

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

**Date:** 22 June 2021

**Report of**  
Head of Planning

**Contact Officer:**  
Andy Higham  
Claire Williams  
Alex Johnson  
Tel No: 020 8132 0865

**Ward:**  
Southgate

**Ref:** 19/03681/FUL

**Category:** Change of Use

**LOCATION:** 30 And 32 High Street, London, N14 6EE

**PROPOSAL:** Change of use from retail (A1) to restaurant (A3) involving alterations to create one unit with new shop front and rooftop plant.

**Applicant Name & Address:**

Jamie Constantinou  
Sydney Rocks Ltd  
30, High Street  
Southgate  
N14 6EE

**Agent Name & Address:**

Mr James Engel  
Spaced Out Limited  
Spaced Out's Flexitron Studio  
4a Godson Street  
Islington  
London  
N1 9GZ

**RECOMMENDATION**

That planning permission be **GRANTED** subject to conditions



## 1. Note for Members

1.1 This application was considered by the Planning Committee at its meeting on 29 October 2020. At this meeting, the application was deferred by Members in order for more information to be provided on the concerns expressed as follows:

- Further information regarding extraction/plant equipment to assess the impact on neighbouring properties.
- Further investigation into the existing parking situation and associated harm.
- Further information on the level of business/intensification that will occur between 6 – 11pm including the number of covers that would be expected during this time.

1.2 Details regarding these matters are addressed below. This addendum should be read in conjunction with the original report prepared for the Planning Committee on 29 October 2020 which is attached below.

1.3 Following the submission of additional information relating to the extraction equipment and a noise assessment neighbours were re-consulted for a 14-day period. No additional representations were received.

### Extract Ventilation – Relationship to Neighbouring Properties

1.4 Following the deferral of the application, additional information has been submitted in the form of a noise assessment prepared by Venta Acoustics. Additionally, further specifications of the extraction system have been provided. The additional information has been assessed and considered by the Council's environmental health officer who has advised that the information submitted demonstrates no unacceptable impacts on neighbouring properties. As such it is considered the proposal is acceptable in this regard.

### Transportation

1.5 Following the deferral of the application, there has been further analysis of the existing parking situation and associated harm having regard to the highway conditions in the immediate area and the effects of the current proposal on this.

1.6 Traffic & Transportation have identified that the current highway layout where the site is located, struggles to fully satisfy the parking and loading demand associated with the adjacent retail units. To address this, a loading bay has been introduced on a trial basis at the western end of the street, on a section of reinforced kerb. The proposed extension of the existing double yellow lines across the frontages to 71-73 Meadway is also intended to ensure adequate road space for emergency vehicles is available while also allowing vehicles to pass now that loading vehicles may be occupying the new bay. It is considered the measures would also address long-standing complaints received regarding overspill parking and loading activity at this location.

1.7 It is also pertinent to note that the proposed restaurant at 30-32 High Street does have its own dedicated servicing / parking area to the rear of the premises; however it is anticipated that during the evenings the new loading bay at the beginning of Meadway would provide another safe place for vehicles to stop without blocking access.

1.8 Overall, Transportation consider the loading and parking restrictions while also noting the servicing / parking available to the rear, are sufficient to address any concerns about the effect of the proposal on the safety and free flow of traffic on the highway.

### Clarification on Nature of Use

- 1.9 The applicant has provided an additional supporting statement. The existing unit known as Sydney Rocks opened in December 2018 and serves coffee and a limited food menu.
- 1.10 The statement advises that *'Upon our expansion we would look to expand our retail offerings hugely and offer more bread, organic fruit and vegetables and house hold staples, in fact our current unit would become all retail and all seating would be located in the new space. Due to our creative, healthy and seasonal food offerings, we would also like to increase our eat in options as our current small space limits us hugely. Healthy breakfasts during the day, and innovative light food in the evening with seasonality and sustainability as the inspiration behind our menus we believe we can only enhance the charm, character and heritage of the gateway to the Meadway estate'*.
- 1.11 With regard to the hours of use and capacity that the proposal would result in, it is stated *'We would like to increase our operational hours to 08:00 – 23:30 Mon-Sat and Sundays 08:30 – 22:30. Fortunately, there are also several stretches of single yellow lines on the High Street, on the Crescent and even in the Meadway that can be used from 18:30, which would work in sync with our proposed hours. We understand LBE have concerns on parking and traffic in the area however as stated, the vast majority of our clients do walk to us, and those who opt to drive are constantly advised by ourselves where to park. The new traffic measures now implemented on the Meadway has also ultimately reduced congestion there We currently have 16 seats in our current unit and would only increase this to 38 (an increase ration 2.3). So, despite several rumours that we would be a 100-cover restaurant/bar attracting an unseemly crowd'*.
- 1.12 As previously concluded, it is considered the use would be in keeping with the designated centre and would bring a vacant unit previously in use as a vaping/e-cigarette shop, back into use contributing to the viability and vitality of the local parade and contributing to local employment. It is also considered that the additional number of customers would be commensurate for a unit of this size and would be in keeping with the surrounding uses in the locality.

### Conclusion

- 1.13 Having regard to the additional information provided, and the original report presented to Planning Committee on 29 October 2020, it is considered that the proposals remain acceptable and planning permission should be granted subject to conditions.

## Original Report to Planning Committee – 29<sup>th</sup> October 2020

### 1. Note for Members

- 1.1 Although a planning application of this nature can be determined under delegated authority, Councillor S Ioannou has requested that it come before the Planning Committee for determination.
- 1.2 It should also be noted that there is an associated application for advertisement consent (19/03682/ADV) related to this proposed change of use application with a recommendation to grant advertisement consent subject to conditions.

### 2. Recommendation

- 2.1 That the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to conditions:
  1. Time Limited Permission
  2. Development to be carried out in accordance with approved plans and documents.
  3. Prior to Commencement of Works - Details/Specifications of Rooftop Equipment
  4. Prior to First Use – Submission and Approval of an Acoustic Assessment
  5. Hours of Opening (Monday to Saturday: 08:00 - 23:30 and Sundays 9:00 – 22:00)
  6. Prior to above ground works – Details of Materials  
*Including samples, material specification and colour*
  7. Prior to first use – Details of Servicing and Waste Management
  8. Prior to first use – Details of Cycle Parking
  9. Hours for Deliveries and Servicing

### 3. Executive Summary

- 3.1 The report seeks approval to a scheme involving the change of use of the vacant retail unit at 30 High Street (formerly an e-cigarette/vaping shop) to a proposed A3 café/restaurant use. The proposal seeks to amalgamate this premises with that at 32 High Street which is used by the applicant as a coffee shop (A1 use) known as Sydney Rocks. This provides artisanal produce such as but not limited to coffee and bread. The proposal is also seeking associated changes in line with the proposed change of use comprising of a new shop front and associated rooftop plant equipment.
- 3.2 The reasons for recommending approval are:
  - i) The proposed development would be consistent with the objectives of national, regional and local planning policy in terms of providing an appropriate use in a town centre.
  - ii) The development would not result in any harm to the retail provision in the High Street Southgate local centre.
  - iii) The development would bring back into use a previously vacant commercial unit within a designated local centre.
  - iv) The proposed building would be of positive architectural merit and make a positive contribution to the character and appearance of the Southgate Green Conservation Area.
  - v) The development is not considered harmful from a transportation perspective.
  - vi) The proposal subject to appropriate conditions would not result in any unacceptable

- vii) harm upon neighbouring amenity.  
The proposal would provide an additional x6 jobs on site.

#### 4. Site and Surroundings

- 4.1 The site, measuring 0.03496ha, comprises an existing coffee shop (32 High Street) and a vacant unit at 30 High Street which was last used as a vaping/e-cigarette shop.
- 4.2 The application site forms part of a small grouping of shops / commercial premises on High Street designated as being within the High Street Southgate Local Centre.
- 4.3 The application site is located within the Southgate Green Conservation Area. Both units that form the application site are designated as local heritage assets in a parade from 30-34 High Street and as landmark buildings, make a positive contribution to the conservation area.
- 4.4 The immediate surrounding area is largely characterised by a mix of residential properties (The Meadway) and commercial uses with properties in a variety of different architectural styles.



Figure 1: Photo of the front of the site



Figure 2: Photo of the side of the site

## 5. Proposal

5.1 Permission is sought for the conversion of 30-32 High Street into an A1 /A3 use and associated shopfront alterations. More specifically the proposal is seeking the following:

- Conversion of both 30 and 32 High Street to provide an A3 unit
- Associated plant equipment on the roof level
- Associated shopfront alterations to 30 High Street
- Proposed painted signage to the rear elevation of the site
- Associated cycle parking for staff and customers
- Associated bin store for waste and recycling

5.2 It is noted by officers that the plans show an external area on the pavement providing seating for the proposed development, however the application does not formally seek planning approval of this aspect of the scheme. It is noted that this would require the relevant licence from the highways department and an informative is recommended to be attached advising of this.

