

SECTION '2' – Applications meriting special consideration

Application No : 10/02069/FULL1

Ward:
Petts Wood And Knoll

Address : 6 Station Square Petts Wood Orpington
BR5 1NA

OS Grid Ref: E: 544448 N: 167701

Applicant : Mr And Mrs Ketenci

Objections : YES

Description of Development:

Shopfront (RETROSPECTIVE APPLICATION)

Key designations:

Conservation Area: Station Square Petts Wood
Primary Shopping Frontage

Proposal

The application seeks retrospective planning permission for a new shopfront associated with the recently permitted change of use to A3.

Location

The application site comprises an A3 unit (currently being fitted out) on the western side of Station Square with separate residential accommodation above.

The site falls within Station Square Petts Wood Conservation Area. The surrounding area contains a mix of terraced properties comprising Class A1 uses, with some Class A2 and A3 uses along with other non-retail uses.

Comments from Local Residents

Nearby owners/occupiers were notified of the application as originally submitted and several representations were received, which can be summarised as follows:

- the shopfront is not in keeping with the conservation area; and
- with the bi-folding windows open, residents will be disturbed by the noise from the restaurant.

Comments from Consultees

The Advisory Panel for Conservation Areas did not inspect the application.

Planning Considerations

The application falls to be determined in accordance with Policies BE1 (Design of New Development), BE11 (Conservation Areas) and BE19 (Shopfronts) of the Unitary Development Plan.

SPG Station Square Petts Wood

Planning History

July 2009: Planning application (09/00849/FULL3) refused permission for change of use from retail (Class A1) to cafe and juice bar (Class A3), shopfront and ventilation extraction system. This was subsequently allowed on appeal (APP/G5180/A/09/2112627NW).

July 2010: Advertisement application (10/01527/ADV) granted consent for externally illuminated fascia sign and signage to retractable awning.

Conclusions

The main issue in this case is whether the shopfront is harmful to the appearance of the host building and the character of the Station Square Petts Wood Conservation Area within which the property lies.

The change of shopfront proposed in the previously refused application (09/00849/FULL3) was not at issue with the committee report stating that the

...proposals are not considered to adversely impact on the Conservation Area and while it would be preferable to keep the existing shopfront, the replacement would be timber framed and is considered acceptable in terms of design.

Furthermore, with regard to the proposed shopfront, in her decision to allow the subsequent appeal (APP/G5180/A/09/2112627NW), the Inspector concluded that the shopfront would preserve the character and appearance of the Conservation Area.

The current shopfront is largely similar to that previously allowed and having regard to the above, is considered of a sympathetic design, which complements the existing building and preserves the character of the Station Square Petts Wood Conservation Area.

Whilst the objection to potential noise is noted, this issue was dealt with by the Inspector in the change of use application through the imposition of an operating hour

condition. Furthermore, other legislation enforced by the Environment Health section of Council aims to ensure such activities do not result in statutory nuisances.

It is noted that subsequent to the current application being lodged, a raised forecourt with railings has been partially constructed to the front of the property. This structure does not have planning permission and is not included in the current application. Therefore, the owner of the restaurant has been advised in writing that the structure requires planning permission and that all work on the unauthorised structure should cease immediately.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00849, 10/01527 and 10/02069, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1, BE11 and BE19 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the Station Square Pets Wood Conservation Area.

Reasons for granting permission:

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development

BE11 Conservation Areas

BE19 Shopfronts

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (c) the urban conservation policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

1 The planning permission is for the shopfront only and not for the raised forecourt with railings structure adjacent to it.

