

**Location** **65 Golders Green Road London NW11 8EL**

**Reference:** **22/0548/LBC** Received: 4th February 2022  
Accepted: 4th February 2022

Ward: Childs Hill Expiry 1st April 2022

**Case Officer:** **Douglas Payne**

Applicant: Ms Sifa Gokaslan

Proposal: Retention of internal alterations including installation of counter and display fridge and kitchen area for the use of the ground floor unit as a bakery/cafe

### **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 Chair (or in their absence the Vice-Chair) 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:  
Site Location Plan  
Block Plan  
GG-0302-PEEGFP  
GG-0302-D  
A100-A-Shop Floor Plans

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).

## **Informative(s):**

- 1 In accordance with paragraphs 38-57 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.
- 2 This Listed Building Consent relates only to internal works and has not considered the extract vent opening, which is subject of separate applications.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site forms the ground floor shopfront of a building located at 65 Golders Green Road, London NW11 8EL. The site has a main frontage to Golders Green Road and a rear frontage to Accommodation Road which acts as a service road. The site falls within Golders Green conservation area.

The building which the site forms a part of is a Grade 2 Listed Building. It's previous use was as a hairdressing studio, however more recently the interior was modified without approval to accommodate a café use.

The Historic England Listing Description notes the following:

The Promenade, 25-103 Golders Green Road. 1909- by Herbert A. Welch (1884-1953) with T. Clifford Hollis. Parade of shops in form of a curving terrace, with flats above. Red brick, stone and timber dressings, tiled roof, copper-sheathed finials and dome, cast iron railings, granite pilasters between shop fronts. Three storeys. English Renaissance style. EXTERIORS: long terrace with shops to ground floors, divided into three main sections:

Nos.25-45 with upper floors projecting to street line; Nos.47-73 with upper floors recessed behind cast iron railings; Nos. 75-103 to street line. Most windows are 6/6-pane sashes. All shop fronts altered or hidden, apart from No.75; dividing pilasters of grey granite, with scrolled consoles above. South-eastern end, No.25, with banded rustication to quoins, cartouche at second floor level, eaves cornice with balustraded parapet, prominent chimneystack bearing date of 1909, domed roof on square podium with diagonally set paired columns to corners. Up to No.47, the terraces comprises three-bay fronts with keystones, punctuated by projecting gabled fronts with oriel windows to Nos. 31 and 37, which sport stone quoins, stone fronts to the oriels, festoon decoration to the gables. No. 43 has a shouldered gable with a round window to centre; three-bay front with central bay set within a golden stone surround. No.45 with twin painted oriels topped with conical lead roofs, hourglass motif to window within shaped gable; tall stacks, canted angle bay to right. Terrace is recessed from No.47 to 73: cast iron railings run along parapet with walkway behind; first floors comprise alternating canted bays with panelled, part-glazed front doors; 6/6-pane sashes to second floor, 3 bays per house; modillion cornice; dormer windows set into mansard roof. Wooden sign reading 'The PROMENADE' affixed to No.47. Doorway between No.57 and 59 leads to tile-lined staircase. No.75 and rest of terrace aligned with street line. No.75, retaining original shopfront, has projecting single bay tower to left with brick quoins and an upswept tiled roof. Nos.77, 85, 91 and 99 are pedimented and slightly projecting, with shallow canted fronts; the intermediate houses are slightly recessed, with three bay fronts and with shallow segmental pediments at eaves level to the central houses in each section. Archway of yellow stone between No.87 and 89 leads to terrazzo staircase to upper level. Endmost house, No.103, with canted corner, gable end to return flanked by tall chimneystacks, the right-handmost with a canted, tile-hung oriel window over doorway, with a thermal window above. INTERIORS: not inspected. Ground floors mainly much altered. HISTORY: a notable parade of Edwardian shops, forming a key part of the heart of Golders Green. The architects of The Promenade had worked in the office of Parker and Unwin, designers of much of Hampstead Garden Suburb, and were influenced by the latter's designs for comparable blocks on Finchley Road. The Promenade was designed in a richly detailed 'English Wrennaissance' style which drew on a range of period sources, in particular the Queen Anne style.

## **2. Site History**

Reference: 22/0718/RCU

Address: 65 Golders Green Road, London, NW11 8EL

Decision: Refused

Decision Date: 22.12.2023

Description: Installation of an extractor fan opening to rear elevation (Retrospective Application)

Reference: 22/0719/LBC

Address: 65 Golders Green Road, London, NW11 8EL

Decision: Pending Refused

Decision Date: 22.12.2023

Description: Installation of an extractor fan opening to rear elevation (Retrospective Application)

## **3. Proposal**

The proposed development seeks retrospective Listed Building Approval for interior works to formalise a café. This included the demolition of a dividing wall, new fittings and new fixtures, which are detailed within the proposal plan.

Under this application, no external works have been proposed, nor considered.

#### **4. Public Consultation**

Public consultation is not required for Listed Building Consent Applications. Notwithstanding this, a total of nine (9) objections were received during the assessment period of this application. Their comments are noted below:

- Site being used as a café / restaurant without approval - reference made to old A use classes
- No food licence obtained before operation
- Impact to car parking provision
- Impact of exhaust vent - smell, fumes etc
- On street seating spilling to other tenancies
- Local infrastructure not sufficient in managing the demand of proposal
- Oversupply of cafes

In the first instance it is noted that the assessment of this application relates only to internal works to the host listed building, the assessment of the exhaust vent is subject to separate applications for planning permission and listed building consent, both of which have been refused. In the second, it is noted that reference to outdated use classes has been made and that commercial / retail uses are more accurately encapsulated by Class E, which also made these use classes interchangeable. A change of use application would therefore not be required to establish a café or restaurant from a planning perspective.

#### **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 most recently amended in December 2023. 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.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2021) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF

###### 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 to 2041. 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, DM04, DM06.

### Barnet's New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. 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 requires consideration to be given to the impact of development on heritage assets.

### 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 the alterations would preserve or enhance the special architectural or historical

value of the host listed building

### **5.3 Assessment of proposals**

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.

Paragraph 201 of 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.

Paragraphs 207 and 208 of the National Planning Policy Framework state that any proposal that causes harm to a designated asset must be assessed by weighing this harm against the public benefits.

Council's heritage officer was consulted as a part of the assessment of this application. They have advised that the ground floor shopfront has lost most if not all of its historic character through historical alterations. Given also the recent photos provided of the previous hair dresser tenancy which included exclusively modern fittings, it is highly unlikely that any damage to original fabric was incurred.

The applicant has provided a service diagram which identifies all of the new fittings and service runs. Following a review, Council's Heritage Officer recommended the proposal to be suitable.

In consideration of the above, the proposed internal works are considered not to detriment the special architectural or historical interest of the building.

### **5.4 Response to Public Consultation**

Objections responded to within report. As discussed, the use itself does not require permission and the extractor fan is subject of separate applications.

### **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**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building. The proposed alterations are such that they preserve the character and appearance of the listed individual property.