## 6. Relevant Planning History

6.1 19/03682/ADV- Installation of non-illuminated signs to fascia's and retractable canopy and externally illuminated signage to south elevation. Pending Decision

## 7. Summary of Key Reasons for Recommendation

- i) The proposed development would be consistent with the objectives of national, regional and local planning policy in terms of providing an appropriate use in a town centre.
- ii) The development would not result in any harm to the retail provision in the High Street Southgate local centre.
- iii) The development would bring back into use a previously vacant commercial unit within a designated local centre.

- iv) The proposed building would be of positive architectural merit and make a positive contribution to the character and appearance of the Southgate Conservation Area.
- v) The development is not considered harmful from a transportation perspective.
- vi) The proposal subject to appropriate conditions would not result in any unacceptable harm upon neighbouring amenity.
- vii) The proposal would provide an additional x6 jobs on site.

## 8. Consultation

### Public:

8.1 Consultation letters were sent to 19 neighbouring properties. In addition, a site notice posted, and a press advert was placed in the local newspaper. Following revisions to the scheme neighbours were re-consulted on the application for an additional 14 days. A total of 28 comments in objection were received and in summary, these raise all or some of the following points: The objections relate to the following matters:

- Impacts upon parking/traffic
- Noise impacts
- Impacts associated with waste storage
- Harmful heritage impacts
- Could harmfully impact local business
- Other restaurants in the area have anti-social behaviour issues
- Concern regarding emergency vehicle access in the vicinity

8.2 A total of 5 comments in support were also received which relate to the following points:

- The café provides friendly service and excellent products
- The proposed change of use is preferable to the previous vaping shop
- Any concerns regarding noise appear unfounded
- The proposal can act as a catalyst for attracting new business to the area

8.3 Officer response to neighbour comments as follows:

1. The principle of development is considered in the report below
2. Conditions are proposed regarding opening hours
3. Heritage and Design Matters are considered in the report below

### External Consultees:

8.4 None

### Internal Consultees:

8.5 *Transportation:* No objection.

8.6 *Heritage Officer:* No objection.

8.7 *Environmental Health:* Commented that noise information should be submitted for the mechanical planting.

*Officer Comment: Noted, details of this are recommended to be submitted via a prior to first use condition to safeguard neighbouring amenity.*

## 9. Relevant Policies

### 9.1 London Plan (2016)

- Policy 2.15 Town Centres
- Policy 5.17 Waste Capacity
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Lifetime Neighbourhoods
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.14 Improving Air Quality
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

### 9.2 London Plan (Intend to Publish)

Following an Examination in Public into the submission version of the Plan and modifications, in December 2019 the Mayor published his Intend to Publish London Plan. On 13 March 2020, the Secretary of State issued Directions to change a number of proposed policies.

In line with paragraph 48 of the NPPF, the weight attached to this Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF.

Whilst the published London Plan (2016) remains part of Enfield's Development Plan, given the advanced stage that the Intend to Publish version has reached, significant weight can be attached to it in the determination of planning applications (although there is greater uncertainty about those draft policies that are subject to the Secretary of State's Direction). The following policies are considered particularly relevant:

- Policy GG2 – Making the Best Use of Land
- Policy SD6 – Town Centres and High Streets
- Policy D1 – London's Form, Character and Capacity for Growth
- Policy D4 – Delivering Good Design
- Policy D5 – Inclusive Design
- Policy D8 – Public Realm
- Policy D12 – Fire Safety
- Policy D14 – Noise
- Policy HC1 – Heritage Conservation and Growth
- Policy SI1 – Improving Air Quality
- Policy T1 – Strategic Approach to Transport
- Policy T4 – Assessing and Mitigating Transport Impacts
- Policy T5 – Cycling
- Policy T6 – Car Parking
- Policy T7 – Deliveries, Servicing and Construction

### 9.3 Core Strategy (2010)

- Policy CP22 – Delivering Sustainable Waste Management
- Policy CP24 – The Road Network

- Policy CP25 – Pedestrians and Cyclists
- Policy CP30 – Maintaining and Improving the Quality of the Built and Open Environment
- Policy CP31 – Built and Landscape Heritage
- Policy CP32 – Pollution

#### 9.4 Development Management Document (2014)

- Policy DMD25 - Locations for New Retail, Leisure and Office Development
- Policy DMD28 - Large Local Centres, Small Local Centres and Local Parades
- Policy DMD32 - Managing the Impact of Food and Drink Establishments
- Policy DMD37 - Achieving High Quality and Design-Led Development
- Policy DMD44 – Conserving and Enhancing Heritage Assets
- Policy DMD45 - Parking Standards and Layout
- Policy DMD65 - Air Quality
- Policy DMD68 - Noise

#### 9.5 Other Material Considerations

- National Planning Policy Framework (NPPF) 2019 (revised)
- National Planning Practice Guidance (NPPG)
- National Design Guide
- Enfield Characterisation Study
- Refuse and Recycle Storage Guide Enfield (ENV 08/162)
- Southgate Green Conservation Area Character Appraisal
- Southgate Green Conservation Area Management Proposals

### 10. **Assessment**

10.1 The main issues arising from this proposal for Members to consider are:

1. Principle;
2. Design and Heritage Considerations
3. Impact upon Neighbouring Amenity
4. Transport
5. Refuse, Waste and Recycling;
6. Local Employment

#### Principle of Development

10.2 The proposal is seeking to convert the existing vacant e-cigarette/vaping shop (32 High Street) to a proposed café use and merge with the existing Sydney Rocks commercial unit at (30 High Street).

10.3 Paragraph 85 of the National Planning Policy Framework (NPPF) advises of the following:

*‘Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation’.*

10.4 The London Plan states within policy 2.15 that development proposals within town centres must sustain and enhance the vitality and viability of the centre, accommodate economic

growth through intensification and selective expansion in appropriate locations, support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services and be of a scale appropriate to the centre.

- 10.5 Policy SD6 of the Intend to Publish London plan advises '*The vitality and viability of London's varied town centres should be promoted and enhanced by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses*'.
- 10.6 The proposed development would result in the loss of an A1 shop unit. In light of this officers have carefully considered the following policy guidance.
- 10.7 The application site as previously stated is located within the High Street Southgate Local Centre. Policy DMD28 seeks to protect the existing retail uses with local centres in the borough, stating that a change of use at the ground floor within local centres will only be permitted if all of the criteria of Policy DMD28 are met. In detail the policy advises of the following:

*Proposals involving a change of use from A class, leisure or community uses within local centres will be refused unless the proposed use provides a service that is compatible with and appropriate to the local centre. A change of use from retail (A1) to non-retail on the ground floor will only be permitted if all of the following criteria are met.*

- a. *The role and function of the centre remains predominantly retail. The proportion of A1 shop units must be no less than 50% of the total number of commercial units within defined centres and there must be no less than 50% of A1 uses within any one parade;*
  - b. *The use would not result in an adverse impact on the amenities of nearby occupiers, including through littering or fumes;*
  - c. *The proposal would not have an adverse impact on safety and traffic flows or unacceptably add to traffic and parking problems in the area;*
  - d. *Where applicable, the change of use would not result in a significant break in the continuity of the retail frontage of the shopping parade; and*
  - e. *The frontage is retained/ protected, and the design of the frontage would be compatible with the use of the premises and the surrounding area and achieves an active frontage at ground floor level.*
- 10.8 With reference to Policy DMD28 therefore and noting that the proposal would result in the loss of an A1 unit which was last in use as a vaping/e-cigarette shop, the Applicant has provided information in the form of a retail survey that shows that 70% of units in the centre fall within the A1 use class. The agent acting on behalf of the applicant has also advised that they have consulted a local estate agent Williamson Dace Brown who has advised that the High Street Southgate local centre has faced little demand for A1 (shop) uses over the past seven years. As such, it is considered that the loss of the existing shop unit is acceptable in this instance in accordance with Policy DMD28.
- 10.9 In addition to the above policy, DMD32 provides detailed guidance on proposals relating to food and drink establishments:

*Development involving the establishment of food and drink uses (A3, A4 and A5 – inclusive) will be permitted in the following locations:*

- a. *The secondary shopping frontage of Enfield Town;*

- b. *The primary shopping areas of the borough's four district centres: Angel Edmonton, Edmonton Green, Palmers Green and Southgate; and*
- c. *Local Centres and Local Parades.*

