

**LOCATION:** 2A Rundell Crescent / 64-66 Vivian Avenue, London, NW4 3XH

**REFERENCE:** H/03556/12

**Received:** 19 September 2012

**Accepted:** 19 September 2012

**WARD(S):** West Hendon

**Expiry:** 14 November 2012

**Final Revisions:**

**APPLICANT:** Sainsbury's Supermarkets Limited

**PROPOSAL:** Installation of new shopfronts, atm including anti-ram bollards, new customer entrance door and a new means of escape to Vivian Avenue frontage

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: P-3172-100, P-3172-101, P-3172-111A, P-3172-201, P-3172-210B and Design and access statement.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

**INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2.

Core Strategy (Adopted) 2012: CS1.

Development Management Policies (Adopted) 2012: DM01 and DM02.

- ii) The proposal is acceptable for the following reason(s): -

The proposed shop front would have an acceptable impact on the character of the host building and the street scene. It complies with all relevant council policy and design guidance.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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.

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.

#### Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction "saving" 183 of the 234 policies within the UDP.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2.

#### Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan (Core Strategy and Development Management Policies documents) is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. The

National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1.

Development Management Policies (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02.

<b>Application:</b>	Planning	<b>Number:</b>	H/03559/12
<b>Validated:</b>	19/09/2012	<b>Type:</b>	APF
<b>Status:</b>	REG	<b>Date:</b>	
<b>Summary:</b>	DEL	<b>Case Officer:</b>	Sally Fraser
<b>Description:</b>	Single storey rear extension following partial demolition of existing extension and replacement of rear emergency staircase.		

<b>Application:</b>	Planning	<b>Number:</b>	H/03561/12
<b>Validated:</b>	19/09/2012	<b>Type:</b>	ADV
<b>Status:</b>	PDE	<b>Date:</b>	
<b>Summary:</b>	APC	<b>Case Officer:</b>	Sally Fraser
<b>Description:</b>	Installation of 3no. internally-illuminated fascia signs, 1no. internally-illuminated projecting sign and 1no. non-illuminated poster panel sign.		

Consultations and Views Expressed:

Neighbours Consulted:	95	Replies:	7
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- Objections relate to the proposed use of the unit for a Sainsbury's store.  
Objections relate to lack of parking and width of the service road in terms of ability of construction vehicles to reach the site.

Date of Site Notice: 27 September 2012

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is a ground floor vacant retail unit on the corner of Vivian Avenue and Rundell Crescent.

### Relevant applications

Two further applications have been submitted relating to the use of the unit as a Sainsbury's store. All 3 applications have been referred for decision at sub committee.

### Proposal:

The applicant requests permission for the installation of a new shopfront with additional entrance door an ATM including anti- ram bollards and a new means of escape to the Vivian Avenue frontage.

The shopfront would be glazed with a grey powder coated framework.

### Planning Considerations:

The proposed shop fronts on the Vivian Avenue and Rundell Crescent elevations would be in keeping with the character of the area, which is mixed commercial and residential.

The design and appearance of the proposed ATM is considered acceptable given the sympathetic scale and nature of the proposal. The ATM would respect the character of host building and the surrounding area and would be sympathetic to the existing frontage. In addition to this the proposal would not adversely harm the safety of members of the public in the local vicinity. In this regard the scheme would comply with the aforementioned policies.

## **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The objections raised do not relate to the design/ appearance of the shopfront.

## **4. EQUALITIES AND DIVERSITY ISSUES**

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

## **5. CONCLUSION**

The proposed development complies with all relevant council policy and design guidance.

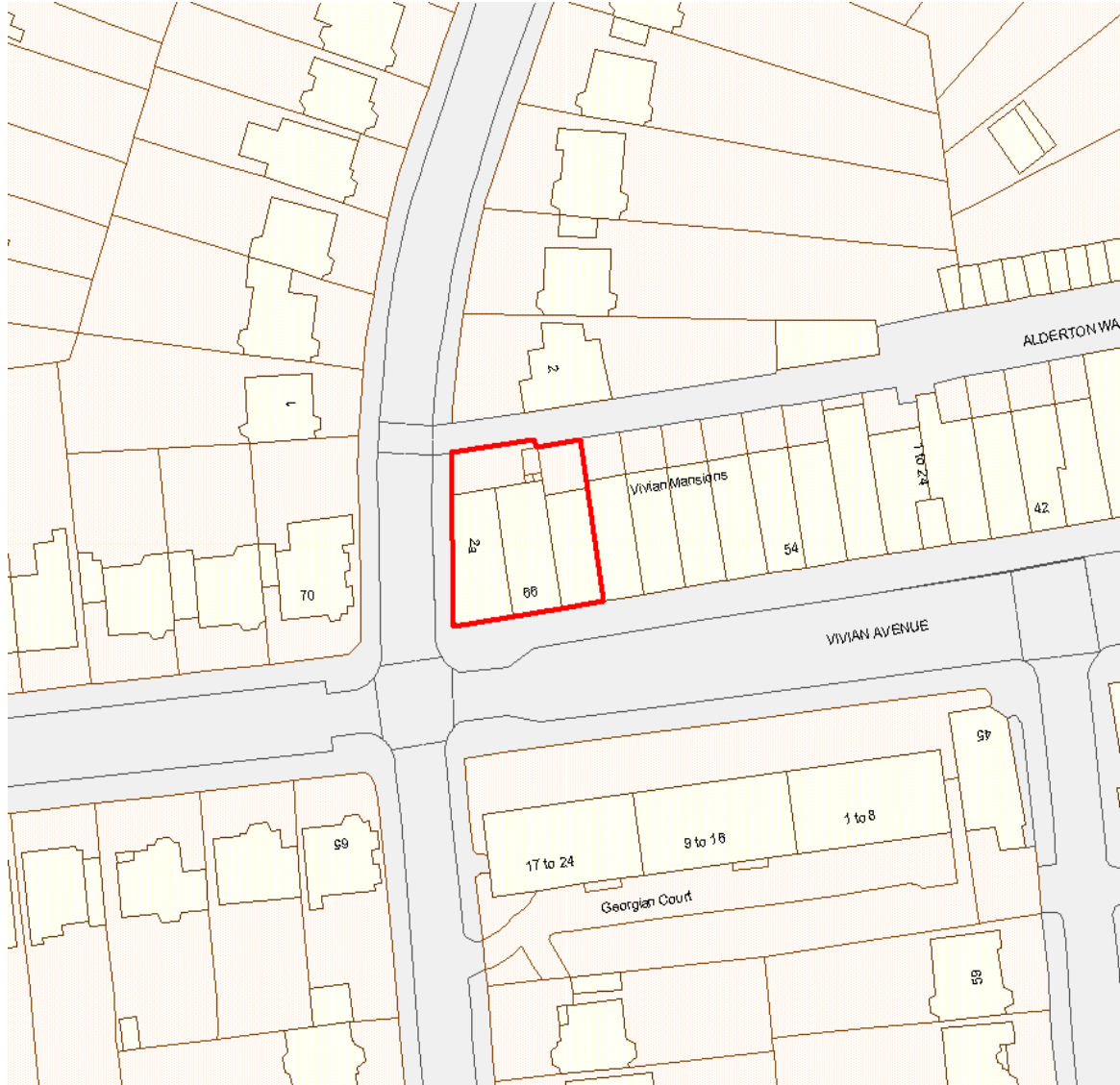
**Approval** is recommended.

**SITE LOCATION PLAN:**  
London, NW4 3XH

**2A Rundell Crescent / 64-66 Vivian Avenue,**

**REFERENCE:**

**H/03556/12**



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