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Mr Duncan McKane
Planning, Regeneration, Economy
Haringey Council
River Park House
225 High Road
Wood Green
London, N22 8HQ

3 July 2017

Dear Mr McKane

Re: HGY/2017/1836: 13-15 Grand Parade
Proposal: retrospective application for change of use from retail shop
(A1) to restaurant (A3) and installation of new shopfront

Introduction

The Ladder Community Safety Partnership (LCSP) is an umbrella organisation, representing numerous Residents' Associations and Neighbourhood Watches and aims to represent the views and concerns of local residents in the Ladder and Green Lanes area of Haringey, as expressed in our regular monthly meetings and updates. We have hundreds of members across the local area of Haringay Ward, and have worked in partnership with key organisations such as LBH and the Metropolitan Police for nearly twenty years.

We have discussed at our meetings the unauthorised development of this site over a period of many months, and there is very strong opposition from every one of our members who has expressed an opinion or taken part in debates. The LCSP has not received a single expression of support for the proposed change of use.

Planning History

There has been a long and far from straightforward history to the development of this site, in which change of use has been attempted by a variety of questionable tactics. The Council is now being presented with a fait accompli and being asked for retrospective approval, no doubt in the hope that a refusal by the planning authority therefore becomes more difficult.

However, it should be noted that LBH has already had to warn the applicants about enforcement action, not only for the shop front (which is in breach as it was refused permission in November 2016), but also for the use of the three units as one restaurant which also, of course, lacks permission.

In this context, the Planning Statement accompanying the application is also factually inaccurate. Page 2 of this document states that HGY/2016/3746 granted permission for 14-15 Grand Parade for change of use (A1 to A3). It did not. Permission was specifically refused because the proposed change *“relates to more than 150 square metres of floor space”*. Why has this incorrect and misleading statement been submitted?

Following this refusal, the applicants then tried another method by applying for separate changes of use for 14 and 15 Grand Parade (HGY/2017/0368 and 0369), claiming that each of these was a self-contained unit of less than 150 square metres, when of course in fact the entire area of 13-15 Grand Parade had already been knocked through into one very large, triple-sized, unit.

The permission granted for these two applications was therefore based on inaccurate information provided. This effectively invalidates the approval, because this states that it is based on *“the information you have provided”* and that the area must be *“no more than 150 square metres of floor space in the building”*.

We therefore conclude, from this very dubious and murky planning history, that there is absolutely no background of approval for the change of use here proposed. Indeed, the last genuine attempt at such an overall change was also refused (HGY/2013/1374), see below.

Relevant Policies

When Planning last considered a change of use for all three units (HGY/2013/1374) it was refused permission because *“it would result in an over-concentration of non-A1 units within a primary shopping frontage and [would] detract from the overall viability and vitality of the Borough’s designated centres.”* The decision was taken as recently as 2013 and four years later, the policy arguments for reaching the same conclusion have grown even stronger.

The LCSP has always taken the same line as the Council’s UDP/Local Plan regarding applications such as the present one, i.e. the *“Protection of shops in Town Centres”* (Saved UDP, TCR 3). This policy, with which we fully agree, makes it clear that:

- *‘The council will seek to retain all A1 uses within the primary frontage’* (6.34).
- *‘A1 retail is the principal and dominant land use’* (6.34).
- *‘No more than 2 adjoining frontages should be in non-A1 use’* (6.35)

This is further enforced by the soon-to-be-adopted Development Management document which also makes it clear that:

- *‘The NPPF provides that primary frontages should be characterised by their predominantly retail function A key priority of the Local Plan is to give effect to this policy framework....’* (ch6, 6.34).

- *'It is imperative that non-retail uses do not diminish the attractiveness of Haringey's town centres or weaken the effect of the retail function, character and appearance of the primary shopping frontage' (ch6, 6.36).*

The only conclusion to be drawn from these policy statements is a very clear presumption in favour of A1 retail use, which is of course, the current status of the units under consideration.