10.10 Policy DMD 32 also states *Development involving the establishment of food and drink uses will only be permitted if all of the following criteria are met.*

- a. *There must be no adverse effects to the character, role, function, vitality and viability of the shopping centre and the local area;*
- b. *There is no detrimental effect to the amenity of neighbouring residents;*
- c. *There is no detrimental effect on the local environmental quality as a result of noise, vibration and odours;*
- d. *Access, servicing and parking arrangements for the proposal do not result in an adverse impact on the safety of pedestrians and traffic flows or cause unacceptable increases to traffic and parking.*
- e. *The proposal does not result in clustering of restaurants, drinking establishments and hot food takeaway (A3/A4/A5) units. Permission will be refused for any proposed A3/A4/A5 unit that would be located adjacent to an existing or proposed A3/A4/A5 unit. There should be a minimum of two non-A3/A4/A5 units, or at least 10 metres, between the units, whichever is greater.*
- f. *There should be no loss of active street frontage.*

10.11 With reference to the above criteria, it is considered the proposal would not result in any harmful impact to the vitality and viability of the High Street Southgate local centre. Furthermore, the proposal retains an A1 element and also provides additional A1 floorspace and given the retail market and nature of the proposed use, it is considered the proposal would support a degree of activity and vibrancy for the centre. It is also noted the proposal is located in a designated local centre and as such complies with criteria a of policy DMD32 and in this regard, the two adjoining units at 34 and 36 High Street comprise of an estate agent and a wholesale shop. As a result, there would be no harmful clustering of food and drink establishments in line with criteria B of Policy DMD32. The criteria relating to design, amenity impacts, waste management and parking are considered in the report below.

10.12 It is also noted that in September 2020 that significant changes were made to the Use Classes Order. Although we are required to assess as originally submitted, it should be noted that A1 units were re-classified as falling within the E(a) use (The Display or retail sale of goods, other than hot food). The A3 use has been re-classified as class E(b) use (The Sale of food and drink for consumption mostly on the premises). The use class order now allows for the permitted change of use from class E(a) to E(b).

10.13 In summary, it is considered that the loss of the existing vacant e-cigarette/vaping would not be harmful to the vitality and viability of the High Street Southgate Local Centre and as such the principle of development is supported in this instance.

#### Heritage and Design Considerations

10.14 The NPPF advises with regard to locally listed buildings (non-designated heritage assets) and states within section 197 *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

10.15 Paragraph 190 goes on to advise of the following *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a*

*proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.*

- 10.16 In terms of design, Core Strategy Policy 30 requires all developments to be high quality and design led, having special regard to their context. Policy CP31 of the Core Strategy advises that *'The Council will implement national and regional policies and work with partners to pro-actively preserve and enhance all of the Borough's heritage assets'.*
- 10.17 Meanwhile Policy DMD 37 seeks to achieve high quality design and requires development to be suitably designed for its intended function that is appropriate to its context and surroundings. The policy also notes that development should capitalise on opportunities to improve an area and sets out urban design objectives relating to character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability and durability, and diversity. Policy DMD44 of the Council's Development Management Document advises *'Applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused. The design, materials and detailing of development affecting heritage assets or their setting should preserve the asset in a manner appropriate to its significance'.*
- 10.18 London Plan Policy 7.4 has regard to local character and states in its overall strategic aim that *'development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings'.* Policy 7.5 of the London plan outlines a similar aim and seeks for proposals in public places to be *'Secure...easy to understand and maintain, relate to local context, and incorporate the highest quality design'.* Policy 7.6 of the London Plan sets out regional requirements in regard to architecture and states that development should *'incorporate the highest quality materials and design appropriate to its context'.* The policy goes on to state that buildings and structures should *'comprise details and materials that complement...the local architectural character.'* Policy 7.8 of the London Plan advises *'Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate'.*
- 10.19 The Intend to London Plan policy D1 advises *'Boroughs should undertake area assessments to define the characteristics, qualities and value of different places within the plan area to develop an understanding of different areas' capacity for growth'.* Policy D4 provides guidance to planners on methods of ensuring high quality design is delivered in development proposals. Policy HC1 advises *'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed'.*
- 10.20 The application site is located within the Southgate Green Conservation Area. The buildings 30 and 32 High Street form a parade of shops which are estimated to have been built between 1914-1935. The parade of shops that the application site forms part of, are designated by the accompanying Southgate Green Conservation Area Character Appraisal as landmark buildings.
- 10.21 The appraisal goes on to advise *'The most interesting buildings here are nos. 30-44, a fine crescent of early 20th century lock-up shops that form the principal gateway to the interwar Meadway estate. These are enriched with elaborate faience frontages with classical detailing. A pair of yews flanking the Meadway form an integral part of this formal composition, marking the change from urban to suburban'.*
- 10.22 The application has been accompanied by a Heritage Statement. The statement recognises

the heritage value of the application site and carefully considers a sympathetic approach to ensure that the proposal results in no unacceptable harm and to ensure that the proposal preserves and enhances the character and appearance of the Southgate Green Conservation Area and the locally listed parade the units form a part of.

- 10.23 It is noted that other than the alterations to the frontage and installation of mechanical planting on the roof, the proposal does not seek any built form such as extensions, though it is noted that the proposal seeks to combine the two units 30 and 32 High Street into one unit for use as a café /restaurant.
- 10.24 The proposed changes to the shopfront comprise of traditional timber framed, painted and glazed shopfront with raised and fielded stall riser panels on stone step threshold. The proposal is also seeking to utilise painted brickwork with a painted signage. To the rear the proposal seeks to provide three fanlights to the rear.
- 10.25 The proposal also seeks to re-locate x2 existing air condition units and position them horizontally to reduce their perceived prominence. Furthermore, the proposal also seeks to provide a chiller plant for heating and cooling, a riser and duct which would be positioned 0.8m above the roof level. An anti-vibration and quiet fan are also proposed. The revisions to these elements make them much more sensitive to the heritage context which are considered to reduce their prominence from the public realm. The clean and minimal clutter on the roof level is welcomed and minimises the impact when viewed from the streetscene.
- 10.26 The considered opinion is that the proposed shopfront alterations have been carefully and sensitively designed to be in keeping with the character and appearance of the Southgate Green Conservation Area and also the locally listed parade of shops that the application site forms a part of. The materials replicate the established pattern and character of the Southgate Green Conservation Area and offer a marked improvement on the frontage of the currently vacant unit at 32 High Street for which currently does not contribute visually to the parade or wider locality
- 10.27 It is considered that the proposed alterations represent a positive continuation of the frontage of 32 High Street and it must be noted that the Council's Heritage Officer raises no objections to the current proposed alterations.
- 10.28 Notwithstanding, it is considered necessary to impose a prior to above ground works condition to ensure that a satisfactory standard of external appearance is delivered and to ensure no unacceptable harm to the character and appearance of the Southgate Green Conservation Area.
- 10.29 Although subject to a separate application for consent under the advertisement regulations, proposals also exist to provide a painted signage to the rear displaying the 'Sydney Rocks' logo. The proposal also seeks to provide two fascia signs which would result in a continuation of the existing signage at 30 High Street. It is considered that positive revisions have been made from the initial submission to result in signage that is in keeping with the established character of the Southgate Green Conservation Area and preserves and enhances the character and appearance of the conservation area.

#### *Summary of Heritage and Design Considerations*

- 10.30 It is considered the proposal represents a sympathetic design that does not harm the character and appearance of the Southgate Green Conservation Area or the locally listed parade that the application site forms a part of. By reason of the continuation of the shop front at 32 High Street, the use of suitable materials and the reduced prominence of roof level equipment the proposal is considered acceptable in regard to its impact on the conservation area and locally listed parade the application site forms a part of.

- 10.31 In light of this context, it is considered that the proposed development is of a policy compliant standard of design that relates well with the locality and does not result in any unacceptable harm. Overall the proposal is considered (subject to conditions) to be a well-designed development that will significantly improve the appearance of the current local centre and the application site and not result in any unacceptable harm to the character and appearance of the Southgate Green Conservation Area and the locally listed parade that the application site forms a part of.
- 10.32 Given the above, the proposal is considered acceptable in terms of heritage and design..

