

## **LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS**

### **REPORT FOR CONSIDERATION UNDER DELEGATED POWERS**

**Reference No:** HGY/2012/0787

**Ward:** Harringay

**Date received:** 13/04/2012

**Last amended date:** DD/MM/YYYY

**Drawing number of plans:**

**Address:** 1 Salisbury Promenade Green Lanes N8 0RX

**Proposal:** Change of use to A3 (restaurant / cafe) to provide additional seating area for restaurant at 2 Salisbury Promenade with new shopfronts to both properties

**Existing Use:** Retail

**Proposed Use:** Restaurant

**Applicant:** Mr Mehmet Sabri Borackilic

**Ownership:** Private

### **PLANNING DESIGNATIONS**

Retrieved from GIS  
Road Network: C Road  
Tube Lines

**Officer contact:** John Ogenga P'Lakop

### **RECOMMENDATION**

GRANT PERMISSION Subject to condition

### **SITE AND SURROUNDINGS**

The application site is located along the Salisbury Promenade on Green Lanes. Green Lanes is a busy commercial street with numbers of restaurants and takeaways. The surrounding area other than the lane itself comprised predominantly with residential accommodations.

### **PLANNING HISTORY:**

#### **Planning Application History**

There is no history on the site

#### **Planning Enforcement History**

There is no enforcement record on site

## **DETAILS OF PROPOSAL**

Change of use to A3 (restaurant / cafe) to provide additional seating area for restaurant at 2 Salisbury Promenade with new shopfronts to both properties

## **CONSULTATION**

Please refers to consultation checklist on file

## **RESPONSES**

The Ladder Community Safety Partnership have raise objection on ground of loss of retail outlet.

## **RELEVANT PLANNING POLICY**

UD3 'General Principles'

UD4 'Quality Design'

TCR1 'Development in Town and Local Shopping Centres'

TCR4 'Protection of Local Shops'

TCR5 'A3 Restaurants and Cafes, A4 Drinking Establishments and A5 Hot Food Takeaways'

SPG6c 'Restaurants/Hot Food Premises (Use Class A3): Ventilation and Extraction'

SPG11c 'Town Centre Retail Thresholds'

## **ANALYSIS/ASSESSMENT OF THE APPLICATION**

### **Town Centre Development and Local Shops**

Policy TCR 3 states proposals to change the use from existing Class A1 retail will be allowed provided that:

a) where appropriate as a general guideline, the resulting proportion of A1 units does not fall below:

65% in the primary frontage

50% in the secondary frontage

b) the change of use does not result in a significant break, normally 3 frontages, in the continuity of retail frontage; and

c) individually or cumulatively the proposed use does not have an adverse effect on the vitality, viability or predominately retail function of the centre.

However, there is specific guidance in SPG 11c Town Centre Retail Thresholds which sets a target of 55% A1 retail use in the Green Lanes Town Centre. Following a use class survey conducted 13 April 2012, it was found that the proportion of A1 units out of the total of 212 units in the primary frontage is 54%. This is only marginally below the target figure. The proposal would not result in a significant break of 3 or more non-A1 frontages. Given that 12 out of 18 frontages on this block will remain in A1, the overall impact on the retail function of the Green Lanes Town Centre is considered to be minor having regard to Policy TCR3.

A similar change of use was dismissed at appeal at no. 24 Grand Parade (APP/Y5420/A/11/2166212) however in that instance there was a greater concentration of non-A1 uses and it was considered inappropriate to exacerbate this.

### **A3/4/5 Development**

Policy TCR5 states that such uses will take into account the following:

- a) the effectiveness of measures to mitigate litter, undue smell, odours and noise from the premises;
- b) the hours of opening, operation and delivery; and
- c) where appropriate the proportion of existing A3, A4 and A5 uses within the main town centres

There have been objections from the residents of the upper flats on grounds of noise and smells. The proposal only expands seating area and does not create a new kitchen and no new extract flues are proposed. The restaurant use will be restricted to the closing time of existing restaurant of 2am as suggested by the Harringay Ladder CSP.

The use class survey found that the proportion of A3/4/5 uses in the Town Centre is 19.3%. An additional A3 unit will bring this to 19.8%. This is only marginally below the 20% maximum set out in the policy, and on balance it is considered that there will be no harm to the Town Centre having regard to Policy TCR5.

### **CIL APPLICABLE**

Not applicable

### **SUMMARY AND CONCLUSION**

The proposed change of use from A1 to A3, due to the existing satisfactory proportion of A1 retail uses in the town centre and on this particular block, would not harm the vitality, viability or predominately retail function of the Green Lanes Town Centre, nor would it harm residential amenity subject to appropriate conditions having regard to Policies TCR3 'Protection of Shops in the Town Centres', TCR5 'Restaurants and Cafes, A4 Drinking Establishments and A5 Hot Food Takeaways' and UD3 'General Principles' of the Unitary Development Plan 2006.

### **RECOMMENDATION**

#### **GRANT PERMISSION**

Registered No. HGY/2012/0787

Applicant's drawing No. (s)

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.  
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
2. No noise shall, in the opinion of the Local Planning Authority cause a nuisance to any occupier of property in the vicinity of the premises to which this application relates.  
Reason: In order to ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their property.
3. The use hereby permitted shall not be operated before 0830 or after 2330 hours on any day.  
Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

#### REASONS FOR APPROVAL

The proposed change of use from A1 to A3, due to the existing satisfactory proportion of A1 retail uses in the town centre and on this particular block, would not harm the vitality, viability or predominately retail function of the Green Lanes Town Centre, nor would it harm residential amenity subject to appropriate conditions having regard to Policies TCR3 'Protection of Shops in the Town Centres', TCR5 'Restaurants and Cafes, A4 Drinking Establishments and A5 Hot Food Takeaways' and UD3 'General Principles' of the Unitary Development Plan 2006.