

Location 1264 High Road London N20 9HH

Reference: 21/1762/FUL Received: 29th March 2021
Accepted: 26th April 2021

Ward: Oakleigh Expiry 21st June 2021

Case Officer: Jonathan Martin

Applicant: Mr A Matur

Proposal: Internal and external alterations including repainting the exterior of the property, replacement of the kitchen and bar areas, reconfiguration of toilets at ground and first floor levels and relocation of cold room to the rear garden

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:

- A-1424-1000 A - Proposed Ground Floor Plan
- A-1424-1100 A - Proposed First Floor Plan
- A-1424-1500 A - Existing and Proposed Rear Elevation
- A-1424-1600 A - Existing and Proposed Section
- A-1424-1601 A - Partition Schedule
- A-1424-1603 A - Cold Room
- C-1424-1400 C - Existing and Proposed Front Elevation
- 1424-00 Site Plan
- 1424-01 Block Plan
- 1424-100 Existing Ground Floor

- 1424-200 Existing First Floor Plan
- 1424-300 Existing Second Floor
- 1424-500 Demolition Block Plan
- 1424-501 Demolition Ground Floor
- 1424-502 Demolition First Floor
- 1424-1200 Proposed First Floor
- 1424-1300 Proposed Second Floor
- 1424-1602 Partition Schedule 2
- Panel FM Certificate
- Panel Data Sheet
- CU & Blower Data Sheet

Design and Access Statement

Heritage Statement Rev A - dated 1th June 2021

Schedule of Works - dated 23/03/2021

Timber Cedar details for Cold Store

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 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.

- 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).

- 4 Prior to the commencement of the any internal works, the historic timbers shall be protected and wrapped in plastic protection and taped around without the use of nails or screws. The historic timbers located within the existing structure shall be retained as existing and not harmed by any works. The timbers shall not be painted or modified in anyway without the permission of the LPA in writing.

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).

- 5 The proposed cold store room shall be built in accordance with approved plan A-1424-1603 and shall have Cedar cladding horizontal boards painted in dark green.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

OFFICER'S ASSESSMENT

Councillor Sowerby has called in planning application 21/1763/LBC and, as a result, applications 21/1764/ADV and 21/1762/FUL which relate to the same site are also been brought before the Planning Committee. This application is effectively the planning application that relates to the works to the listed building proposed in 21/1763/LBC.

Councillor Sowerby stated that "I would like to call this application to committee to determine. The building is Grade II listed and of enormous heritage value to the London Borough of Barnet. I therefore consider that the application requires close scrutiny to ensure its statutory listed status is not harmed by the proposed development".

1. Site Description

The application site relates to 1264 High Road which was last occupied by Pizza Express. The site is located on the north west side of High Road N20 and is approximately 428m² over 3 floors.

The site fronts onto High Road with outdoor space available at the rear of the site.

The ground floor shopfront is modern and similar to others along this section of the terrace.

The unit is within Whetstone Town Centre and is a statutory Grade II Listed Building under listing entry TQ2644393963.

2. Site History

Reference: 21/1763/LBC

Address: 1264 High Road, London, N20 9HH

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Internal and external alterations including repainting the exterior of the property, replacement of the kitchen and bar areas, reconfiguration of toilets at ground and first floor levels and relocation of cold room to the rear garden

Reference: 21/1764/ADV

Address: 1264 High Road, London, N20 9HH

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Installation of 1no. fascia sign

Reference: B/05006/13

Address: 1264 High Road, London, N20 9HH

Decision: Refused

Decision Date: 23 December 2013

Description: Installation of 1 externally illuminated fascia sign and 1 internally illuminated menu display cabinet to replace existing. Installation of 1 additional internally illuminated take-away sign.

Reference: B/00223/14

Address: 1264 High Road, London, N20 9HH

Decision: Approved subject to conditions

Decision Date: 14 April 2014

Description: Installation of externally illuminated fascia sign, internally illuminated wall mounted menu box, non-illuminated wall mounted take-away sign. Repainting of shopfront. (LISTED BUILDING CONSENT)

Reference: B/00222/14

Address: 1264 High Road, London, N20 9HH

Decision: Approved subject to conditions

Decision Date: 14 April 2014

Description: Installation of externally illuminated fascia sign, internally illuminated wall mounted menu box and non-illuminated wall mounted take-away sign.