#### Impact on Neighbouring Amenity

- 10.33 London Plan Policy 7.6 states that buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Furthermore, Policy CP30 of the Local Plan seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. The Intend to Publish London Plan outlines in Policies D1 and D3 of the importance of ensuring buildings are well designed to ensure against prejudicing neighbouring amenity.
- 10.34 Given the nature of the proposed development which does not seek any additional bulk, massing in the form of extensions, it is considered the relevant amenity considerations are noise and odour from the proposed mechanical planting associated with the proposed café use.
- 10.35 To the immediate north of the application site are the commercial units 34 and 36 High Street which it is considered would not be harmed by the proposal. To the immediate east of the application site are residential properties on Meadway, which are located in excess of 16m away from the application site. To the immediate south are residential properties on Shakespeare House which are located in excess of 14m away from the application site. Whilst the concerns of local residents are noted, it is felt that the aforementioned separation distances prevent any unacceptable harm upon neighbouring residential amenity.

#### *Noise*

- 10.35 Paragraph 180 of the NPPF advises *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'*.
- 10.36 Policy 7.15 of the London plan advises that *'Development proposals should seek to manage noise by avoiding significant adverse noise impacts on health and quality of life as a result of new development'*. Policy D14 of the Intend to Publish London Plan advises of a similar objective and states *'In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of Life'*.
- 10.37 The Council's Development Management Document advises within policy DMD68 that *'Developments that generate or would be exposed to an unacceptable level of noise will not be permitted. Developments must be sensitively designed, managed and operated to reduce exposure to noise and noise generation'*.
- 10.38 Policy CP32 of the Core Strategy advises that proposals for new developments will be

required to minimise all forms of pollution that may arise from new development proposals.

- 10.39 It is acknowledged that the proposal would result in a different pattern of intensity when compared to the occupation of the existing units. The proposed internal layout shows a counter area with x6 seats. The internal area shows space for x27 customers around x9 tables internally. The proposal also seeks to provide x4 tables to sit x8 customers externally (for which a licence from highways would be required). As a result, although unlikely, there could potentially be a maximum of x41 customers using the café facility at any one time. In order to minimise impacts at unsociable hours the applicant has proposed opening hours of Mondays to Saturdays 07:00-18:00 which are broadly in keeping with similar uses in the local centre. Consequently, the proposal is considered acceptable in this regard subject to conditions to safeguard neighbouring amenity.

#### *Noise and Odour from Extraction/Planting*

- 10.40 Careful consideration has been given to the impacts of the proposed extractor equipment in relation to noise and odour impacts. Whilst information has been provided, it is not comprehensive with no detailed specifications set out. However, the Environmental health officer raises no objection in principle and a condition is felt appropriate to secure technical details regarding an adequate assessment to ensure that no adequate noise impacts arise upon neighbouring properties.

#### *Summary*

- 10.41 It is considered that the proposed development subject to appropriate conditions would not result in any unacceptable amenity impacts upon neighbouring residential amenity. The proposed development proposes acceptable hours of opening and subject to adequate demonstration of no harmful impacts arising from the proposed mechanical planting the proposal is considered acceptable in this regard.
- 10.42 In light of the above the proposal is considered acceptable in terms of residential amenity impact subject to conditions as stated and as such the proposal is considered to be acceptable in this regard.

#### Transportation Impacts

- 10.43 DMD 45 relates to car parking, cycle provision and parking design. DMD 47 states that new development proposals will need to demonstrate that enough space for servicing, circulation and access to, from and through the site is provided. All developments must be fully accessible to pedestrians and cyclists and assist with general permeability within an area and the current factory does not provide this.
- 10.44 London Plan policy 6.13, Intend to Publish London Plan policy T6, DMD policy 45 (Parking Standards and Layout) and policy DMD47 (Access, New Roads and Servicing) states that operational parking for maintenance, servicing and deliveries is required to enable a development to function.
- 10.45 The application site has a Public Transport Accessibility Level (PTAL) of 4 indicating good access to frequent public transport services. The site is located on High Road N14, which is a busy principal road although the site fronts onto a curved area with a narrow footpath. There are several parking restrictions in place around the site, notably single yellow lines on the curved area and on Meadway close to the service yard entrance (in operation Monday to Saturday 8am-6.30pm) and double yellow lines on the main run of High Street.

### *Car Parking*

- 10.46 When initially submitted, the application incorporated 4 car parking spaces for customers. This however was considered an over provision contrary to promoting sustainable modes of transport. In response to this, a revised approach was taken to omit parking spaces in the servicing yard and provide no parking for the proposed development.
- 10.47 Given the good PTAL and existing parking restrictions, this approach to provide no car parking spaces is considered acceptable.

### *Cycle Parking*

- 10.48 In terms of cycle parking, the visitor cycle parking is to be located in a dedicated area on the road in front of the servicing area with provision for x8 spaces for customers and x3 for staff which accords with London plan standards for a use of this nature. However, whilst the cycle parking location and quantum is considered acceptable, it is recommended that further details on cycle parking are provided to ensure policy compliant cycle parking, which is secure, weatherproof and accessible.
- 10.49 Subject to an appropriate condition the proposal is considered to deliver an acceptable provision of cycle parking.

### *Servicing*

- 10.50 Policy T7 of the Intend to Publish London Plan provides detailed guidance on servicing for new developments and states the following: *'Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments. Developments should be designed and managed so that deliveries can be received outside of peak hours and in the evening or night time. Appropriate facilities are required to minimise additional freight trips arising from missed deliveries.'*
- 10.51 The proposal seeks to provide access for servicing vehicles in the service yard to the rear of the application site which is considered an acceptable arrangement. Whilst the details in this regard are somewhat limited it is considered given that the arrangements are broadly acceptable and that details can be provided through a condition to ensure that vehicles can safely manoeuvre when entering and exiting the service yard as well as ensuring no harmful highway safety impacts.

### *Summary*

- 10.52 The above assessment demonstrates that the proposal would not result in an unacceptable impact in terms of traffic and transportation matters, and furthermore is not expected to result in any significant additional impact over and above the existing use as a petrol station. As such, subject to conditions requiring full details of cycle parking and servicing arrangements the proposal is considered acceptable in this regard.

### Refuse, Waste and Recycling

- 10.53 Policy 5.17 of the London Plan and Policy SI7 of the London Plan (Intend to Publish) both require suitable waste and recycling storage facilities in all new developments whilst Core

Policy 22 supports the provision of a sufficient, well-located waste management facility and requires all new developments to provide on-site waste treatment, storage and collection throughout the lifetime of the development.

- 10.54 Meanwhile Policy DMD 57 notes that all new developments should make provision for waste storage, sorting and recycling, and adequate access for waste collection.
- 10.55 With regards to the new development and its waste management arrangements, these will be in the form of utilising the existing area to the rear of 30 High Street in the service yard area. Whilst this is broadly acceptable, it is considered necessary to impose a condition requiring the submission and approval of full details of the waste storage facilities to ensure that an adequate capacity is provided for the proposal as well as ensuring an adequate appearance for the storage area.
- 10.56 Given the above the application is considered acceptable in terms of refuse, waste and recycling subject to a condition requiring full details prior to first use.

### *Local Employment*

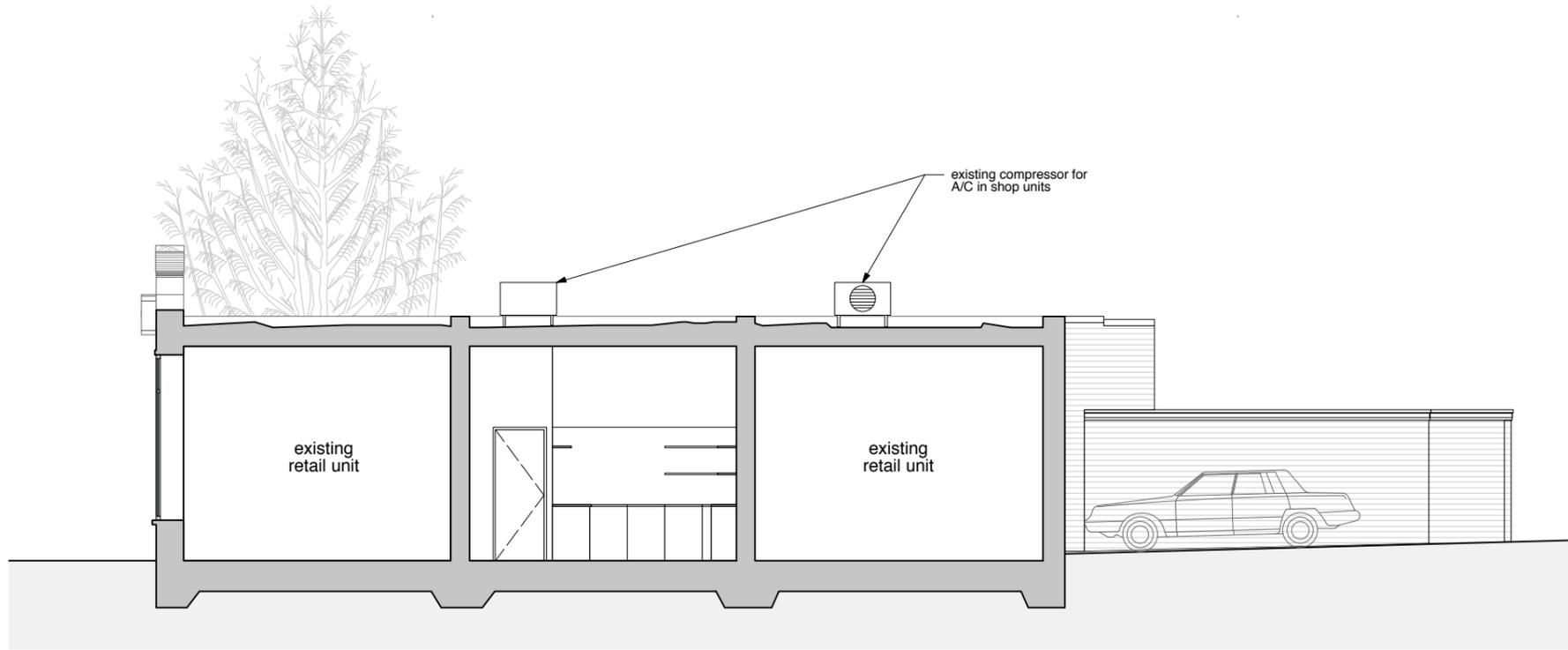
- 10.57 It is noted that the proposal would deliver an increase in jobs in the local area, albeit of a modest scale. At present the site provides x1 full time and x2 part time jobs. The proposal would result in the provision of a total of x3 full time and x6 part time jobs. This is considered a positive element of the proposal and is to be welcomed in line with adopted policy.

