant and café (A3). The Council declined to determine this application on 22/02/2010 as there was no material difference between it and the previous application dismissed at appeal.

No. 9 Chaseville Parade

- 3.3 TP/07/1795: an application for change of use from A1 to A3 of one unit on the ground floor at 9 & 10 Chaseville Parade was approved in 28th February 2008.
- 3.4 TP/10/1268: an application for change of use of ground floor to a dental surgery was approved (20/12/2010) at the ground floor unit of No.9.
- 3.5 TP/07/1795/REN1: an application for replacement permission reference: TP/07/1795 for change of use of one unit of the ground floor from A1 to A3 at 9 & 10 Chaseville Parade. This application is currently before Committee with a recommendation for approval subject to conditions.

4.0 Consultations

4.1 Statutory and Non-Statutory Consultees

- 4.1.1 Environmental Health raise no objections subject to conditions

4.2 Public:

4.2.1 Consultation letters were sent to 5 neighbouring properties. In response, letters of objection were received from the residential occupiers at 5A, 6B, 7A, 7B and 8A Chaseville Parade raising the following points:

- Too many A3 uses on the parade
- Waste product problem exacerbated by application unit
- Noise and anti-social behaviour
- Rubbish and hygiene and vermin
- Too few A1 uses along parade
- Smells and Odours
- To approve the application would be inconsistent with the appeal decision
- The premises is trading without the necessary planning permission
- The use is contrary to restrictive covenants on the property
- Loss of property values
- Late opening of premises

4.2.2 In addition, the Winchmore Hill Residents Association comment that this proposal differs little from that previously resisted and the proposed change of use would further decimate the number of retail outlets in this parade.

4.2.3 Petition

In addition two letters and a petition containing 205 signatures in support of the proposal have also been received albeit, it must be noted that not all the petitioners are from the immediate locality

5.0 **Relevant Policies**

5.1 Core Strategy

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

SO1: Enabling and focusing change
SO2: Environmental sustainability
SO3: Community cohesion
SO5: Education, health and wellbeing
SO10: Built environment

CP7 Health
CP9 Community cohesion
CP16 Economic Success and Improving Skills
CP18 Delivering shopping provision across Enfield
CP30 Built and Open Environment

5.2 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II)GD3 Character and Design
- (II)GD6 Traffic Generation
- (II)S13 Loss of neighbourhood retail units
- (II)S14 Resist loss of retail on ground floor to non-retail
- (II)S18 Assess food and drink proposals

5.3 London Plan

- 3A.18 Protection and Enhancement of Social Infrastructure and Community
- 3A.26 Community Strategies
- 3B.11 Improving Employment Opportunities for Londoners
- 3C.23 Parking Strategy
- 3D.3 Maintaining and Improving Retail Facilities
- 4B.8 Respect Local Context and Communities

5.4 Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPS4 Planning for Sustainable Economic Growth
- Greater Flexibility for Planning Permissions: Guidance. (DCLG) October 2010

6.0 Analysis

6.1 Background

6.1.1 In December 2009, an appeal against the Council's decision to refuse planning permission for the change of use to a restaurant was dismissed. The Inspector in determining this appeal considered the loss of A1 retail harmed the vitality and viability of the Local Centre due to the grouping and number of other non retail premises in the parade. In the absence of any material change in circumstances, this appeal decision carries significant weight.

6.1.2 In response to the Council's decision and that of the Planning Inspectorate, the Applicant has sought to introduce an element of retail to the operation to create a mixed use which provide traditional retail offer. This does constitute a material change and the application has been assessed on this basis

6.2 Impact on Vitality and Viability of Local centre

6.2.1 Following the Committee resolution, it has come to Officer's attention that the information regarding composition and extant permissions along the Parade was inaccurate. In particular, an application for a replacement permission at No.9 for a change of use to A3 was received by the Council prior to 28th February and is therefore a valid application. This application is also before Members for determination. Moreover, the lawful use of the premises at No.5 was inaccurately reported as Class A1 when in fact its lawful use is as a *sui generis* tanning salon. It should be recognised, however, that a tanning salon has character similar to that of a retail use. The updated and corrected occupation of the parade (with extant permissions) is as follows:

No	Lawful Use	Occupied / Vacant	Extant permissions
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1a	A2	Office of David Burrowes MP	None relevant
1c	B1a	Southgate Conservation Association	None relevant
2	A1	Hair and Beauty	None relevant
3	A1	Bakers & Confectionery	None relevant
4	A1	Dry Cleaners	None relevant
5	Sui Generis (tanning shop) / Mixed Use (A1 and D1).	Vacant	Mixed Use (A1 and D2). Character is substantially A1 with a D2 element constrained by condition to rear storage area (Officer's are minded to grant permission).
6	A1	Frames and Mirrors	None relevant
7	A2	Betting Shop	None relevant
8	A1	Currently trading, unlawfully, as A3	None relevant
9	A1	Vacant	<ul style="list-style-type: none"> • An replacement permission application under ref: TP/07/1795/RE N1 to allow a change of use from A1 to A3 is before Members • Permission (granted in December 2010) for a Dentist's Surgery (Class D1)
10	A1	Newsagents/ Post Office	None relevant
11	A3/A5	Indian takeaway	None relevant
12	A5	Fish and Chips shop	None relevant

6.2.2 The survey shows that two of thirteen units are vacant, with the application premises operating unlawfully. Five of the occupied units are in A1 retail use (38.5% of the whole parade). Three of the occupied units are in use as "food and drink" uses (Classes A3 / A4 /A5) and are at the western end of the Parade.

