

SECTION '2' – Applications meriting special consideration

Application No : 17/04954/FULL1

Ward:
Penge And Cator

Address : 161 High Street Penge London SE20
7QU

OS Grid Ref: E: 535579 N: 170197

Applicant : Mr Mushie Punjabi

Objections : No

Description of Development:

Replacement of existing shop front glazing with new glazed shopfront with door moved to the centre

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 1

Proposal

Planning permission is sought for a replacement shopfront with new glazing and external alterations.

The shopfront was previously used as a bank (Santander) but closed in June 2017. The shopfront and offices above are currently empty.

The application should be considered alongside planning application ref:- 17/04806/FULL1 for conversion and change of use of the existing ground floor commercial unit and upper floors from A2 to A1 at ground floor and the provision of 4 residential units on the upper floors (Use Class C3), the extension of the building at second floor & roof level and elevational alterations.

Location and Key Constraints

The application relates to the ground floor of a three storey building located on the north-eastern side of Penge High Street. The building is currently vacant and is neither listed nor within a conservation area

The surrounding area is predominately A1 units and other commercial premises and is designated within Primary Shopping Frontage.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

No comments sought.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

7.4 Local Character

7.6 Architecture

Unitary Development Plan

BE1 Design of New Development
BE19 Shopfronts

Emerging Local Plan

Draft Policy 37 General Design of Development
Draft Policy 101 Shopfronts and Security Shutters

Supplementary Planning Guidance

Supplementary Planning Guidance 1 - General Design Principles

Planning History

Under planning application ref:- 17/04806/FULL1 planning permission is currently pending consideration for conversion and change of use of the existing ground floor commercial unit and upper floors from A2 to A1 at ground floor and the provision of 4 residential units on the upper floors (Use Class C3), the extension of the building at second floor & roof level and elevational alterations.

Under planning application ref:- 05/01563/ADV advertisement consent was granted for externally illuminated fascia and projecting box sign.

Under planning application ref:- 04/00168/ADV advertising consent was granted for internally illuminated fascia and projecting signs.

Under planning application ref:- 89/01921/OTH planning permission was granted for a cash dispensing machine.

Under planning application ref:- 88/03974/ADV planning permission was granted for an internally illuminated cash dispenser and projecting box sign.

Under planning application ref:- 86/00120/ADV advertisement consent was granted for internally illuminated double sided projecting box and fascia sign.

Considerations

The main issues to be considered in respect of this application are:

- Design
- Neighbouring amenity
- CIL

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy BE19 states that when considering applications for shopfronts the Council will require the proposed to be well related to its context (ii) be of a high quality design (iii) period features should be retained where appropriate; (iv) deep or uninterrupted fascia's are avoided; (v) stallrisers are provided; (vi) display windows at first floor level are avoided; and (vii) appropriate provision is made for access by those with mobility impairment.

Paragraph 6.51 of the above policy states that the design of shop fronts has a critical role to play in the creation of attractive and vibrant town centres. They are frequently replaced and altered as tenants change. As the character and appearance of a shopping parade or street is determined by its individual components, it is important that any proposals are viewed in respect of the wider environment as well as the individual unit. It goes on to state that good design can make a positive contribution to urban character. It is vital that designs and materials of shopfronts are sympathetic to the scale and existing features of the

host building and its surroundings. In particular the standardisation of shop design is often at odds with the traditional scale of the buildings. The original character and individual qualities of buildings in shopping centres should be preserved. In conservation areas and historic buildings it is particularly important that materials relate to the period, style and character of the buildings.

The site is located within the central section of Penge High Street which lies in designated Primary Shopping Frontage. The shop is currently vacant but is seeking planning permission to reopen as a retail unit on the ground floor with residential accommodation above.

The new shopfront will replace the existing door entrance, located to the left hand side as viewed from the streetscene and instead be placed in the centre with two large panels of glass either side. The replacement framing of the shop front will be powder-coated aluminium frame with a low stallriser.

The replacement shop front which will replace non original installations, are considered to be in keeping with the proportion, scale and detailing of the entire host building and premises and make a positive contribution to the streetscape. The shopfront would represent an improvement and would bring the premises back into use which is currently lying empty.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The new shopfront is not considered to have any impact on neighbouring amenity.

Conclusion

Having had regard to the above, it was considered that the proposal is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.