## **11. CiL**

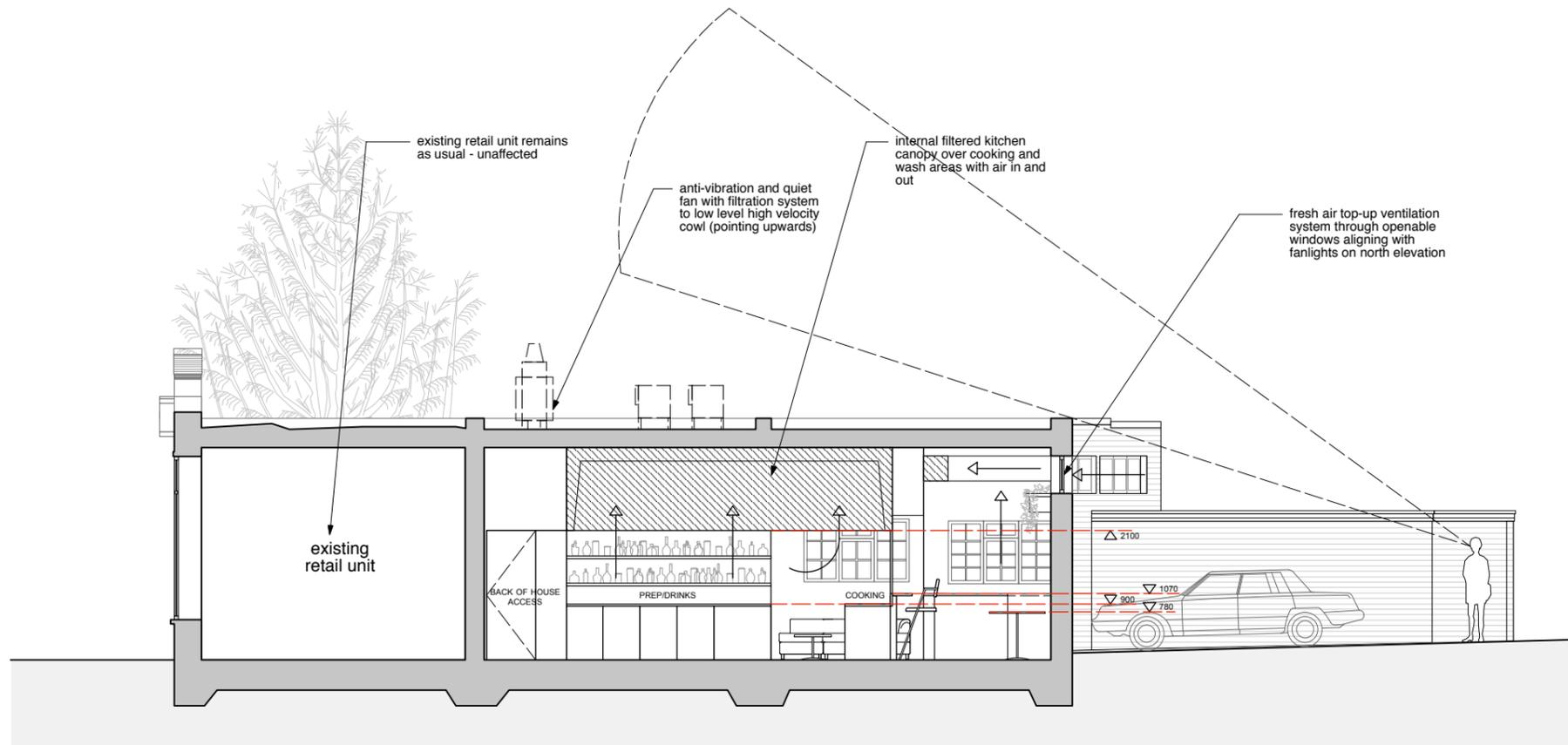
- 11.1 As there is not increase in floor area, there is no requirement to provide an CiL contribution

## **12. Conclusion**

- 12.1 The proposed redevelopment of the application site is welcomed in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 12.2 The proposed redevelopment is considered to provide a use that complements the vitality and viability of the High Street Southgate Local Centre and would not harm the retail function of the centre. Furthermore, the proposal is considered acceptable in relation to its design and heritage impacts. It is also considered that subject to appropriate conditions the proposal would not result in any harmful amenity or transportation impacts.
- 12.3 This report shows that the benefits of the proposed development have been given due consideration and are sufficient enough to outweigh any perceived harm. In this respect the benefits are summarised again as follows:
- The proposal is considered in keeping with the locality and would not harm the vitality and viability of the Southgate Green local centre;
  - The development contributes to and retain employment opportunities through proposed A3 floorspace.
  - The development is a marked improvement in terms of design and architectural quality when compared to the existing vacant vaping/e-cigarette shop
  - The development is acceptable in terms of impact on neighbouring occupiers
- 12.4 Having regard also to the mitigation secured by the recommended conditions it is considered the proposed development is acceptable when assessed against the suite of relevant planning policies and that planning permission should be granted subject to conditions.



EXISTING SECTION AA

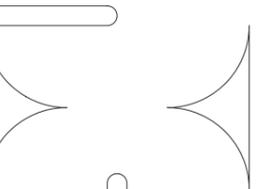
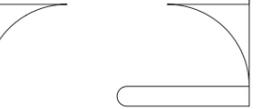


PROPOSED SECTION AA



**cdm statement**

Any information given on this drawing must be used in conjunction with the construction health and safety plan prepared by the principal contractor. The planning supervisor must be consulted before any construction work commences. Any changes in design, or conditions arising or information becoming known at a later date that may adversely impact upon health and safety of any person, must be notified to the planning supervisor and principal contractor as soon as possible.



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**revisions:**

Rev A. Reduced level of rooftop services.