- 6.2.3 In the light of this survey and taking into account the extant permissions, particularly at No.9 Chaseville Parade, there has been no material change in the composition of the retail parade since the previous appeal decision that would indicate that a further Class A3 Use along with Parade could be accommodated without harm to the vitality and viability of the Parade. Consequently, the assessment and conclusion of the Inspector remains pertinent to the assessment of this application. The following is an extract from the appeal decision letter:
- 6.2.4 *“The appellant calculates that, if planning permission is granted and implemented in the present case, the parade would have seven units in Class A1 use and five units in uses other than Class A1. This analysis does not, however, take into account that no. 9 was granted planning permission for Class A3 use in 2007. Consequently, if I allow the change of use proposed, potentially there could be six units in uses other than Class A1 (50% of the parade as a whole, with four of the units being in food and drink use). Furthermore, five of the six non-retail uses (existing and potential) would be concentrated in the western half of the parade (nos. 7 to 12) – retail uses would thus be largely restricted to the eastern half.*
- 6.2.5 *The appellant states that there is no policy basis for taking extant permissions into account. However, in my view, the extant permission at no. 9 is an important material consideration. I note the support that has been expressed for the proposed use, but I consider that a further permission for a non-retail use in this parade, particularly one located in the western half and particularly a further food and drink use, would be to the detriment of the character and viability of this local shopping area. I have carefully considered all other matters raised, but find none that outweighs the harm that would arise.*
- 6.2.6 *I conclude that the proposed change of use would have an adverse effect on the retail character and function of Chaseville Parade and be in conflict with the saved UDP policies to which I have referred. The appeal in respect of the proposed change of use therefore fails.”*
- 6.2.7 In the light of the above, the objection to the loss of retail remains unless the alterations to the application materially address the concern.
- 6.2.8 The key alteration by the Applicant is the inclusion of retail to the cafe use. The submitted plan shows a small section of the shop given over to retail sales. It has subsequently been indicated that this would include organic food for sale and since the deferral, additional information has been received indicating that the ‘Crazy Jacks’ brand of organic food will be sold. The Applicant estimates that 25% of the shop area will be used for retail use and 25% of the business’ revenue will be from the retail element. The agent has indicated that applicant considers the current plans are adequate to demonstrate this and thus has not supplied amended plans.
- 6.2.9 However the retail element is fairly limited and taking this into account, and having regard to extant permissions and the Inspector’s identification of harm to the retail function and character of the parade, it is considered that the proposal is contrary adopted Council policy.
- 6.2.10 Therefore, in the light of the above, this proposal is considered harmful to the function and character of this local parade. Thus, it does not overcome the appeal inspector’s decision and it is considered that the proposal does not

accord with Policies (II) S13, (II)S14 and (II) S18 of the UDP and Policy 18 of the Core Strategy and therefore, is unacceptable.

6.3 Health and Wellbeing

6.3.1 With reference to issues of health and wellbeing, particularly of young people, it is noted that Eversley Primary School is in close proximity. However the proposal is for a café rather than a takeaway and children attending Primary Schools are more likely to be under parental supervision and certainly not allowed out at lunch or break times to avail themselves on the café. Therefore, and having regard to the adopted Core Strategy and previous decisions including that on appeal, it is not considered that the impact on health and wellbeing of the local population would merit refusal of this application.

6.4 Extract Ducting

6.4.1 The external ducting system has been assessed by Environmental Health and is considered to be acceptable, in terms of noise, vibration and odour subject to appropriate conditions. However, since the premises have been operating, the Council have received a number of complaints from neighbouring occupiers on, *inter alia*, the level of odour. Environmental Health have advised the problems are likely to relate to the filtration system of the extract ducting, which can be adequately controlled through condition.

6.4.2 Under the previous application, it was considered that the size and siting of the ducting, located to the rear of the premises was visually acceptable and does not appear intrusive or affect the outlook of neighbouring and nearby residential properties or the wider area. It is not considered that the cumulative impact of this flue along with the proposed flue at No.9 would be unduly harm to the visual amenities of the occupier at No.8a Chaseville Parade. Therefore this element of the proposal is acceptable subject to compliance with the approved plans and conditions.

