

Meeting:	Development Control Committee
Date:	Wednesday 6 <sup>th</sup> September 2006
Subject:	1 Sheepcote Road
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Adam Beamish
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

### **Section 1: Summary**

This report relates to the unauthorised installation of large commercial plant and ducting units on the east and south elevations of Golds Gym, a Grade II Listed Building (designated in 1998).

Built on a prominent site on the corner of Sheepcote Road and Bonnersfield Lane, the building was formally the Granda Cinema built in 1937 in a predominately Art Deco style with classical influences. The plant and ducting, installed over 4 years ago, by reason of its prominent siting, metallic/silver finish, size and appearance, is dominant and unsympathetic and adversely affects the character, appearance and setting of this Grade II Listed Building, contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004.

## Decision Required

### Recommended (for decision by the Development Control Committee)

Subject to the decision of Development Control Committee in respect of Listed Building Application ref: P/38/03/CLB.

The Director of Legal Services be authorised to:

- (a) Issue a Listed Building Enforcement Notice pursuant to Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, no sooner than 42 days after 6<sup>th</sup> September 2006, requiring:
  - (b) (i) Permanently remove all plant, ducting, air-conditioning units, associated frames, supports and bolts on the east elevation wall.
  - (ii) Paint in a black-mat finish all plant, ducting, air-conditioning units, associated frames, supports and bolts on the south elevation wall.
  - (iii) Permanently remove the constituent elements of the plant, ducting, air-conditioning units, associated frames, supports and bolts outlined in section ((b))(i) from the land.
- (c) The requirements set within ((b)) (i), (ii) and (iii) should be complied with within a period of three (3) months from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
  - a. supply the information required by the Borough through the issue of

Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

b. comply with the Listed Building Enforcement Notice

**Reason for report**

To ensure that the alleged breach of planning control is ceased in the interests of the Grade II Listed Building.

**Benefits**

To enhance the environment of the Borough.

**Cost of Proposals**

None at this stage.

**Risks**

Any enforcement notice may be appealed to the Planning Inspectorate.

**Implications if recommendations rejected**

Failure to take action would mean that the character and setting of the Grade II Listed Building would continue to be harmed.

## **Section 2: Report**

### **Brief History, Policy Context (Including Previous Decisions)**

- 2.1 Planning permission P/7/03/CCO for retention of plant and ducting on side and rear elevations, presented to 6<sup>th</sup> September 2006 Development Control Committee for consideration.
- 2.2 Listed building consent P/38/03/CLB for retention of plant and ducting to rear and side elevations, presented to 6<sup>th</sup> September 2006 Development Control Committee for consideration.

### **Background Information and Options Considered**

- 2.30 Golds Gym (formerly known as the Granada Cinema) was listed Grade II in 1988. It was opened in 1937 and built to the design of J. Owen Bond. The building is a striking example of 1930s architecture, occupying a prominent corner site between Sheepcote Road and Bonnersfield Lane. Externally, it has a predominantly Art Deco appearance, with Classical influences in the use of columns, pure lines and an angular, symmetrical design. The facades are bold and uncluttered, which makes the building stand out within the street scene. The west (front), north (facing Bonnersfield Lane) and east (rear) elevations make use of an attractive brown brick finish, laid in an English bond, with every seventh course recessed to provide definition and visual interest. The southern elevation fronting onto the rear yards of Manor Parade uses a simpler engineering style brick, which demonstrates how the other three elevations were supposed to be seen and admired from public viewpoints. However, even on the southern elevation, the use of columns and sharp line design continues, and it should not be considered as having no architectural or historic interest to the overall listed building.

2.31 The unauthorised development on the east (rear) elevation comprises of plant and ducting the subject of listed building consent ref: P/38/03/CLB and planning application ref: P/7/03/CCO. The unauthorised plant and ducting is located approximately 9.4 metres from Bonniefield Lane footpath and is 8 metres from the south corner of the building. The unauthorised plant and ducting is approximately 2 metres from ground level to a maximum height of 5.7 metres protruding 1.8 metres from an original 7-metre high rear projection and 2.6 metres from the main rear wall.

2.32 The unauthorised development on the south (side) elevation comprises of four separate elements of plant and ducting (i-iii the subject of planning and listed building applications).

- i. Three air-conditioning units and associated brackets are located approximately 8.7 metres from the rear corner of the building. They measure 4.4 metres in width, 1.6 metres high and are positioned 3.6 metres from ground level protruding 1.0 metre from the flank wall.
- ii. Three ducts and associated brackets are located approximately between 15.8 metres and 17 metres from the rear corner. They measure 0.4 metres in width, run 11 metres up the flank wall, start 1.4 metres from ground level and protrude 0.4 from the flank wall.
- iii. Plant, ducting and associated support is located between 18.4 metres and 24.8 metres from the rear corner. The plant and ducting is installed between 2.7 metres and 7.3 metres from ground level. It measures 6.4 metres in width and protrudes a maximum of 1.8 metres from the flank wall.
- iv. A single flue not included in the refused applications is located approximately 13 metres from Sheepcote Road. It measures 0.4 metres in width and protrudes 0.4 metres from the flank wall. The flue is positioned 1.4 metres from ground level and runs up the wall to a height of 4.6 metres from ground level.

