

Location **40-42 Golders Green Road London NW11 8LL**

Reference: **18/1257/LBC** Received: 26th February 2018
Accepted: 26th February 2018

Ward: Childs Hill Expiry 23rd April 2018

Applicant: Mrs Fatma Cakir

Proposal: Change of use of no. 42 from retail A1 (sandwich shop) to class A3 (restaurant). Amalgamation of nos. 40 and 42 with associated internal alterations including removal of internal wall to create 1no. unit (LISTED BUILDING CONSENT)

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Site location plan
- 4042.18.01 Rev1
- 4042.18.03
- 4042.18.04 Rev1
- 4042.18.07 Rev1
- 4042.18.08
- Design and Access Statement
- Marketing report
- Marketing information
- Asbestos survey
- Heritage statement

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 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 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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. 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.

Officer's Assessment

1. Site Description

The application site constitutes two three storey terrace properties. No. 40 Golders Green which is currently vacant contained a ground floor unit utilised as a Subway café (A1 use) and No. 42 is an A3 restaurant. The properties have flats above. The shop front of the application site is located on the northern side of Golders Green Road. The rear of the application site is located on the southern side of Golders Way. Golders Way is an access road leading mainly to the rear service areas of commercial properties to the south of the proposal site. The flats above these commercial properties that are accessed from Golders Way.

The application site is located within a Primary Shopping Frontage in Golders Green Town Centre.

The application site is a Grade II listed property on Golders Green Road and which falls within the Golders Green Conservation Area. The application site forms part of a group called The Promenade and Cheapside. The properties date from the early 1900s and were designed by Herbert A. Welch with T. Clifford Hollis.

2. Site History

Reference: F/03736/14

Address: 40 Golders Green Road, London, NW11 8LL

Proposal: Change of use of ground floor to mixed use of Class A1 (shops) A3 (cafe) and A5 (hot food takeaway) and alterations to the front.

Decision: Refused

Decision Date: 16 September 2014

Reference: F/03736/14

Address: 40 Golders Green Road, London, NW11 8LL

Proposal: Changes to shop front (listed building consent)

Decision: Refused

Decision Date: 11 September 2014

Reference: 16/7763/FUL

Address: 40 Golders Green Road, London, NW11 8LL

Proposal: Change of use from shop (Class A1) to restaurant and take away (Class A3).
Installation of an extraction flue to the rear

Decision: Approved subject to conditions

Decision Date: 14 March 2017

Reference: 16/7764/LBC

Address: 40 Golders Green Road, London, NW11 8LL

Proposal: Change of use from shop (Class A1) to restaurant and take away (Class A3).
Installation of an extraction flue to the rear

Decision: Approved subject to conditions

Decision Date: 14 March 2017

Reference: C02588

Address: 42 Golders Green Road, London, NW11 8LL

Proposal: New shopfront
Decision: Approved subject to conditions
Decision Date: 21 October 1969

Reference: C02588A
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Installation of new shopfront
Decision: Approved subject to conditions
Decision Date: 19 July 1972

Reference: C02588B
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Advert
Decision: Approved subject to conditions
Decision Date: 10 July 1972

Reference: C06658
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Advert
Decision: Approved subject to conditions
Decision Date: 14 March 1979

Reference: C02588C
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Internally illuminated fascia and projecting box sign
Decision: Approved subject to conditions
Decision Date: 09 June 1995

Reference: C02588D
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: New shopfront
Decision: Approved subject to conditions
Decision Date: 09 June 1995

Reference: 17/7928/LBC
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Internal alterations and repairs including removal of fittings and fixtures and licensed removal of asbestos ceiling partitions and boards. Installation of replacement ceiling and rendering of walls with paint. (RETROSPECTIVE APPLICATION)
Decision: Approved subject to conditions
Decision Date: 14 February 2018

Reference: 18/1108/FUL
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Single storey rear extension and associated bin storage
Decision: Approved subject to conditions
Decision Date: 17 April 2018

Reference: 18/1109/LBC
Address: 42 Golders Green Road, London, NW11 8LL
Proposal: Single storey rear extension and associated bin storage (LISTED BUILDING CONSENT)
Decision: Approved subject to conditions