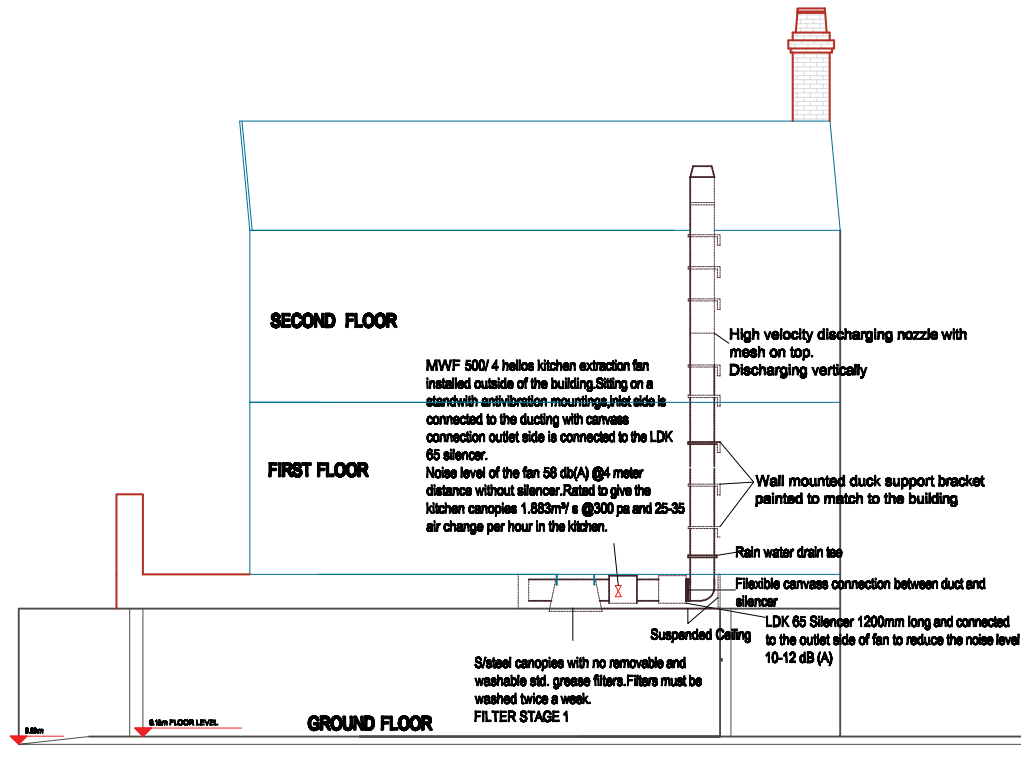
7. **Conclusion**

7.1 The proposed restaurant / cafe, in light of the proposed replacement permission for a café use at No.9 and notwithstanding the proposed retail use, is considered to harm the vitality, viability and retail character of the Parade and thus has not overcome the Inspector's objections.

8. **Recommendation**

8.1 That planning permission be refused for the following reason:

1. The proposed loss of a further retail unit and introduction of a mixed use A1 and A3 restaurant would give rise to an unacceptable over representation of non A1 uses and would increase the already high proportion of food and drink premises in this area, detracting from the vitality and viability and retail character of the shops along Chaseville Parade contrary to Policies (II) S13, (II) S14 and (II) S18 of the Unitary Development Plan and Policy CP18 of the adopted Core Strategy.



PROPOSED SECTION 1:100



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Do not scale from this drawings. Dimensions in mm.

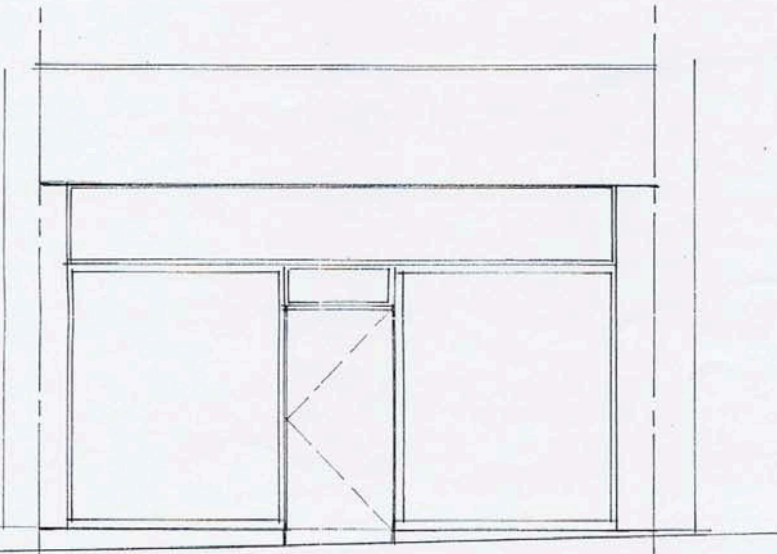


Project: 8 CHASEVILLE PARADE, CHASEVILLE PARK ROAD, N21 1PG	Date: 19/08/2010	Drawn: ST	Scale: 1:100
Drawing Title: PROPOSED GROUND FLOOR SECTION PLAN	Drawing no : C/N21PG/001		



MECHANICAL EXTRACTION
SYSTEM TO BE PROVIDED
WITH TRUNKING FIXED TO
REAR WALL
ALL IN ACCORDANCE WITH
SPECIALIST'S RECOMMENDATIONS.

EXISTING & PROPOSED
REAR ELEVATION



EXISTING & PROPOSED
FRONT ELEVATION (SHOPFRONT)