- 2.33 The unauthorised plant and ducting on both the east (rear) and south (side) elevations are in close proximity to residential properties particularly at Manor Court which is less than 10m away from the unauthorised development. All unauthorised plant and ducting units that are the subject of this report are of metallic/silver finish with a bulky, cumbersome, overbearing, dominant design.
- 2.34 The development is contrary to the following Policies of the Harrow Council Unitary Development Plan 2004.
- Policy D11, *Statutorily Listed Buildings*
  - SD2 *Conservation Areas, Listed Buildings, Site of Archaeological Importance, and Historic Parks and Gardens* in particular section 2.60
- 2.35 The plant and ducting on the east (rear) elevation is large, bulky, unsightly and uncompromising in appearance and in no way blends in with the building. The installed plant and ducting relate poorly to the Grade II Listed Building and the surrounding street scene. The plant, ducting, air-conditioning unit and associated mounting is considerably large and overly dominant on the rear elevation of the Gold's Gym building. From the Bonnersfield Lane the view is one of a pleasant green space area ahead of the Grade II Listed Building with the east elevation prominent and clearly visible from the street. The large silver/metallic unauthorised plant and ducting is particularly detrimental on the publicly visible east elevation, where they clutter and blight the clean simplicity of the façade, cutting across the columns of the building, with no attempt having been made to sensitively site or conceal the units.
- 2.36 The Council consider that any proposal to mitigate the impact of the unit on the east elevation by way of screening, due to the sheer size of the screening required to enclose the unauthorised unit, would have the equivalent, bulky overbearing and detrimental impact on the clean

simplicity of the façade, cutting across the columns of the building as what is present.

- 2.37 The plant and ducting on the eastern elevation due to its size, design, bulky, dominant and overbearing impact to the appearance and setting of the Grade II Listed Building is contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004. Consequently, the Council is requesting all plant and ducting that was the subject of listed building consent ref: P/38/03/CLB and planning application ref: P/7/03/CCO be removed from the east elevation and a Listed Building Enforcement Notice be served no sooner than 42 days from 6<sup>th</sup> September 2006.
- 2.38 The southern (side) elevation fronting onto the rear yards of Manor Parade uses a simpler engineering style brick, which demonstrates how the other three elevations were supposed to be seen and admired from public viewpoints. However, the use of columns and sharp line design continues, and the south elevation should not be considered as having no architectural or historic interest to the overall listed building. The amount of plant and ducting on the southern elevation is numerous, substantial and of the same bulky, overbearing design as the east elevation. Due to the less prominent outlook of the south elevation, the siting of the plant and ducting is considered acceptable but its bulky, overbearing design and incongruous metallic finishing has a detrimental impact to the appearance and setting of the Grade II Listed Building, contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004.
- 2.39 The council is therefore requesting all plant and ducting located on the south elevation be painted black in order to alleviate the effect of the unauthorised works to the Grade II Listed Building.

## **The alleged breach of planning control**

- 2.4 Without listed building consent, the unauthorised installation of plant and ducting to the east and south elevations.

## **Reasons for issuing the notice**

- 2.5 It appears to the Council that the above breach of planning control occurred to a Grade II Listed Building.
- 2.6 The Installed plant and ducting on the east and south elevations is detrimental to the setting and character of the Grade II Listed Building, contrary to policies D11 and SD2 of the Harrow Council Unitary Development Plan 2004.
- 2.7 The Council do not consider that listed building consent should be granted because planning conditions cannot overcome these problems.

## **3.0 Consultation**

- Ward Councillors copied for information
- Harrow Council Legal Services
- Harrow Council Financial Services

## **3.1 Financial Implications**

None

## **3.2 Legal Implications**

Before issuing a listed building enforcement notice, the Committee must (relevantly) be satisfied that: (a) works have been executed to a listed building in Harrow; (b) the works involved alteration or extension of the building which would affect its character as a building of special

architectural or historical interest; and (c) the works were unauthorised in the sense of being without consent or in breach of the conditions of consent. In those circumstances, the Committee may issue a notice if they consider it expedient to do so having regard to the effect of the works on the character of the building as one of special architectural or historical interest.

### **3.3 Equalities Impact**

None.

### **3.4 Section 17 Crime and Disorder Act 1998 Considerations**

None.

## **Section 3: Supporting Information/ Background Documents**

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