**project:**  
19.260 Sydney Rocks  
N14 6EE

**drawing:**  
Existing and proposed  
section aa

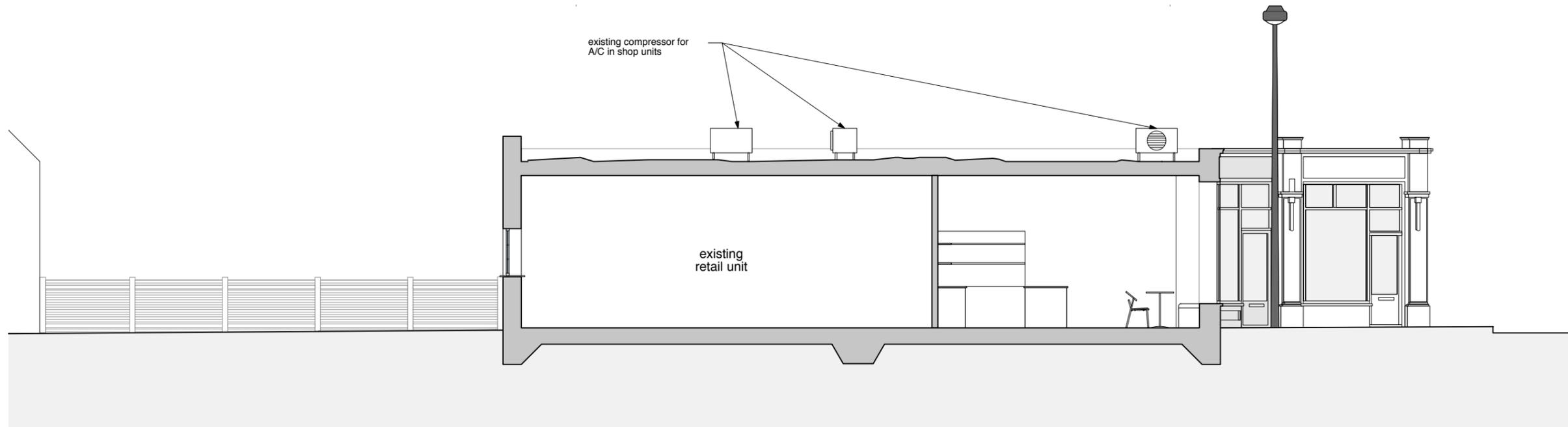
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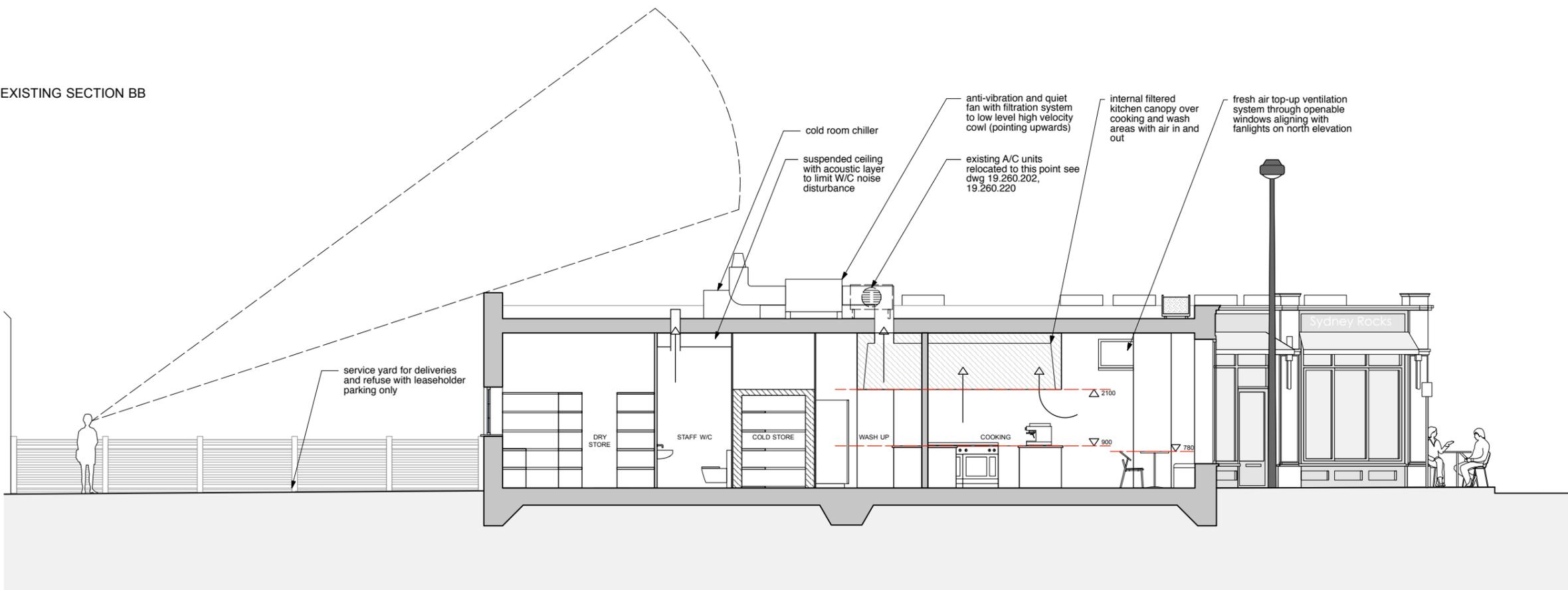
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**purpose of issue:**  
for planning

**original issue date:**  
24.10.19



EXISTING SECTION BB

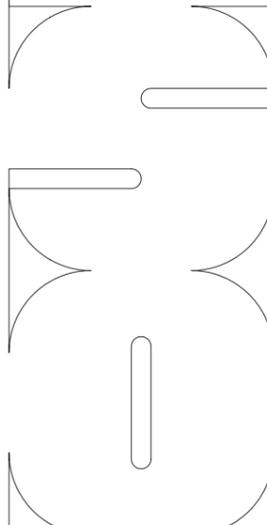


PROPOSED SECTION BB



**cdm statement**

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**revisions:**

Rev A. Reduced level of rooftop services.

**project:**  
19.260 Sydney Rocks  
N14 6EE

**drawing:**  
Existing and proposed section bb

**client:** JC

**scale:** 1:100@ A3

**dwg.no:** 19.260.221 A

**purpose of issue:**  
for planning

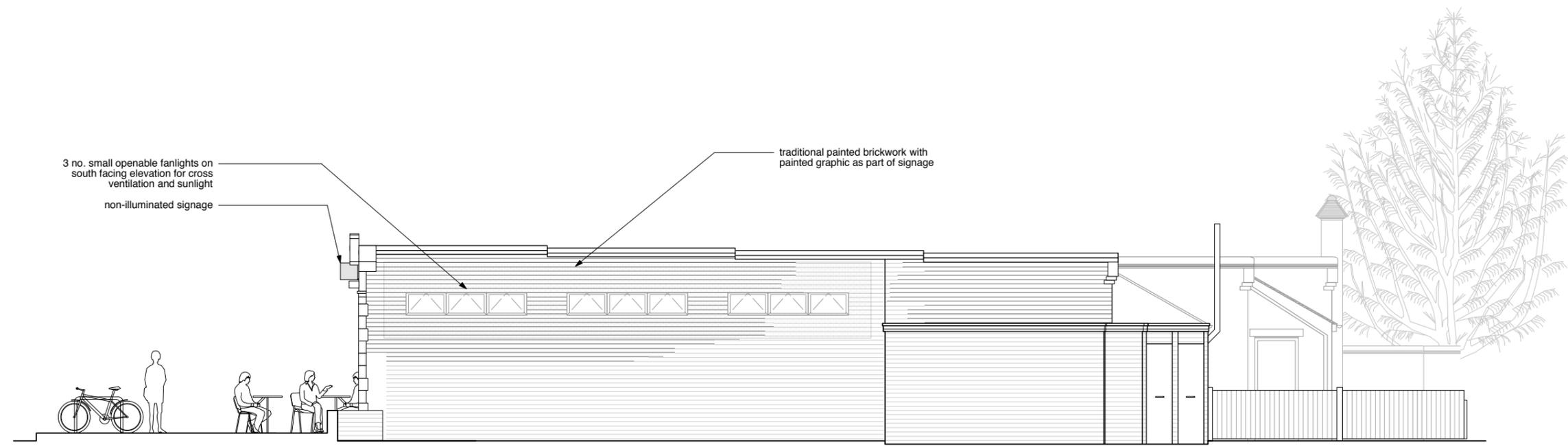
**original issue date:**  
24.10.19

**cdm statement**

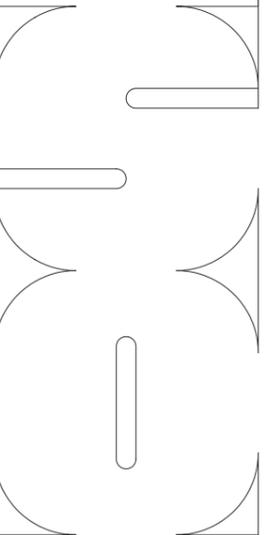
Any information given on this drawing must be used in conjunction with the construction health and safety plan prepared by the principal contractor. The planning supervisor must be consulted before any construction work commences. Any changes in design, or conditions arising or information becoming known at a later date that may adversely impact upon health and safety of any person, must be notified to the planning supervisor and principal contractor as soon as possible.