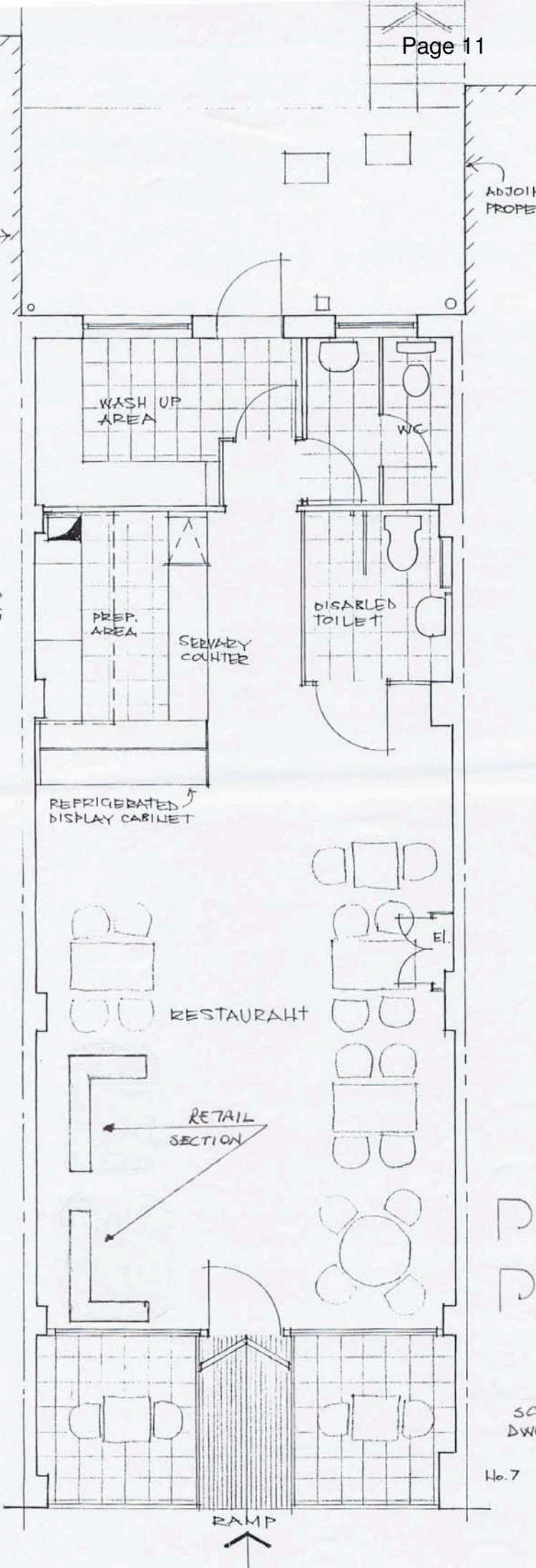
SC: 1/50
DWG. NO: C/N21/P03/003



ADJOINING PROPERTY

ADJOINING PROPERTY

TRACT HOOD
BOVE COOKING
EA



PROPOSED PLAN

SC: 1/50
DWG. NO.: C/N211PG/002

No. 9

No. 7

RAMP

ADJOINING PROPERTY

PATIO

MH

MH

ADJOINING PROPERTY

No. 9

G

WVP

WC

E1

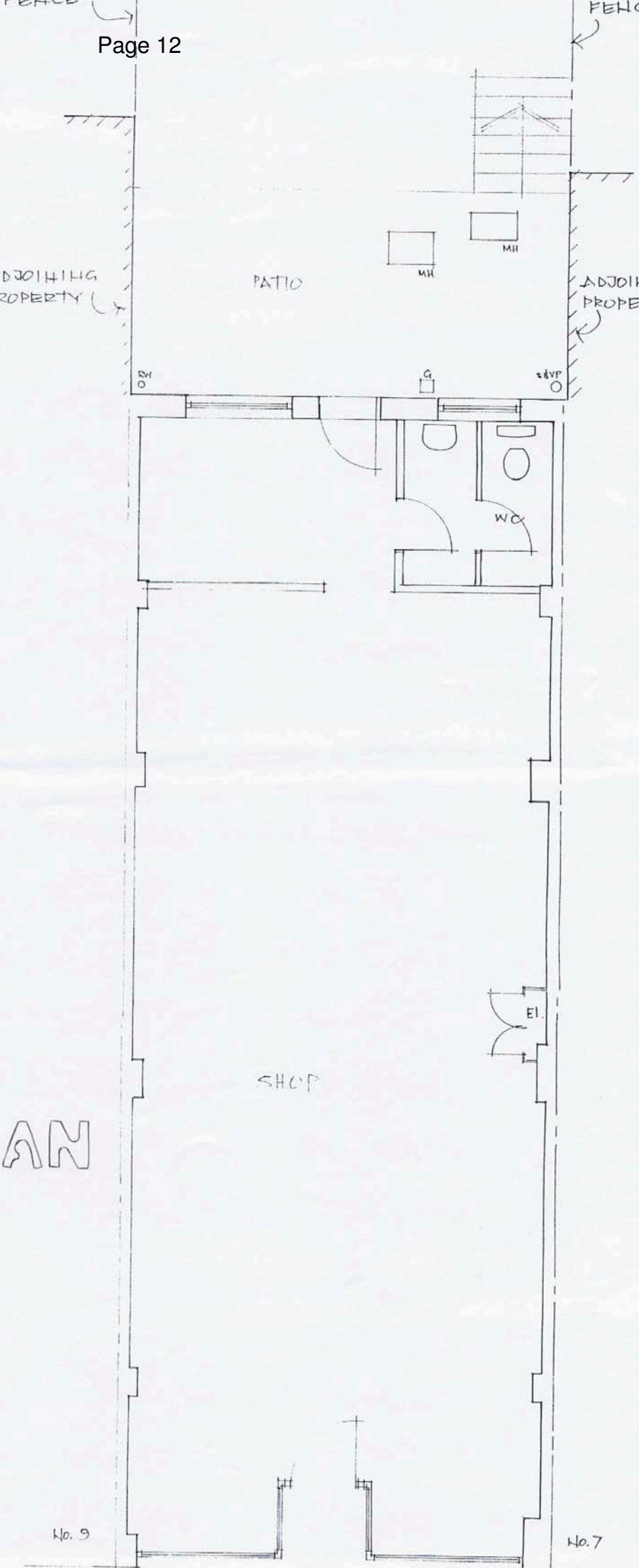
SHOP

EXISTING PLAN

SC: 1/50
DWG NO: C/N211PG/001

No. 9

No. 7



LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 26th April 2011

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
Aled Richards Tel: 020 8379 3857
Andy Higham Tel: 020 8379 3848
Mr R. Lancaster Tel: 020 8379 4019

