

Location **1B Church Passage, Barnet, Herts, EN5 4QS**

Reference: **B/04678/14** Received: Denisse Celi
Accepted: 9th October 2014

Ward: High Barnet Expiry 4th December 2014

Applicant: ;Mr Ali

Proposal: Retention of shopfront

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan (date received 06-Oct-2014); Drawing no. 01- Dec 2014;
Drawing no. 02- Dec 2014; Drawing no. 03- Dec 2014; Drawing no. 04- Dec 2014;
Drawing no. 05 - Dec 2014 (date received 07-Nov-2014)

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The shop front shall be removed within three months of the date of failure to meet either requirement (i), or any one of the requirements set out in (ii) to (iv) below:

(i) if within three months of the date of this decision, details of the finishes including the coating of the timber frame shall be submitted for the written approval of the local planning authority and the details shall include a timetable for its implementation.

(ii) if within three months of the date of this decision the local planning authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

(iv) the approved details shall have been carried out and completed in accordance with the approved timetable.

Reason: To safeguard the character and visual amenities of the site and wider area, in particular of the Conservation Area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and Policy DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised that the decision relates solely to the installation of the shop front (not the fascia sign).

Officer's Assessment

1. Site Description

The application site relates to 1b Church Passage, located on the corner of Church Passage and the High Street. The Passage abuts the churchyard of St John the Baptist Church which is a grade ii* listed building. In addition, adjacent to the application site along Church Passage sits the grade ii listed building of Church House and the adjacent locally listed Hyde Institute building.

1b Church Passage is a two storey building and it is the ground floor which is the subject of this application. The ground floor is currently a cafe/restaurant.

This site is located within the Chipping Barnet Town Centre and the Wood Street Conservation Area

The surrounding area is predominantly retail in nature with some restaurants, cafes and other commercial uses at ground floor and residential above.

2. Site History

Reference: B/04679/14

Address: 1B Church Passage, Barnet, EN5 4QS

Decision: Refused

Decision Date: 04 December 2014

Description: Installation of non-illuminated fascia sign.

Reference: B/04900/11

Address: 1B Church Passage, Barnet, EN5 4QS

Decision: Approved subject to conditions

Decision Date: 31 January 2012

Description: Replacement fascia with new logo on fascia and promotional text on shutter box following the removal of existing illuminated fascia.

Reference: B/04869/11

Address: 1B Church Passage, Barnet, EN5 4QS

Decision: Approved subject to conditions

Decision Date: 31 January 2012

Description: Installation of shopfront including new Victorian blind at top of fascia and painting of existing shutter box.

Enforcement History

ENF/00485/13/B

Description: Without planning permission the cladding of the front elevation of the property in timber.

The above enforcement notice was issued for the cladding of the front elevation on the 11th September 2013 requiring the cladding to be removed and for the façade to be restored to its original condition. The notice was upheld at appeal and the owner was required to remove the cladding. The matter continues to be investigated by the Council's Enforcement team.

3. Proposal

The applicant seeks planning permission for a new shop front. It must be noted that at the time of writing, the shop front, as indicated on the recommended plans, has been partially installed.

The shop front involves a recessed entrance (recessed approximately by 1.2 metres) and with five sections. Large glazed panels are located on either side of the central recessed entrance each measuring 1.9 metres in width by 1.5 metres, with a smaller glazed panel on either side above the large window, measuring 1.9 metres by 0.55 metres. Two smaller vertical panels are located on the outer edges of the shop front and have a height an overall height of 4.2 metres by 0.5 metres. The entrance has an overall width of 2 metres and is comprised of two doors.

The stall risers, at a height of 0.6 metres from the ground, reduce the amount of fenestration.

The surround of the shop front is a hardwood timber frame.

4. Public Consultation

88 consultation letters were sent to neighbouring properties.

17 responses have been received, comprising 16 letters of objection, 0 letters of support and 1 letters of comment.

The objections received can be summarised as follows:

- No account of location or conservation area.
- Brash and obtrusive element.
- Brightly coloured LED internally illuminated signs will be an eyesore.
- Inconsistencies with the drawings.
- No need for more illumination.
- Inappropriate frontage for historic setting.
- High Street looking like a dumping ground.
- Vinyl covered frame for sign is out-of-character with setting,
- Wooden cladding has not been replaced.
- Loss of traditional stall risers is inappropriate.
- Inappropriate use of materials including wooden reveals and aluminium frames.
- Object to the lack of restoration to the original building following dismissal of the appeal.

The representation (this was received following re-consultation on the amended scheme) received can be summarised as follows:

- The stallriser and traditional windows are an improvement to the original submission.
- Further information on finishes required however.
- Details of wall lights.
- Trough lights and the wall lights, if installed, would not be acceptable.
- Pleased to note that the shopfront has been installed with a traditional pattern in timber, but ask for confirmation of finish
- Do not object to the signage itself, but the lighting contained within it is far too bright for its sensitive setting, particularly that of the 'smoking hand', and should be changed
- The current application assumes that the starting point is post appeal rather than the building in its original and restored form.

In addition, Theresa Villiers MP has made the following objection:

- Strongly oppose to the wholly inappropriate sign.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM06.

The Council's approach to building alterations as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that all development should represent high quality design.

In addition to this, Policy DM06 states that development proposals must preserve or enhance the character and appearance of the 16 Conservation areas in Barnet.

Supplementary Planning Documents

The Design Guidance No. 10 Shopfronts (2011) states that the design of the shopfront should be appropriate to the scale, proportions, design and in many circumstances age of the building as a whole and that good design should reinforce the individuality and quality of the building.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality, in particular to the Wood Street Conservation Area;

5.3 Assessment of proposals

The assessment relates solely to the consideration of the new shop front; the advert has been refused under a separate application and the cladding in the upper section of the building does not form part of this assessment and as mentioned, this element is subject to an Enforcement Notice.

Following discussions with the Local Planning Authority, the applicant significantly altered the design of the shop front, including the removal of the bi-folding doors.

The proposal, as amended, is considered to be more traditional and in-keeping with the sensitive setting. The detailing, including the stall riser is reflective of the traditional front shop design.

The LPA has requested for further details as to the finishes of the hardwood timber frame however this has not been forthcoming. Notwithstanding the lack of clarification of the finishes, it is considered that a condition to require the applicant to submit these details within a three months of approval being granted is adequate to address this concern.

The new shopfront, as built, is considered to be acceptable and of an appropriate design within this locality. The new shopfront is considered to enhance the appearance of the building and would not have a detrimental impact on the appearance of the street scene or this part of the Wood Street Conservation Area. The proposals are in line with the Councils Design Guidance on Shopfronts and as such is recommended for approval

5.4 Response to Public Consultation

It is considered that the matters raised by objectors have been raised in the report above. With regards to the design of the sign, this element is part of a separate consideration under the advertisement application B/04679/14, which has been refused. The recommendation of approval of the above scheme does not constitute the same recommendation for the advert; an informative has been added to this effect.

Similarly, the enclosed recommendation has not assessed the separate matter of the cladding to the upper floors, which are subject to the Enforcement Notice.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan, will have an acceptable impact on the Wood Street Conservation Area and is therefore recommended for approval.