EXISTING SOUTH ELEVATION



PROPOSED SOUTH ELEVATION



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**revisions:**

**rev A** 28.02.2020 - Shop Front Joinery & associated annotation

**rev B** 03.07.2020 - Removal of Awnings, External Access Stairs, Roof top Planters and Services Screen

**project:**  
19.260 Sydney Rocks  
N14 6EE

**drawing:**  
Existing and proposed elevation south

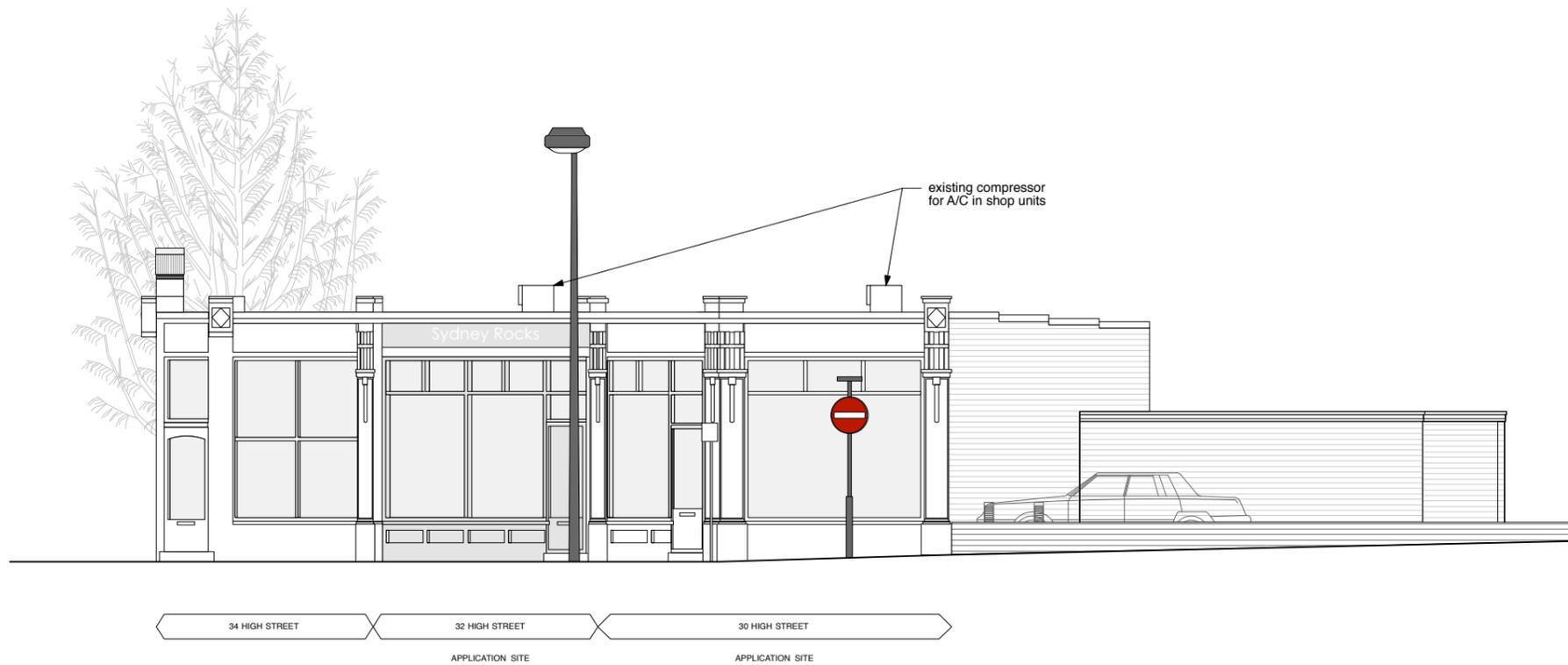
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**scale:** 1:100@ A3

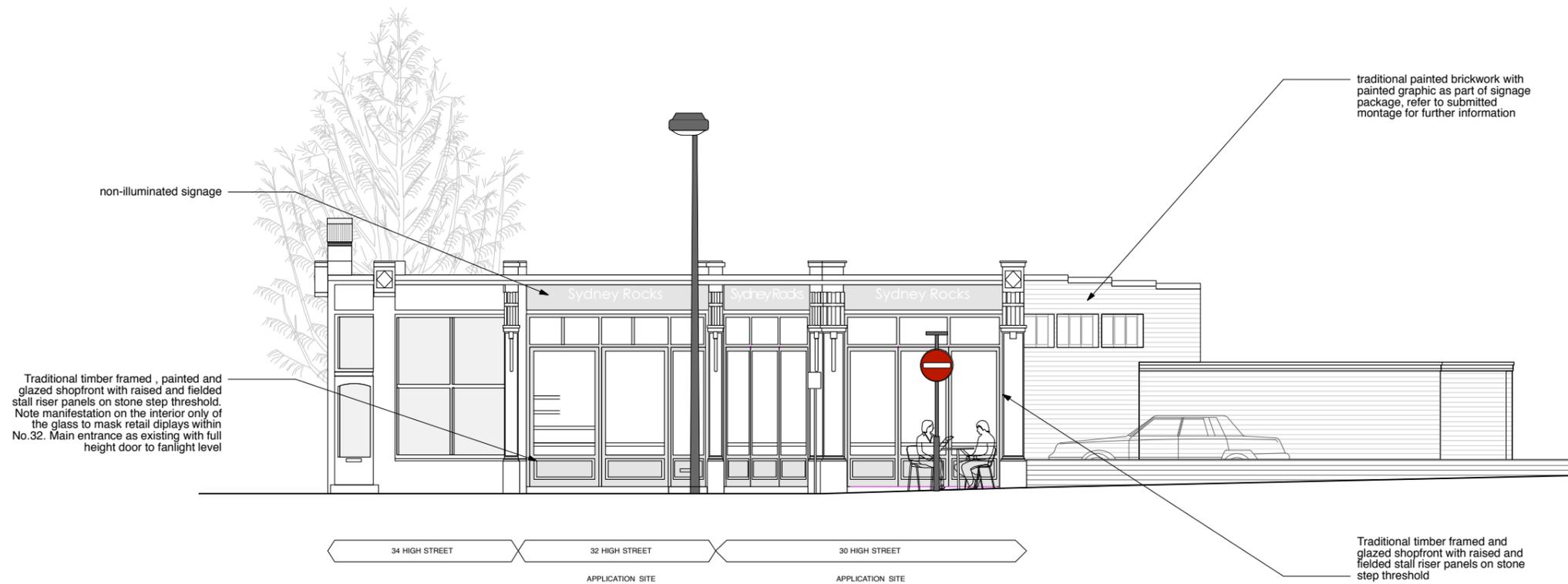
**dwg.no:** 19.260.212 B

**purpose of issue:**  
for planning

**original issue date:**  
24.10.19



EXISTING WEST ELEVATION



PROPOSED WEST ELEVATION



**cdm statement**

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**revisions:**  
**rev A** 28.02.2020 - Shop Front Joinery & associated annotation  
**rev B** 03.07.2020 - Removal of Awnings, External Service Staircase, removal of planters and removal of services screening