Ward: Southgate

Application Number : TP/07/1795/REN1

Category: Change of Use

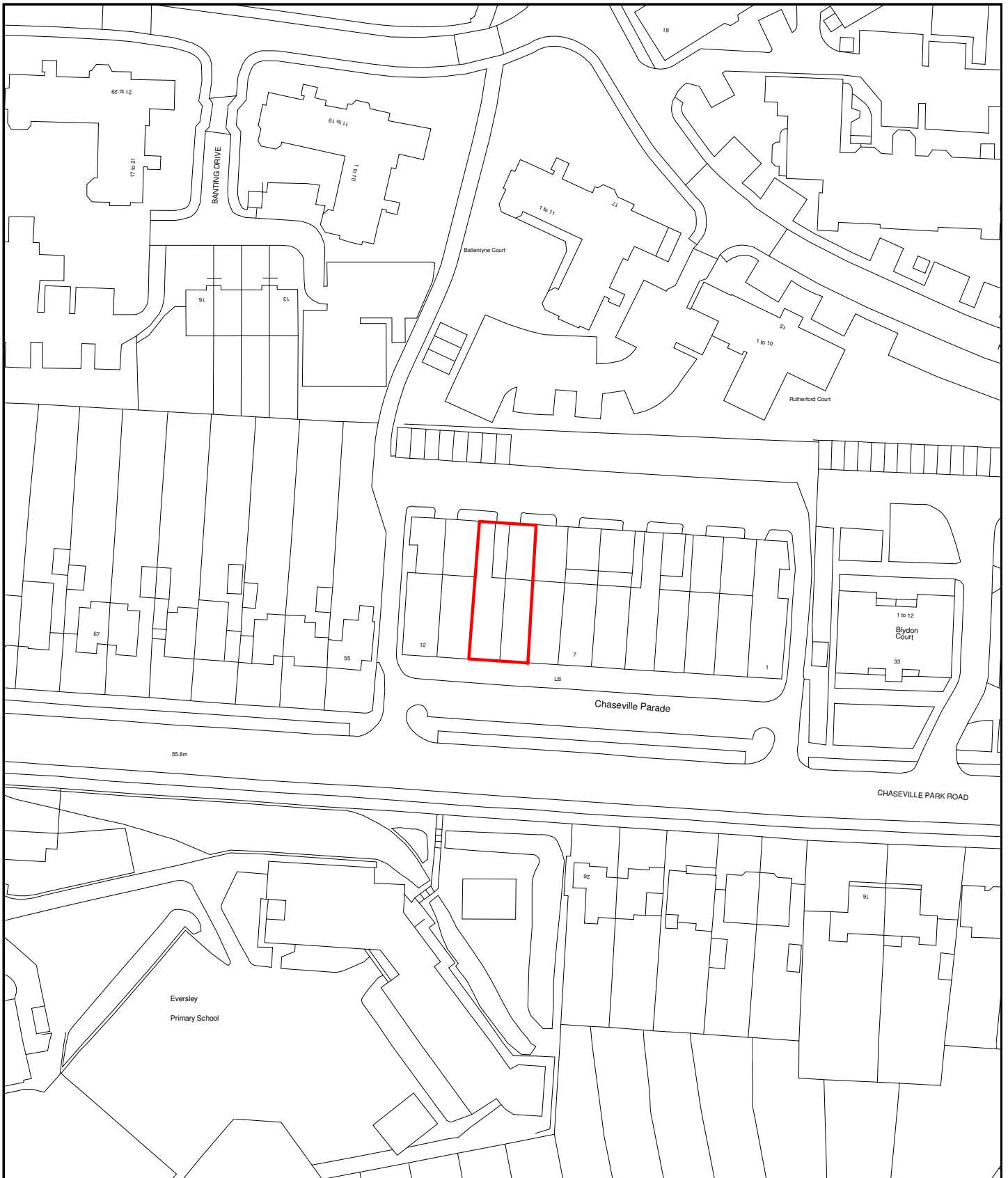
LOCATION: 9, CHASEVILLE PARADE, CHASEVILLE PARK ROAD, LONDON, N21 1PG

PROPOSAL: Change of use of part of ground floor from retail (A1) to café/restaurant (A3).

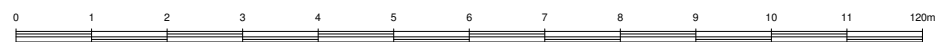
Applicant Name & Address:
Mr BALA SURESH,
9 and 10, CHASEVILLE PARADE,
CHASEVILLE PARK ROAD,
LONDON,
N21 1PG

Agent Name & Address:
KEERAN DESIGNS LTD,
157, FOREST ROAD,
WALTHAMSTOW,
LONDON,
E17 6HE

RECOMMENDATION: That Members resolve that planning permission be **APPROVED SUBJECT TO CONDITIONS** and delegate authority to the Assistant Director, to issue the decision subject to no additional consultations being received that raise issues that haven't been contained within this Report or were at the attention of Members at Committee.



