

LOCATION:	Finchley Manor Garden Centre, 120 East End Road, London, N2 0RZ		
REFERENCE:	F/01405/12	Received:	05 April 2012
		Accepted:	13 April 2012
WARD(S):	Garden Suburb	Expiry:	08 June 2012

Final Revisions:

APPLICANT: BDW Trading Limited & The Chandos Lawn Tennis Club Limited.

PROPOSAL: Relocation of gate on the listed north boundary wall and associated reinstatement and repair works. (Listed Building Consent)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 0000 rev D, 3001 rev G, 3002 rev F, 3003 rev E, 3010 rev D, 3011 rev D, 3020 rev D, 3152 rev G1, 3153 rev G, 3162 rev G, 3164 rev D, 4040 rev F, 4055 rev G, 4100 rev G, 4120 rev C, 4121 rev C, 4150 rev D, 4152 rev D, 4160 rev D, 4200 rev D, 4205 rev D, 4300 rev D, 4351 rev D, Air Quality Assessment, Aboricultural Impact Assessment, Aboricultural Survey, Chandos LTC Sequential Test Assessment, Design and Access Statement, Extended Phase 1 Habitat Survey, Foul Drainage and Utilities Statement, Heritage Impact Assessment, Initial Bat Survey, Light Obtrusion report, Noise Impact Assessment, Planning Statement, Statement of Community Involvement, Surface Water Drainage Strategy, Sustainability and Energy Statement, Transport Assessment, Transport Assessment Addendum and PERS Audit, Energy Statement Addendum.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. 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).

3. 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).

4. The wall is to be taken down carefully in such a manner that would allow the existing bricks to be used in the rebuild of the wall. All bricks including half batts are to be cleaned, numbered and stored for re-use.

Reason:

To preserve the established character of the Listed wall in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

5. The wall shall be rebuilt using the stored bricks. Any other bricks needed will be second hand stocks of a similar nature and date and shall be agreed in advance with the Local Planning Authority.

Reason:

To preserve the established character of the Listed wall in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

6. When the wall is rebuilt the bricks shall be laid in Flemish bond to match the existing bond.

Reason:

To preserve the established character of the Listed wall in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

7. The pointing is to match that of the existing in colour, mix and style. A sample area of pointing on an inconspicuous section of the wall should be shown to the council prior to works proceeding.

Reason:

To preserve the established character of the Listed wall in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

8. Written details at a scale of 1:20 of the proposed replacement railings and gate shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved plans.

Reason:

To preserve the established character of the Listed wall 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. i) 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.

This application was originally on the agenda of the December 2013 meeting. As a consequence of a number of residents being unable to attend the meeting, Councillor John Marshall, Ward Councillor for Garden Suburb moved that the item be deferred to award them the opportunity to do so. Councillor Jack Cohen seconded the deferral. The Committee RESOLVED TO DEFER the application to the next appropriate meeting of the Committee.

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.

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published on 27 March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

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

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

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.

Barnet's Local Plan (Adopted) September 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).

Relevant Core Strategy Policies: CS NPPF, CS1

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy.

Relevant Development Management Policies: DM01, DM06

Relevant Supplementary Planning Documents:

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Relevant Planning History:

Site Address:	Finchley Manor Garden Centre, 120 East End Road, London, N2 0RZ
Application Number:	F/01320/12
Application Type:	Full Application
Decision:	Not yet decided
Decision Date:	Not yet decided
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Demolition of non-listed buildings and structures and redevelopment to provide a private tennis club with four full-sized open clay court, four full-sized covered courts, one open mini-court, a single storey clubhouse including restaurant and changing facilities, storage, car and cycle parking, landscaping, and other associated works and relocation of gate on the listed north boundary wall and associated reinstatement and repair works.
Case Officer:	Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted:	1	Replies:	0
Neighbours Wishing To Speak	0		

Internal /Other Consultations:

Urban Design and Heritage - No objections subject to a number of conditions

Date of Site Notice: 19 April 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is situated on the south side of East End Road adjacent to St Marylebone Cemetery and has an area of 0.7 hectares. The site is currently occupied by a disused garden centre and is covered almost entirely by hard standing or buildings. There are four main buildings on the site: a house (occupied); a large greenhouse (largely derelict); a boiler house building (largely derelict); and two outbuildings. All are in a dilapidated state.

Along the northern boundary of the site, fronting onto East End Road, runs a Grade II listed wall and railings. There is a break towards the centre of the wall which currently provides the vehicular access to the site. Furthermore there are a number of listed buildings and features in close proximity to the site including the Gate Lodge, the Anglican Chapel and the Monument to Thomas Tate (all Grade II listed) within the adjoining cemetery and on the opposite side of the road the Convent of the Good Shepherd (also Grade II listed). The cemetery itself is Grade II* listed under the Historic Parks and Gardens register.

The site is designated as Metropolitan Open Land (MOL) and is situated along the boundary with the Hampstead Garden Suburb Conservation Area. The site itself is not within the Conservation Area but it is surrounded by it. The site falls within Flood Risk Zone 1, which means that there is a low risk of the site flooding. The adjoining cemetery is also designated as MOL and a Site of Local Importance for Nature Conservation. The cemetery also contains a number of trees and groups of trees that are the subject of Tree Preservation Orders.