Decision Date: 17 April 2018

Reference: 18/1259/FUL

Address: 40-42 Golders Green Road, London, NW11 8LL

Proposal: Installation of new shopfront with roller shutters

Decision: Approved subject to conditions

Decision Date: 27 April 2018

Reference: 18/1260/LBC

Address: 40-42 Golders Green Road, London, NW11 8LL

Proposal: Installation of new shopfront with roller shutters (Listed Building Consent)

Decision: Approved subject to conditions

Decision Date: 27 April 2018

Reference: 18/1352/ADV

Address: 40-42 Golders Green Road, London, NW11 8LL

Proposal: Installation of 2 no. externally illuminated fascia signs and 1 no. externally illuminated projecting sign

Decision: Approved subject to conditions

Decision Date: 27 April 2018

Reference: 18/1443/LBC

Address: 40-42 Golders Green Road, London, NW11 8LL

Proposal: Installation of 2 no. externally illuminated fascia signs and 1 no. externally illuminated projecting sign (Listed Building Consent)

Decision: Approved subject to conditions

Decision Date: 01 May 2018

3. Proposal

The applicant proposes a 'Change of use of no. 42 from retail A1 (sandwich shop) to class A3 (restaurant). Amalgamation of nos. 40 and 42 with associated internal alterations including removal of internal wall to create 1no. unit (LISTED BUILDING CONSENT)'.

4. Consultation

A site notice was erected on 08 March 2018

A press notice was published on 08 March 2018

Internal Consultees

Urban Design and Heritage

Barnet's Senior Planning Officer for Urban Design and Heritage and the planning officer had a meeting with the applicants and agents; and it was considered that the amalgamation of the properties into a restaurant and associated works raised no issues and therefore there was no objection to the proposal.

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 2016 MALP

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 2050. 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

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM06 concern's Barnet's heritage and conservation.

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 Grade II listed building

Impact on character and appearance of the listed building and conservation area

The application site is a Grade II listed property on Golders Green Road and which falls within the Golders Green Conservation Area. The application site forms part of a group

called The Promenade and Cheapside. The properties date from the early 1900s and were designed by Herbert A. Welch with T. Clifford Hollis.

Paragraph 131 of the National Planning Policy Framework states the following needs to be applied in determining planning applications:

- * the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- * the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- * the desirability of new development making a positive contribution to local character and distinctiveness.

The property gained approval under reference 17/7928/LBC dated 14 February 2018 for 'Internal alterations and repairs including removal of fittings and fixtures and licensed removal of asbestos ceiling partitions and boards. Installation of replacement ceiling and rendering of walls with paint. (RETROSPECTIVE APPLICATION)'.

It was considered under that application that although the application was retrospective and thus the works had been implemented, in light that no works had taken place which would have removed significant historic material or changed the plan form layout as existing, it is not considered that any harm had been caused to the significance of the listed building and thus sustains and enhances the listed building.

The current application relates to 'Change of use of no. 42 from retail A1 (sandwich shop) to class A3 (restaurant). Amalgamation of nos. 40 and 42 with associated internal alterations including removal of internal wall to create 1no. unit (LISTED BUILDING CONSENT)'. The works relate to formation of an arched wall to allow for the amalgamation of the two properties into one A3 restaurant unit. Following discussions with the Barnets Heritage officer, it is considered that these necessary works would have a minimal impact on the character and appearance of listed building and conservation area of which it forms a part.

Furthermore, the internal alterations proposed for the change of use from A1 to A3 in relation to No. 42 are not considered so significant that they would materially alter the historical character and architectural features of this listed building. It would involve further tables and chairs centrally in the room, a bar area towards the front and w.c.'s towards the rear.

Conclusion

It can be concluded that the proposal would have an acceptable impact on the character and appearance of the proposal listed building, Golders Green conservation area, then general local, current streetscene and the amenities of neighbouring occupiers and would comply with the above mentioned policies and guidance.

5.4 Response to Public Consultation

N/A.

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 support the Council in meeting its statutory equality responsibilities.

7. Conclusion

For the reasons stated above the proposed change of use to restaurant and take away (Class A3) is considered acceptable.

The proposal is considered to comply with council policies and guidelines that seek to protect and enhance the conservation area. The development would have an acceptable impact on the character of the existing Grade II listed building. Therefore, on balance the alterations, change of use and amalgamation are considered acceptable and would not have an adverse impact on the amenity of neighbouring and adjoining properties. This application is in keeping with Council Policies and Guidelines and is therefore recommended for APPROVAL, subject to conditions.

Site Location Plan