Development Control



Scale - 1:1001
Time of plot: 14:39

Date of plot: 18/04/2011

1.0 Site and Surroundings

- 1.1 Chaseville Parade is located on Chaseville Park Road opposite Eversley Primary School. The parade contains 13 ground floor units, is 3 storeys in height with commercial units on the ground and residential above. The retail parade benefits from the service road in front. Parking and additional servicing for both the retail and residential is available to the rear.
- 1.2 The parade is designated as a Local Parade with the hierarchy of retail centres set out in the recently adopted Core Strategy and the surrounding area is residential in character.

2.0 Proposal

- 2.1 The applicant seeks a replacement permission reference: TP/07/1795, which was granted for a change of use from A1 to A3 (café / restaurant) use at No.9 Chaseville Parade, with No.10 remaining a Class A1 retail unit.
- 2.2 The proposal also involves the installation of external ducting at rear.

3.0 Planning History

Site

- 3.1 TP/07/1795: an application for change of use from Class A1 to A3 of one unit of the ground floor at 9 & 10 Chaseville Parade was approved in 28th February 2008.
- 3.2 TP/10/1268: an application for change of use of ground floor to a dental surgery was approved (20/12/2010) at the ground floor unit of No.9.

No.8 Chaseville Parade

- 3.3 TP/09/0266: an application to change of use of ground floor from retail (A1) to restaurant and café (A3) was refused in April 2009. An appeal against this decision was dismissed in December 2009.
- 3.4 TP/10/0094: an application to change of use of ground floor from retail (A1) to restaurant and café (A3). The Council declined to determine this application on 22/02/2010 as there was no material difference between it and the previous application determined at appeal.
- 3.5 TP/10/0972: Change of use of ground floor from retail (A1) to mixed use retail (A1) and restaurant (A3): This application is currently before Committee with a recommendation for refusal.

4.0 Consultations

4.1 Statutory and Non-Statutory Consultees

- 4.1.1 At the time of writing Environmental Health have not made representations. Any response will be reported at Committee.

4.2 Public:

- 4.2.1 Consultation letters were sent to 20 neighbouring properties. At the time of writing no responses have been received, any responses will be reported at Committee.

5.0 Relevant Policies

5.1 Core Strategy

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

SO1: Enabling and focusing change
 SO2: Environmental sustainability
 SO3: Community cohesion
 SO5: Education, health and wellbeing
 SO10: Built environment

CP7 Health
 CP9 Community cohesion
 CP16 Economic Success and Improving Skills
 CP18 Delivering shopping provision across Enfield
 CP30 Built and Open Environment

5.2 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

(II)GD3 Character and Design
 (II)GD6 Traffic Generation
 (II)S13 Loss of neighbourhood retail units
 (II)S14 Resist loss of retail on ground floor to non-retail
 (II)S18 Assess food and drink proposals

5.3 London Plan

3A.18 Protection and Enhancement of Social Infrastructure and Community
 3A.26 Community Strategies
 3B.11 Improving Employment Opportunities for Londoners
 3C.23 Parking Strategy
 3D.3 Maintaining and Improving Retail Facilities
 4B.8 Respect Local Context and Communities

5.4 Other Material Considerations

PPS1 Delivering Sustainable Communities
 PPS4 Planning for Sustainable Economic Growth
 Greater Flexibility for Planning Permissions: Guidance. (DCLG) October 2010

6.0 Analysis

6.1 Background

6.1.1 Under planning permission ref: TP/07/1795, a change of use from A1 to A3 was granted subject to conditions. This permission expired on 28th February 2011. However on the 23rd February, the Council received an application for a replacement permission which was validated on the 1st April 2011. The Communities and Local Government guidance for replacement permissions advise that Local Planning Authorities should take a positive approach to such applications and focus our attention on material changes in Policy or site circumstances.

6.1.2 Whilst the Core Strategy has been adopted since the original decision, it is not considered that the aims and thrust of Policy in respect of an application of this type has changed significantly. It is noted that the effect of food and drink uses on health and wellbeing of, particularly young people, is now a more significant material consideration and an assessment of this issue is contained elsewhere in the report. Changes in the composition and occupancy of the Parade would also be a material change in circumstances.

6.2 Impact on Vitality and Viability of Local centre

6.2.1 The occupation of the parade, with its extant permissions is as follows:

No	Lawful Use	Occupied / Vacant	Extant permissions
1a	A2	Office of David Burrowes MP	None relevant
1c	B1a	Southgate Conservation Association	None relevant
2	A1	Hair and Beauty	None relevant
3	A1	Bakers & Confectionery	None relevant
4	A1	Dry Cleaners	None relevant
5	Sui Generis (tanning shop) / Mixed Use (A1 and D1).	Vacant	Mixed Use (A1 and D1). Character is substantially A1 with a D1 element constrained by condition to rear storage area (Officer's are minded to grant permission).
6	A1	Frames and Mirrors	None relevant
7	A2	Betting Shop	None relevant
8	A1	Currently trading, unlawfully, as A3	An application under ref: TP/10/0972 for a change of use to

			mixed use A1 & A3 is currently before Committee
9	A1	Vacant	<ul style="list-style-type: none"> Permission (granted in December 2010) for a Dentist's Surgery (Class D2)
10	A1	Newsagents/ Post Office	None relevant
11	A3/A5	Indian takeaway	None relevant
12	A5	Fish and Chips shop	None relevant

6.2.2 The survey shows that two of thirteen units are vacant and No.8 operating unlawfully as a café. An application to regularise the use at No.8 is currently before Committee with a recommendation for refusal. Five of the occupied units are in A1 retail use (38.5% of the whole parade). Three of the occupied units are in use as "food and drink" uses (Classes A3 / A4 /A5) and are at the western end of the Parade.