Reference: B/02624/10

Address: 1264 High Road, London, N20 9HH

Decision: Approved subject to conditions

Decision Date: 20 August 2010

Description: Installation of 1 x internally illuminated menu box. Existing fascia letters to be removed and repainted gold and externally illuminated.

Reference: B/02629/10

Address: 1264 High Road, London, N20 9HH
Decision: Approved subject to conditions
Decision Date: 20 August 2010
Description: Installation of 1 x internally illuminated menu box. Existing fascia letters to be removed and repainted gold and externally illuminated. External walls at ground floor to be repainted. (Listed Building Application)

Reference: N01372P/00
Address: 1264 High Road, London, N20 9HH
Decision: Approved subject to conditions
Decision Date: 26 February 2001
Description: Replacement fascia sign.

Reference: N01372Q/00
Address: 1264 High Road, London, N20 9HH
Decision: Approved subject to conditions
Decision Date: 26 February 2001
Description: Replacement fascia sign.

3. Proposal

Planning permission is sought for Internal and external alterations including repainting the exterior of the property, replacement of the kitchen and bar areas, reconfiguration of toilets at ground and first floor levels and relocation of cold room to the rear garden.

The shopfront will receive a full redecoration with the new doors to be dulux cranberry crunch in colour and the existing yellow walls will be painted white.

The new cold store will be located into the rear garden area, will have a flat roof and will have cedar cladding horizontal boards painted dark green. The new cold store will have a width of 4.5m, depth of 5.5m and a height of 2.7m.

As explained above, this application relates to the same works that are the subject of listed building application 21/1763/LBC, a report into which can be found elsewhere on this Agenda.

4. Public Consultation

A site notice was erected on 30th April 2021.

Letters were sent to 65 neighbouring properties.

One objection has been received on behalf of the Hendon and District Archaeological Society.

The Heritage Statement submitted with this application is totally inadequate. This building is one of the two oldest in Whetstone, and has a complex and interesting history, a significant part of which is still discernible inside, and can be seen by people who use the restaurant. This discernible complexity means that the evidential and historical significance of the building is high (contrary to the unwarranted assertions in section 3 of the Statement); the changes that have been made over the years add to rather than detract from this significance. The importance of the building is demonstrated by the reference to it and its neighbours in the 'Pevsner' London 4: North, as well as in such books as

'Whetstone Revealed' by John Heathfield and David Berguer, which would be readily available to the consultants responsible for the Heritage Statement. The Council should insist on a proper Statement produced by a competent architectural historian, to show that the applicants understand the nature of the building they have acquired and will look after it. What is actually proposed to bring the Pizza Express interior up to date does not seem objectionable in itself, though strong conditions may be necessary to ensure that there is no cutting into historic fabric for, for instance, services.

An amended Heritage Statement has been submitted by the agent.

Heritage Officer

Initial comments 15th May 2021

No in-principle objections but amendments and additional information required.

As the property is currently in use as a restaurant, the change of restaurant is not an issue. However, additional submissions are required.

- o A photo survey of the property, particularly of the rear where the proposed cold room is proposed to be sited, is required.
- o Colour coded plans of the existing floor layout should be provided to clarify what is historic fabric and what is modern partition.
- o Additional details of the proposed external cold room should be submitted so the proposals and the impact on the heritage asset and its setting can be clearly understood. Spec sheets to show exactly what the appearance will look like and clarification on whether the structure is attached or free-standing needs to be clarified. It is to be noted that the existing unit already has such features so in light that harm will be caused by this proposal without any justification, this element of the development may need to be removed.

In addition, in regard to the proposed colour, the current colour scheme is subdued and is in harmony with both its immediate neighbours, both heritage assets. The proposal of re-painting the entire ground floor in a red colour is therefore not appropriate.

In response to these comments, the applicant has provided the following:

- A photo survey was provided by the applicant;
- Colour coded plans have been received to show historic fabric and modern partition;
- Additional plans and details have been provided for the cold room and this will be discussed in full in the next section of the report;
- The applicant has confirmed that the doors will be dulux cranberry crush and the existing yellow walls will be painted white.

Following the receipt of amended plans and documents, the heritage officer considers the proposal to be acceptable and has no objections to the proposal subject to conditions relating to the cold store, protection of the internal timbers.

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 revised National Planning Policy Framework (NPPF) was published on 20th July 2021. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". 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 2021

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. 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, CS6.
- Relevant Development Management Policies: DM01, DM02, DM06.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

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, street scene and wider area,
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Impact on the character of the listed building

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in determining applications for listed building consent, a planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.

