



Appeal Decision

Site visit made on 30 December 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/N5090/W/19/3238426

The Black Horse, 92 Wood Street, Barnet EN5 4BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Trimmingham (Heineken UK Limited) against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/3056/FUL, dated 30 May 2019, was refused by notice dated 27 August 2019.
 - The development proposed is the extension of the existing kitchen and trade area, the installation of a new extraction unit to the kitchen roof and the insertion of a new close boarded timber fence and gates.
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Decision

1. The appeal is allowed and planning permission is granted for the extension of the existing kitchen and trade area, the installation of a new extraction unit to the kitchen roof and the insertion of a new close boarded timber fence and gates at The Black Horse, 92 Wood Street, Barnet EN5 4BW in accordance with the terms of the application Ref: 19/3056/FUL, dated 30 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2318-02 Rev. G, 2318-10 Rev. A, 2318-12 Rev. A, 2318-13 Rev. C, 2318-14 Rev. B and 238-15.
 - 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
 - 4) No development above ground works (slab level) shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
 - 5) Prior to the installation of the kitchen extraction system, a detailed assessment which assesses its likely impact on nearby properties in terms of noise, odour

and smoke and which indicates the measures to be used to control and minimise noise, odour and smoke shall be submitted to and approved in writing by the local planning authority. The agreed measures shall be implemented prior to the first use of the extraction system and shall thereafter be retained for the lifetime of the development.

Procedural Matters

2. The development does not propose a flat roof to the kitchen and I have amended the description accordingly.
3. The evidence does not indicate any disagreement in relation to the close boarded timber fence and gates, nor the installation of a new extraction system to the kitchen roof, subject to an appropriate condition.

Main Issue

4. The main issue is the effect of the appeal proposal on the character and appearance of the host property and the Wood Street Conservation Area.

Reasons

5. Along with extraction equipment and fencing, the proposal includes extensions to a dining area and the kitchen area in an adjoining rear building.
6. The Black Horse is a well-established public house with an attractive traditional frontage in a prominent position on Wood Street benefitting from a well sized plot including an extensive beer garden. The building is located within the Wood Street Conservation Area (the conservation area) and is identified within the Wood Street Conservation Area Character Appraisal Statement (2007) (WSCACA) as a locally listed building due to its positive contribution to the character and appearance of the area. The Black Horse is within Character Area 2: Wood Street where the significance of the conservation area lies with the high architectural and historic value of its buildings.
7. The extension to provide additional internal accommodation would be set to the side and rear of the main building. It would match the height and depth of the existing rear projection and would incorporate some window detailing, brickwork and timber fenestration to match that existing. It would also be set back from the side elevation of the main pub building.
8. As a result, the extension would remain a subordinate feature which would not take prominence and would respect the character and legibility of the original building. It would result in some limited loss of heritage fabric through the interruption of the lintel and canopy above the rear entrance door. However, these features, being within a secondary elevation are not integral to the high architectural value of the building. Neither is the small section of the rear elevation of the main building which, although being retained, would form an internal feature as a result of the extension.
9. The kitchen extension would be set to the rear of its host building and as a result of existing trees and robust boundary treatment it would have limited visibility from any public viewpoints. The width of the extension would be just over half the length of the existing outbuilding. Although this width would result in the formation of a fairly shallow gabled roof, the width of the extension would not be excessive in relation to the host building. Further, its ridgeline would be set down from the host building and its overall design would ensure it would be a subordinate addition which would be sympathetic and appropriate in scale.

10. As a result, while acknowledging that the public house has been previously extended, both extensions would be appropriately sited, would not be of excessive size, bulk, scale or mass in relation to the host buildings and as a result of the large plot would not represent overdevelopment of the buildings or site.
11. The proposal would not be detrimental to the heritage significance of the conservation area as the extensions would not detract from the architectural or historic value of the public house, given their positioning on elevations of more limited prominence. The elevation with most architectural value, its traditional frontage, would remain unaffected by the proposals.
12. For these reasons, the appeal proposal would preserve the character and appearance of the host buildings and the Wood Street Conservation Area.
13. It would therefore comply with Policies CS1 and CS5 of Barnet's Local Plan Core Strategy DPD (2012) as well as Policies DM01 and DM06 of Barnet's Local Plan Development Management Policies DPD (2012) which amongst other things seek high quality design that protect heritage assets. The proposal would also comply with guidance within the SPD¹ which has similar aims. It would not conflict with the WSCACA.

Conditions

14. I have considered the conditions suggested by the Council. I have amended some conditions where necessary in the interests of clarity and brevity.
15. As well as the standard time limit, I have imposed a condition in the interests of certainty concerning the approved plans. To safeguard the character and appearance of the building and the area conditions are necessary which require the provision of a tree protection plan and details of wall and roof materials. To ensure that the proposal would not harm the living conditions of nearby occupiers with particular regard to noise, odour or smoke a condition is necessary requiring an assessment of the measures included within the extraction system to guard against such impacts.
16. Having regard to other conditions suggested by the Council, I have not deemed a condition requiring details of hard surfaced areas necessary as no significant additional hard surfaced areas are proposed. The site does not contain any significant gradients and as such a condition requiring details of level changes is not necessary. A scheme of hard and soft landscaping is not necessary in relation to this development which is of limited scale. I have not deemed a condition necessary in relation to the overhanging rear door lintel given my findings above in relation to this part of the building.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions.

T J Burnham

INSPECTOR

¹ Local Plan Supplementary Planning Document: Residential Design Guidance (2016)