**project:**  
19.260 Sydney Rocks  
N14 6EE

**drawing:**  
Existing and proposed elevation west

**client:** JC

**scale:** 1:100@ A3

**dwg.no:** 19.260.213 B

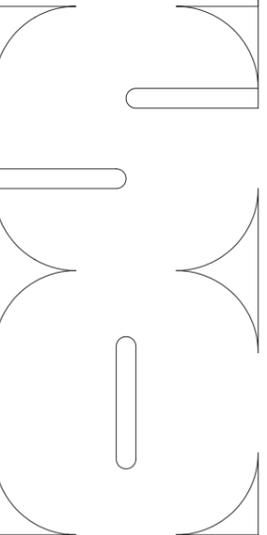
**purpose of issue:**  
for planning

**original issue date:**  
24.10.19



**cdm statement**

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**revisions:**

**project:**  
 19.260 Sydney Rocks  
 N14 6EE

**drawing:**  
 Location plan

**client:** JC

**scale:** 1:500@ A3

**dwg.no:** 19.260.002

**purpose of issue:**  
 for planning

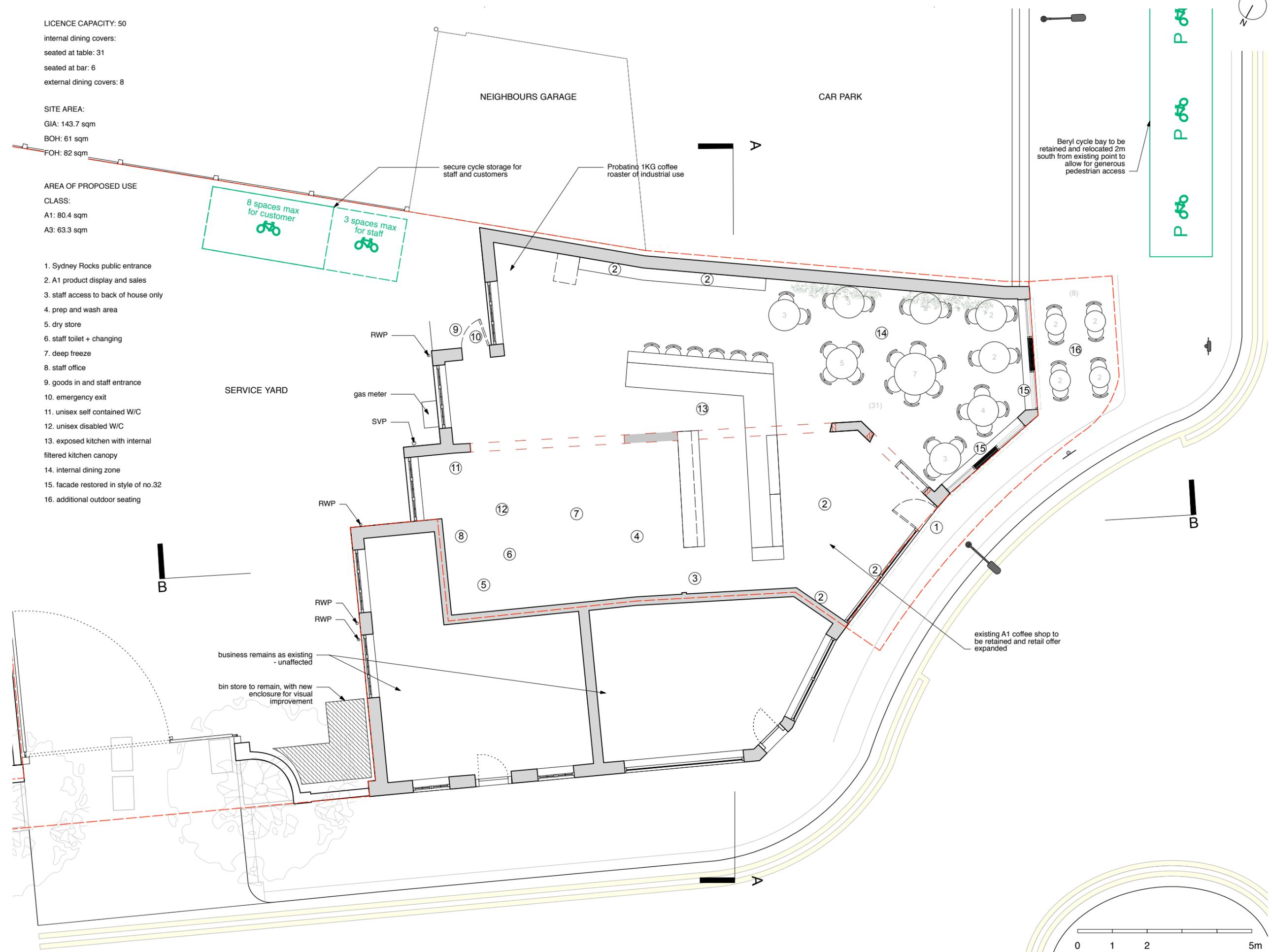
**original issue date:**  
 24.10.19

LICENCE CAPACITY: 50  
 internal dining covers:  
 seated at table: 31  
 seated at bar: 6  
 external dining covers: 8

SITE AREA:  
 GIA: 143.7 sqm  
 BOH: 61 sqm  
 FOH: 82 sqm

AREA OF PROPOSED USE  
 CLASS:  
 A1: 80.4 sqm  
 A3: 63.3 sqm

1. Sydney Rocks public entrance
2. A1 product display and sales
3. staff access to back of house only
4. prep and wash area
5. dry store
6. staff toilet + changing
7. deep freeze
8. staff office
9. goods in and staff entrance
10. emergency exit
11. unisex self contained W/C
12. unisex disabled W/C
13. exposed kitchen with internal filtered kitchen canopy
14. internal dining zone
15. facade restored in style of no.32
16. additional outdoor seating



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**revisions:**  
 Rev.A 07.01.2020 reduction of internal + external covers. additional A1 retail space. inclusion of secure cycle parking for customer and staff  
 Rev.B 07.07.2020 Removal of Awnings and Rear Staircase to roof.

**project:**  
 19.260 Sydney Rocks  
 N14 6EE

**drawing:**  
 Proposed ground floor plan

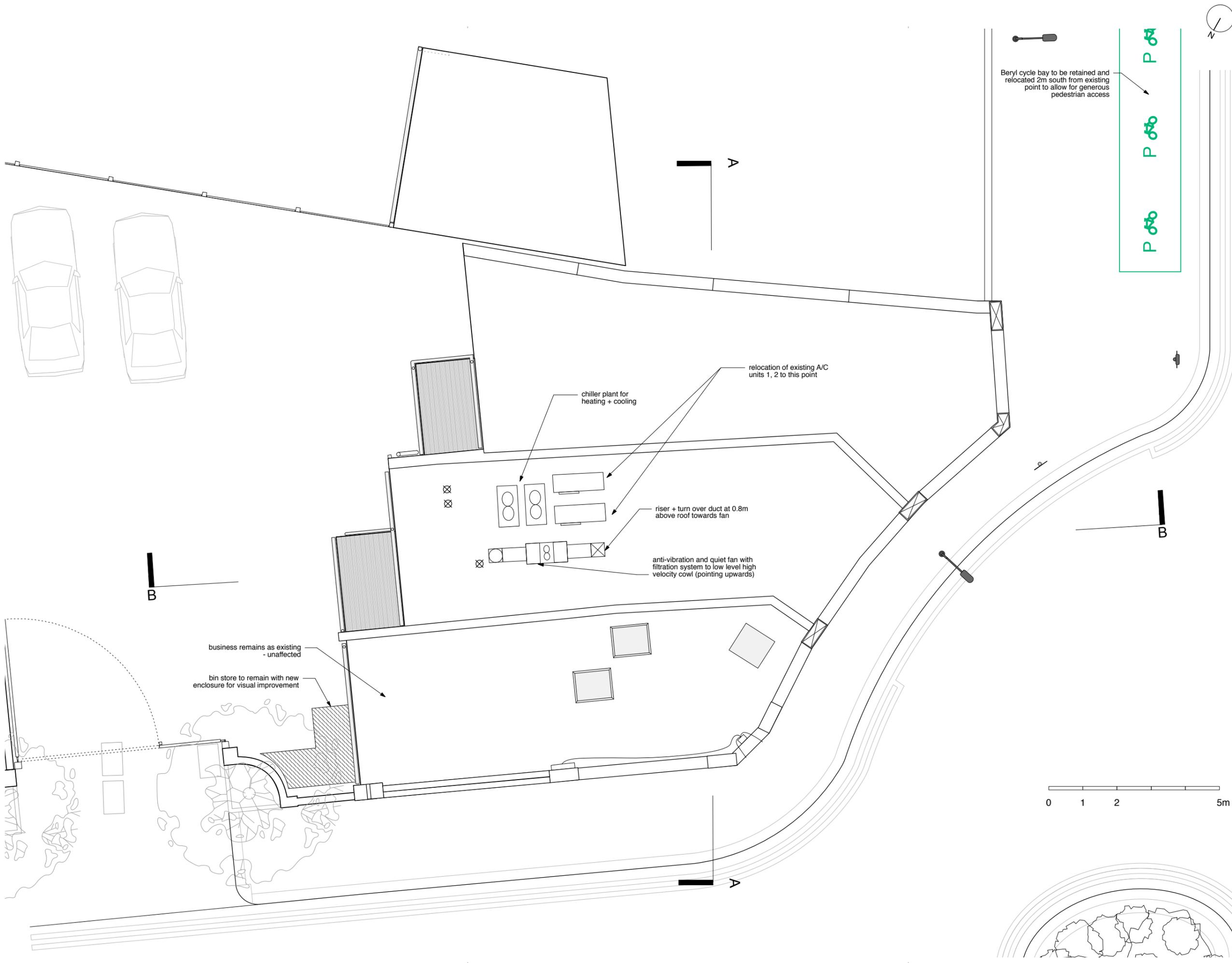
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**scale:** 1:100 @ A3

**dwg.no:** 19.260.201 **B**

**purpose of issue:**  
 for planning

**original issue date:** **B**  
 24.10.19



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**revisions:**  
 rev A 03.07.2020 - Removal of Awnings, Roof top Planters , Rear Access Staircase and reduced service area. See Dimensions

**project:**  
 19.260 Sydney Rocks N14 6EE

**drawing:**  
 Proposed roof plan

**client:** JC

**scale:** 1:100 @ A3

**dwg.no:** 19.260.203 A

**purpose of issue:**  
 for planning

**original issue date:**  
 24.10.19