The National Planning Policy Framework sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

The National Planning Policy Framework states that any proposal that causes harm to a designated asset must be assessed by weighing this harm against the public benefits makes clear that any harm to a listed building must require clear and convincing justification, and that greater weight should be given to harm to highly graded structures.

Policy CS5 Protecting and enhancing Barnet's character to create high quality places' seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Policy DM06 states that all heritage assets will be protected in line with their significance and that all development must preserve or enhance the character and appearance of the conservation areas.

External appearance of the building

The existing yellow walls on the front of the building will be painted white with the doors being cranberry crunch in colour. The heritage officer has commented that over the years the entire shopfront has changed colours, including the colour of the render. It is noted that other shopfronts are painted in differing colours and therefore the white front elevation is considered acceptable along with the cranberry crunch coloured doors. The repainting raises no specific listed building issues as the existing shopfront is not the original.

New fascia

The new fascia is acceptable in terms of dimensions and material and since the existing shopfront is no longer the original one, it is considered acceptable in listed building terms. A separate advertisement application will determine the details of the proposed signage, a report into which appears elsewhere on the Agenda.

Internal reconfigurations

The new internal works are to replace the existing kitchen, bar area, removing some of the toilets at first floor and relocation of the cold store room from internal to external. The proposed works will bring the property into reuse to fit in with the occupiers concept. The ground floor toilet will be redesigned to accommodate an extra toilet.

With regards to the kitchen, the existing arched counter and partition behind it will be removed. The proposal seeks to separate the kitchen area which does not require an enclosed washing facility. The existing washing facilities will remain in the same location which does not require any new drainage services. The existing equipment in this location will be reused. The existing extract system will be retained and reused with a simple service to ensure it is in working order.

The new bar area will be free standing and not to be tied against the existing property. The existing store room to the rear of the bar will be removed and will provide a large open space.

At first floor level, the existing toilets and cold store will be removed. These are modern partitions and have no historic value or significance. Therefore, the removal of these features will have no damage to the fabric of the existing property.

Cold Store

The new cold room will be located in the rear garden area and will replace the existing timber shed. The new cold store will have a flat roof and will have cedar cladding horizontal boards painted dark green. The new cold store replaces an existing timber shed and therefore it will not have a negative impact on the character and appearance of the listed building. The new cold store will have a width of 4.5m, depth of 5.5m and a height of 2.7m. In terms of the existing motor in the loft space, the applicant will leave existing pipework in place to avoid any damage to the fabric of the property. They will then remove the motors from the loft and relocate them into the store space within the rear shed. This will also be hidden from everything in a secure place.

Listed Timbers

The proposed works are required to bring this property back to use with minimum alterations to the existing building. The heritage officer was concerned about any damage to the existing internal timbers. The applicant has confirmed that these timbers will not be modified in any way. A condition will be added to ensure that these timbers are not removed or modified in anyway without prior permission from the LPA in writing. The existing timber works are to be protected and wrapped in plastic protection and taped around. No nails or screws will be used as part of the protection. This will ensure no damage occurs to the timbers.

Having regards to the above, no material harm to the designated heritage asset has been identified and therefore consent should be granted in accordance with Policy DM06 of the Development Management Policies document (2012). Due regard has been given to the provisions of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 in this assessment.

The proposed alterations are considered to ensure that this proposal would not detrimentally impact on the qualities of the building and protect the historic and architectural character of the building whilst securing its optimum viable use. As conditioned, they would preserve the character and appearance of the individual property and the wider street scene.

Overall, the proposed changes will have less than substantial harm on the heritage asset and are required in order to secure the optimum viable use of the building. The proposal

changes are considered to be acceptable subject to appropriate conditions.

Whether harm would be caused to the living conditions of neighbouring residents

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

The internal works and the refreshment of the front façade will preserve the amenities of the occupiers of the neighbouring properties and would not impact the amenities of neighbouring properties to an unacceptable level.

The proposed relocation of the cold store will not negatively impact neighbouring amenity. The cold store will be located in the rear garden area and the surrounding properties to the south are in commercial use. A car park is located to the rear of the site.

Therefore, the proposal development is considered to be acceptable and would not impact neighbouring amenity.

5.4 Response to Public Consultation

There was one objection in regard to the heritage statement. A revised heritage statement has been received and the heritage officer has no objection to the proposal.

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 and is therefore recommended for listed building consent.