6.2.3 Since the original application (TP/07/1795), one application for a change of use along the Parade has been granted. This is at the same property as this application and permission was granted for a change of use to a Dentist's Surgery. The Council is also minded to grant permission at No.5 for a change of use from A1 to a mixed use (A1 and D2). The character of this proposal is substantially A1 with a D2 (yoga studio) element constrained by condition to rear storage area.

6.2.4 Therefore, in light of the above assessment, there has been no material change in the composition of the retail parade since the original decision that would indicate that a further Class A3 Use within the Parade could not be accommodated without harm to the vitality and viability of the Parade. Consequently, it is considered that this element of the proposal is acceptable.

6.3 Health and Wellbeing

6.3.1 With reference to issues of health and wellbeing, particularly of young people, it is noted that Eversley Primary School is in close proximity. However the proposal is for a café rather than a takeaway and children attending Primary Schools are more likely to be under parental supervision and certainly not allowed out at lunch or break times to avail themselves on the café. Therefore, and having regard to the adopted Core Strategy and previous decisions including that on appeal, it is not considered that the impact on health and wellbeing of the local population would merit refusal of this application.

6.4 Extract Ducting

6.4.1 The external ducting system was assessed under the original application and considered acceptable subject to conditions. There have been no material

changes in Policy or site circumstances which would indicate that a refusal of this element of the scheme could be sustained. However, it is considered that an improvement to amenity of No.8A can be achieved through a re-sited flue. Accordingly, the applicant has submitted a revised plan at the request of the Council, showing a revised siting of the flue such that it is situated centrally and further away from the boundary with No.8 Chaseville Parade. It is noteworthy that applicant has indicated that he is the occupier of No.9 and No.9a Chaseville Parade. Therefore the revised siting of the extract flue is considered to represent an improvement on the previous situation in terms of neighbouring resident's amenity.

7. Conclusion

- 7.1 Material changes in site circumstances and relevant Policy since the original permission was granted in 2008 are, on balance, not considered to result in a change in the circumstances such that would weigh in favour of refusing the application. It is thus considered that the replacement permission be granted subject to the broadly the same conditions as permission reference: TP/07/1795 for the following reason:

The proposed loss of a retail unit and introduction of a Class A3 use at No.9 Chaseville Parade would not give rise to an unacceptable over representation of non-A1 uses nor would it unduly increase the proportion of food and drink premises in this area. Thus the proposal does not detract from the vitality, viability and character of the shops along Chaseville Parade in accordance with Policies CP9, CP16, CP17 and CP18 of the adopted Core Strategy and Policies (II)S13, (II)S14 and (II)S18 of the Unitary Development Plan.

8. Recommendation

- 8.1 That replacement planning permission be delegated to the Assistant Director for approval subject to conditions and subject to no additional consultations being received that raise issues that haven't been contained within this Report or were at the attention of Members at Committee.

1. The development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

2. No development shall take place until such time as details of the specification and appearance of any fume extraction and/or ventilation plant required in connection with the use shall be submitted to and approved in writing by the Local Planning Authority. The plant shall be installed in accordance with the approved details before the use commences.

Reason: To ensure a satisfactory appearance and safeguard amenity.

3. The use shall not commence until the shop front of the premises is provided with a window display which shall be maintained.

Reason: To safeguard the appearance of the street scene.

4. The premises shall only be open for business between the hours of 10:00 to 23:00 hours Monday to Sunday and all activity associated with the use shall cease within 1 hour of the closing time specified above.