The site has a public transport accessibility level (PTAL) of 1b (out of a range of 1 to 6, where 6 is the highest and 1 the lowest).

The area surrounding the Garden Centre site is predominately residential in character, with the Hampstead Garden Suburb to the south, and residential uses on the opposite side of East End Road, to the north. The residential accommodation in the area is characterised by large detached and semi-detached family houses, particularly within the Hampstead Garden Suburb Conservation Area, with some more recent flatted developments located immediately opposite the site providing 2 and 3 storey buildings for D1 and B1 uses with basement parking. There are also a number of community uses and sports facilities in the immediate area, including Finchley Cricket Club and LA fitness Centre to the north east, as well as several schools and colleges and the crematorium and cemetery to the south of the site.

Proposal:

The application is for Listed Building Consent for the relocation a gate on the listed north boundary wall and associated reinstatement and repair works. The works are required as a result of a planning application that has been submitted for the

redevelopment of the site to enable the relocation of the Chandos Lawn Tennis Club (our ref: F/01320/12).

Planning Considerations:

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area.

The key consideration is the impact on a designated heritage asset.

The proposal is for the demolition of and reconfiguration of the listed front boundary wall and railings. The wall would be taken down to the level of the original footings/foundations and then these would be reused as a basis to reconstruct the new wall. It is proposed that the existing bricks will be reused and new railings to match the existing shall be installed the Design and Heritage Officer has requested a number of conditions requiring the bricks to be laid in Flemish bond; the pointing shall match the existing and that details of the replacement railings shall be agreed.

As the wall will match the existing wall it is considered that the integrity of the designated heritage asset would be retained and as a result the proposal is considered to comply with the requirements of the NPPF and Policy DM06 of the adopted Local Plan.

3. COMMENTS ON GROUNDS OF OBJECTIONS

None.

4. EQUALITIES AND DIVERSITY ISSUES

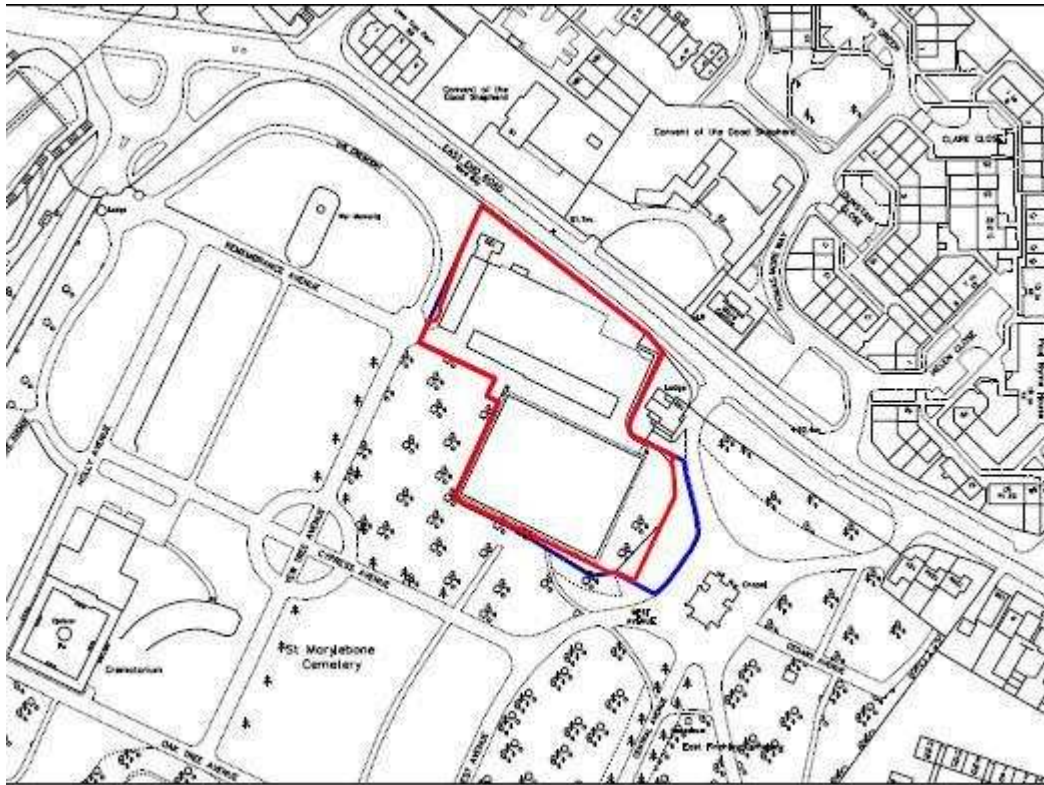
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposal will result in the demolition and rebuilding of a section of listed wall. The existing bricks will be reused and relaid and repointed to match the retained section of the wall. The proposal is therefore considered to maintain the integrity of a designated heritage asset in accordance with the requirements of the NPPF and policy DM06 of the adopted Local Plan. Accordingly, APPROVAL is recommended.

SITE LOCATION PLAN: Finchley Manor Garden Centre, 120 East End Road, London, N2 0RZ

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