Moreover, the Council's planning policies go much further than this in their support for retaining A1 uses, via two clearly stated thresholds:

- *'The overall number of units in non-retail use will not exceed 35% across the entire [primary] frontage, unless it can be demonstrated the proposal will significantly enhance the vitality and viability of the centre' (DM42 Aa).*
- *'The continuity of the centre's retail frontage will be maintained, normally with no more than two adjoining units in non-retail use' (DM42 Ab).*
- Saved UDP policy TCR3 makes exactly the same points.

The applicant's proposal obviously breaches both of these policies (whether in the old or the new planning documents):

- A recent survey (October 2016) shows that non-retail uses in the primary frontage total no less than 42% (with 54% A1 and 4% vacant). This represents a huge 7% breach of the 35% threshold, which a further three non-A1 units – as in this application – will make a good deal worse.

There can be no grounds for claiming that granting permission *"will significantly enhance the vitality and viability of the centre"*. In fact, Green Lanes has now reached a critical tipping point at which any further loss of A1 outlets will significantly harm the vitality and viability of our high street as a retail centre.

Every new loss of an A1 shop undermines the viability of existing A1 outlets and helps to reduce daytime footfall in favour of the A3 night time economy. Our members therefore strongly oppose the loss of any more retail shops and their replacement by restaurants/cafes.

There are now 22 primary frontage A3 uses, which is more than enough for such a small area. We do not want to lose a butchers or a hardware shop, which is what will happen if yet more A3 uses are granted. It is worth pointing out that the situation in the adjacent secondary frontages (which are slightly less protected) is even worse, with 58% non-retail, 2% vacant and only 40% A1. This is what will happen in the primary frontage as well unless the Council is prepared to implement its policies protecting retail status.

- Regarding the continuity of the retail frontage, this application falls at the first hurdle because it would obviously lead to more than two adjoining units in non-retail use – the application being for three consecutive units (13, 14, 15 Grand Parade). Furthermore, the next adjoining unit, 16 Grand Parade, is also in non A1 use (D1 Dentist). Granting permission for this proposal would therefore lead to four consecutive non-A1 uses, which is, of course, exactly double the permitted maximum, as noted in the policies above.

Once again, the only conclusion to be drawn from these more detailed threshold policies is a very clear statement against any permitted change of use.

It is significant that this was also the decision reached by Planning in the latter half of 2013 (HGY/2013/1374). The principal reason given (an over-concentration of non-A1 units in the primary frontage) is even truer now than it was then. In 2013, primary frontage A1 units represented 63.7% of the total; this has now fallen to 54% (largely as a result of the permitted development of small units).

Town Centres and Sustainable Communities

This application raises in an acute form the fundamental question of what sort of High Street we want to see in Green Lanes. The applicant has stated that because the area is '*renowned in London for Turkish and Cypriot restaurants*' we should simply continue to allow more and more A3 outlets!

This is an absurd line of argument and would quickly kill off the majority of the remaining A1 uses in Green Lanes altogether. As a long-standing key stakeholder organisation in the area, we do not believe that this should be the future of Green Lanes. Indeed the Council's planning policies, as stated above, take exactly the same approach as the LCSP, and urge the importance of an appropriate balance of outlets.

The new Development Management document stresses this point:

- '*Town centres [should] support sustainable communities, providing local residents and visitors with good access to a full range of shops, services and amenities*' (6.33). (Our underlining)

Adopted policy SP10 of the local plan further states that District Town Centres (including Green Lanes):

- "*Will continue to be supported and strengthened as important shopping and service centres to meet people's day-to-day needs.*" (Our underlining)

Creating yet more A3 restaurants and losing yet more A1 outlets does not meet any of these criteria, especially when all of the existing thresholds have already been breached.

Conclusion

For all of the reasons mentioned above, we are strongly of the view that this application should be refused planning permission. The proposal is contrary to TCR3 and TCR5 of the Saved UDP (2013), SPO and SP10 of the Adopted Local Plan (2013-26), DM42 of the Dev. Management DPD, and Ch.2 of the NPPF (2012).

Yours sincerely

Ian Sygrave
Chair, on behalf of the LCSP