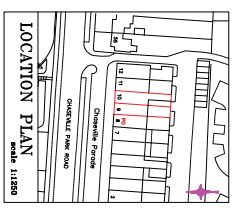
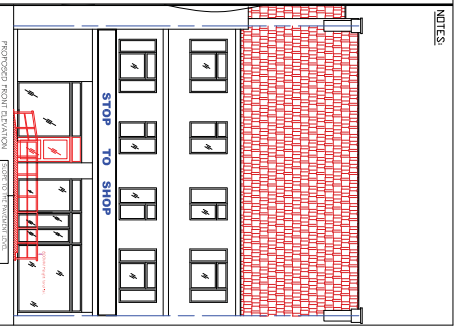
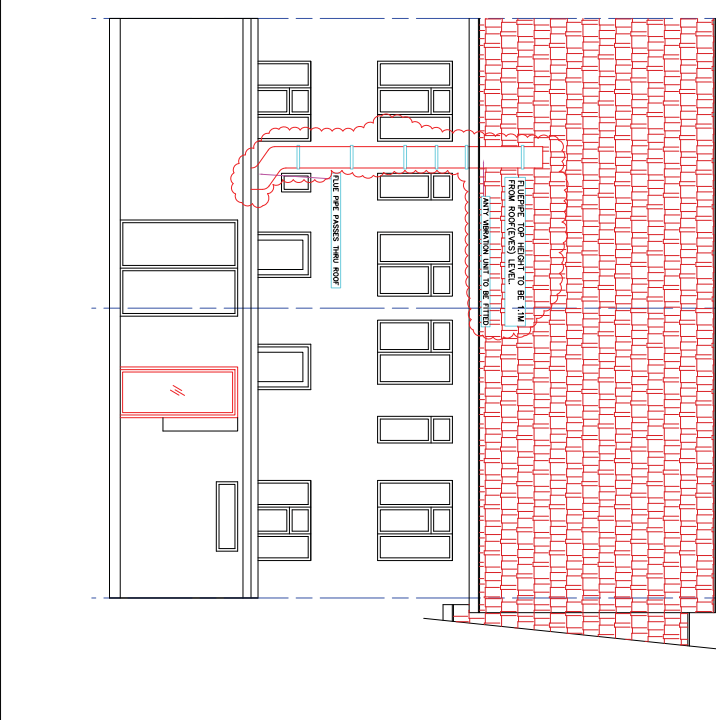
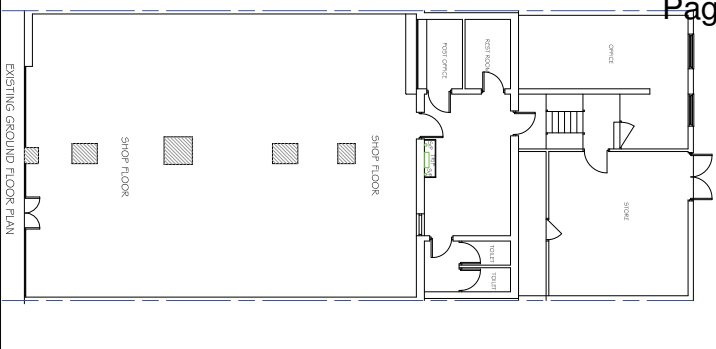
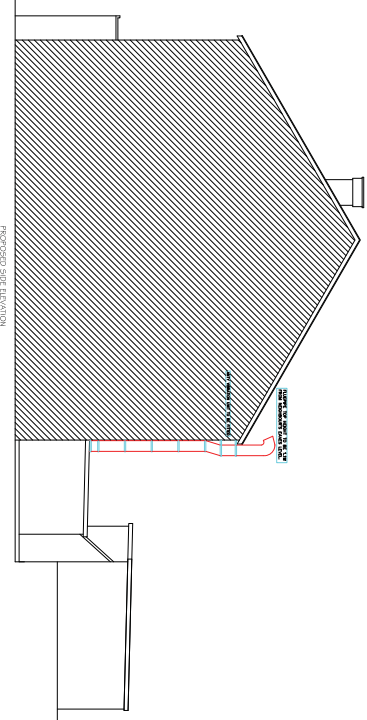
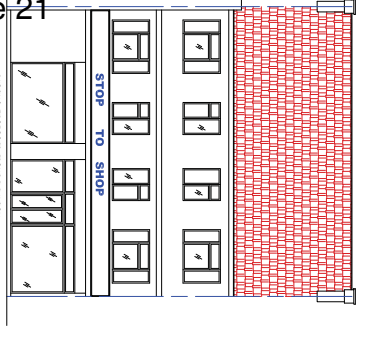
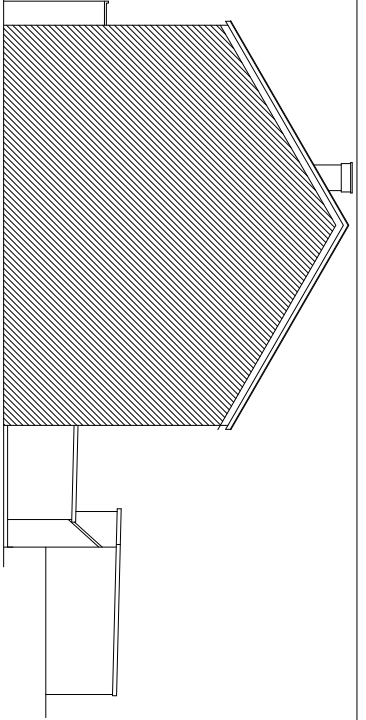
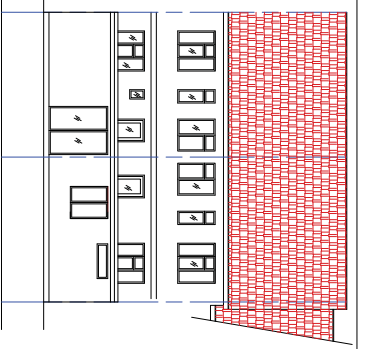
Reason: To safeguard the amenities of the occupiers of adjoining and nearby residential properties.

5. Deliveries and collections (including refuse collection) to and from the premises shall only take place between the hours of 12:00 to 17:00 Monday to Saturday; and shall be restricted to no deliveries or collections on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

6. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.



Rev No.	Date	Description	By

THE CLIENTS AS USE WITHIN GROCEERS FOR SHOP NO. 9

Client: MR DADLA
 S-10, CHASEVILLE PARADE
 WINCHINDORDEL
 LONDON N21 1PG

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Drawn by	Checked by	Scale	Project Code	Client Ref	Date
SP	SP	1/1250, 1/100, 1/50	CHAS9-DN211PG		21/07/07

NOTES

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