

LOCATION: Former "White Bear", 56 The Burroughs, London, NW4 4AN
REFERENCE: H/02332/12 **Received:** 15 June 2012
WARD(S): Hendon **Accepted:** 25 June 2012
Expiry: 20 August 2012
Final Revisions:

APPLICANT: Platinum Riverside Ltd
PROPOSAL: Demolition of the existing building and construction of a new development at 2-3 storeys plus pitched roof providing 9 residential apartments and basement car parking.

RECOMMENDATION: Approve Subject to Conditions

1 This work must be begun not later than three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason:

To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

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 Core Strategy (2012) and Development Management Policies DPD (2012).

In particular the following policies are relevant:

Core Strategy (Adopted) 2012: CS1, CS5, CS10, CS11, CS15

Development Management Policies (Adopted) 2012: DM01, DM02, DM04, DM06, DM08, DM17

ii) The proposal is acceptable for the following reason(s): - It is considered that the demolition of the building is acceptable given the high quality design of the proposed replacement. The proposals would enhance the character and appearance of The Burroughs Conservation Area.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

iv) In this case formal pre-application advice was sought prior to submission of the application.

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 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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Policies 3.5, 6.1, 7.4 and 7.6 in particular.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS3, CS4, CS5, CS9, CS10, CS11, CS15.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM06, DM08, DM13, DM17

Supplementary Planning Documents and Guidance

Supplementary Planning Document: Contributions to Education
Supplementary Planning Document: Contributions to Libraries
Supplementary Planning Document: Contributions to Health Facilities.
Supplementary Planning Document: Planning Obligations
The Burroughs Conservation Area Character Appraisal Statement

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction" (June 2007), following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

The Council is currently consulting on the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

Relevant Planning History:

Site Address: The White Bear PH The Burroughs LONDON NW4
Application Number: W05401H
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 30/01/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Floodlit post sign and lettering to frontelevation.**
Case Officer:

Site Address: ARENA PUB/WHITE BEAR 56 THE BURROUGHS LONDON NW4
Application Number: W05401J/01
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 05/09/2001
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: Advertising consent for 1 x Totem sign, 1 x Pole sign and 3 x Fascia signs.

Case Officer:

Site Address: THE WHITE BEAR PUBLIC HOUSE The Burroughs LONDON NW4

Application Number: W05401B

Application Type: Full Application

Decision: Approve with conditions

Decision Date: 27/08/1986

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Erection of new wrought iron fence, brick arches, free- standing canopy and new front entrance canopy

Case Officer:

Site Address: THE WHITE BEAR PUBLIC HOUSE The Burroughs LONDON NW4

Application Number: W05401C

Application Type: Advertisement

Decision: Approve with conditions

Decision Date: 27/08/1986

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Installation of four lamp standards; illuminated free- standing public house sign; illuminated projecting sign, illuminated fascia sign and lantern on front elevation; and illuminated fascia sign on side elevation

Case Officer:

Site Address: THE WHITE BEAR PUBLIC HOUSE The Burroughs LONDON NW4

Application Number: W05401D

Application Type: Listed Building Consent

Decision: Approve with conditions

Decision Date: 27/08/1986

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Demolition of entrance lobby, toilet facilities and off-licence at front of building

Case Officer:

Site Address: THE WHITE BEAR PUBLIC HOUSE The Burroughs LONDON NW4

Application Number: W05401F

Application Type: Full Application

Decision: Approve with conditions

Decision Date: 22/02/1989

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Single-storey side extension

Case Officer:

Site Address: The White Bear PH The Burroughs LONDON NW4

Application Number: W05401G

Application Type: Full Application

Decision: Approve with conditions

Decision Date: 07/02/1996

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Metal fire escape stairs to side and rear elevation.

Case Officer:

Site Address: The Former White Bear Public House, 56 The Burroughs, London, NW4 4AN
Application Number: 02981/10
Application Type: Full Application
Decision: Refuse
Decision Date: 05/11/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing building and erection of a part 3, part 4 and part 5 storey mixed-use building (plus two basement levels) comprising; a retail unit, 14 self-contained dwellings, landscaping and car parking.**
Case Officer: Graham Robinson

Site Address: The Former White Bear Public House, 56 The Burroughs, London, NW4 4AN
Application Number: 02982/10
Application Type: Conservation Area Consent
Decision: Refuse
Decision Date: 12/10/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing former public house building. CONSERVATION AREA CONSENT**
Case Officer: Graham Robinson

Site Address: 56 The Burroughs, London, NW4 4AN
Application Number: 00980/11
Application Type: Full Application
Decision: Refuse
Decision Date: 11/30/2011
Appeal Decision: Dismissed
Appeal Decision Date: 11/30/2011
Proposal: **Change of use from car park associated with restaurant to car sales including erection of a portakabin.**
Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 26 Replies: 33
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

Objection to the loss of the existing building which is a positive contributor within the conservation area and quality of replacement.

Internal /Other Consultations:

- English Heritage -Listed Build - No response Received
- English Heritage-Archaeology - No response Received
- Urban Design & Heritage - No objection

Date of Site Notice: 12 July 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is located on the east side of The Burroughs. The site is located within The Burroughs Conservation Area. On site currently is a two storey building formerly used as a public house, now incorporating a restaurant (A3 use class). The site is located adjacent to the corner with Brampton Grove. To the east is Raffles House, a six-storey block of residential flats. Further to the east are two storey dwellings on Brampton Grove. The Conservation area extends to the south and west of the site. To the south is a row of Georgian Terraced buildings, the majority of which are Grade 2 Listed except that immediately adjacent. Opposite the site are two grade 2 Listed buildings at 47 and 55 The Burroughs.

The site itself contains 1 tree under tree preservation order to the north. Trees are protected by virtue of their location within a conservation area and there are other trees to the north- west of the site that are considered to contribute to the character of the area.

Proposal:

The proposals are for conservation area consent for the demolition of the existing building.

Planning Considerations:

Over the course of the application the Burroughs Character Appraisal Statement has been adopted and is a material planning consideration.

The proposals involve the demolition of the former public house building. The use of the public house ceased some time ago and it has more recently been occupied as a restaurant.

The building is considered to be unique within the conservation area, being re-built from its original form in 1931-1932. It is set back from the road and built in a neo-Tudor style with yellow stonework and half timbering. It is believed that an inn has been located on this site since Tudor times, with the name the "White Bear" in use since the late 1730s. The current building was built in 1932. At present the existing building stands vacant, although it is considered to make a positive contribution to the character and appearance of the Conservation Area.

The Burroughs Conservation Area Appraisal notes that the building has fallen into a state that detracts from the character and appearance of the conservation area. The National Planning Policy Framework states that Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision. However, there is no evidence to show that the building has been left in its current state deliberately.

English Heritage has set out guidance to assist in the process of identifying buildings which make a positive contribution to the special interest of a conservation area (Appendix 2, English Heritage; Guidance on Conservation Area Appraisals - 2006). The council will ensure that planning applications for extensions and alterations to these buildings are particularly carefully considered and proposed demolition will normally be resisted.

The NPPF states that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Given that the building is a positive contributor to the conservation area it is considered to be a heritage asset of significant, though not highest significance.

In this case it is considered that the demolition of the building should only be entertained if the replacement development is of suitable quality and/or has wider public benefits. The merits of the replacement building are considered in application H/02331/12 and officers conclude that the proposed replacement is of high quality design and high quality environmental performance. It is considered that the loss of the existing building is justified in these circumstances.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed in main report

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

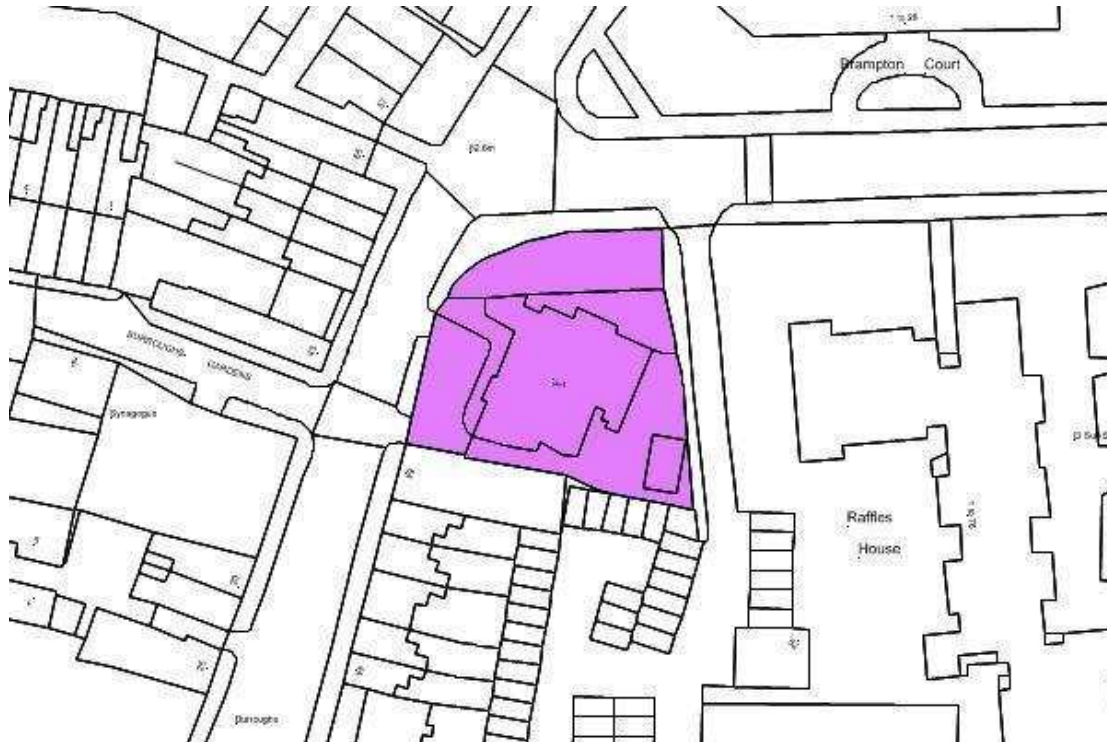
The application is recommended for **APPROVAL**.

SITE LOCATION PLAN:
London, NW4 4AN

Former "White Bear", 56 The Burroughs,

REFERENCE:

H/02332/12



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