

## **Section '2' - Applications meriting special consideration**

**Application No :** 17/02754/FULL1

**Ward:**  
**Copers Cope**

**Address :** 210 High Street Beckenham BR3 1EN

**OS Grid Ref:** E: 537219 N: 169368

**Applicant :** Mr Sayed Sadat

**Objections :** YES

### **Description of Development:**

Installation of a new shopfront (RETROSPECTIVE APPLICATION)

Key designations:

Conservation Area: Beckenham Town Centre  
Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Primary Shopping Frontage  
Smoke Control SCA 12

### **Update**

Members will be aware that this application was deferred from plan-sub 3 held on 21<sup>st</sup> December 2017 to seek an amended and improved design to be more in keeping with the Beckenham Town Centre Conservation Area. The agent was contacted in December 2017 and in March 2018 the agent responded stating that the applicant would not be making any changes to the shopfront.

The report below is the same as that submitted to Members on 21<sup>st</sup> December 2017.

### **Proposal**

Retrospective planning permission is sought for the changes made to the shopfront. The shopfront was altered in November 2016.

The application is accompanied by a Design & Access Statement.

The premises are a two storey mid terrace property located on the northern side of Beckenham High Street. The premises lie in the Beckenham Town Centre Conservation Area.

## Consultations

Comments received in respect of the application are summarised as follows:

- The property is in a conservation area aiming to preserve the character and appearance of the area.
- The new shop front completely alters the character of the original one when it was a shoe shop.
- The new shopfront makes the property stand out from other shops and detracts from the general traditional character of the High St.
- There is no mention of the gas powered flaming obelisks in the application or the already installed external flickering light. These features are in total contrast with the neighbouring retail properties.

## Consultee comments

Conservation Officer - The proposed shopfront, which is now installed, is simple in its design and retains a stallriser so I raise no objection. The proposal is therefore acceptable under BE11 and BE19

APCA - Objection. The design is not sympathetic to the Conservation Area and lack of information on suitable materials. Does not comply with SPG 3.6 & 3.7

## Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development  
BE11 Conservation Areas  
BE19 Shopfronts

Supplementary Planning Guidance 1 - General Design Principles

### Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 37      General Design of Development  
Draft Policy 41      Conservation Areas  
Draft Policy 101     Shopfronts and Security Shutters

## London Plan

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and archaeology

### **Planning History**

Under planning application reference: 17/02751/FULL1 planning permission is currently pending consideration for Introduction of seating to the first floor of the property and change of use of first floor to function room / additional restaurant seating in connection with the use of the ground floor as a restaurant and insertion of external door to first floor in rear elevation.

Under planning application reference: 17/02753 /FULL1 planning permission is currently pending consideration for planning permission is currently pending consideration for retrospective application for the continued use of the property as a restaurant (Use Class A3) with installation of an extraction system

Under planning application reference: 17/02755/FULL1 planning permission is currently pending consideration for retrospective application for introduction of external ancillary seating to the rear of the property to be used for the consumption of hot food. New fencing to rear and retractable canvas awning to be installed over part of the external area.

Under planning application reference: 16/ 05191/FULL1 planning permission was refused for installation of kitchen extraction hood and installation of external ducting to rear.

The application was refused for the following reason:-

1. *The revised plans do not show sufficient detail to meet the required technical standards for ventilation requirements as required by DEFRA and could potentially lead to the discharge of cooking odours and smells that could give rise to nuisance for neighbouring residents contrary to policy BE1, ER9 and S9 of the Unitary Development Plan & Policy 7.15 of the London Plan.*

On the 30th November 2016 the applicant wrote to the Council notifying his intention to change the use of the premises from a shop (Use Class A1) to a restaurant (Use Class A3) for a temporary 2yr period under Part 4, Class D of the Town and Country Planning (General Permitted Development)(England) Order 2015.

Under planning application reference: 16/04189/CUTA prior approval was refused change of use application from shop Class A1 (retail) to Class A3 (restaurant) (56 day application in respect of noise, odour, waste, opening hours, highways, service provision, sustainability and appearance under Class C Part 3 of the GPDO. The prior approval application was refused for the following reasons:-

1. *The proposed ventilation is unsatisfactory as it provides no odour abatement and in the absence of evidence to suggest the contrary, would adversely impact residential amenity by virtue of noise. The extent of the proposed opening hours would exacerbate noise within the site by virtue of transient pedestrian and vehicle movements within close proximity to neighbouring dwellings contrary to policy BE1 and S9 of the Unitary Development Plan, Policy 7.15 of The London Plan and the Mayors SPG Housing (2012).*
2. *The applicant has failed to provide sufficient information in respect of refuse and waste management and in accordance with PART W (3) (b) of the GPDO (2015) therefore the Council are unable to fully assess the impact of refuse, contrary to saved policy BE1 and S9.*
3. *The proposed siting and location of the ventilation ductwork is considered incongruous, prominent and unsightly when viewed from the rear of 21 Windsor Drive contrary to policy BE1 of the Unitary Development Plan.*
4. *The proposed Class A3 is not considered to contribute to the vitality or range of local services within the shopping parade and in the absence of information to demonstrate otherwise, the loss of the A1 unit would have a detrimental impact upon the vitality of the shopping parade given the extent of neighbouring A3/A5 uses and the loss of a viable retail unit contrary to policy S5 of the Unitary Development Plan.*

Under planning application reference: 15/01492 planning permission was refused for a two storey rear extension to provide an enlarged retail unit, 1 x 1 bedroom flat, 1 x 2 bedroom flat and change of use of existing first floor from retail to residential. The application was refused for the following reasons:-

- 1 *The proposal constitutes a overdevelopment of the site and if permitted would establish an undesirable pattern for similar residential infilling in the area, resulting in a retrograde lowering of the standards to which the area is at present developed, contrary to Policy H7 and BE1 of the Unitary Development Plan.*
- 2 *The proposed windows within the bedrooms of both flats do not provide a reasonable view or outlook and would be harmful to the amenities of future occupiers contrary to Policies H7 and BE1 of the Unitary Development Plan.*
- 3 *The provision of a balcony overhanging the ground floor extension would give rise to undesirable overlooking of the rear gardens located on The Drive and would not provide a desirable outlook for future occupiers overlooking an alleyway, contrary to Policy BE1 and Policy H12 of the Unitary Development Plan.*
- 4 *The proposed development could potentially result in the increase of on-street parking and intensify the use of parking in Beckenham High Street and The Drive and in the absence of an appropriate parking survey to suggest otherwise, the proposal would be likely to give rise to an undesirable increase of on-street parking in nearby roads, and would also*

*lead to conditions prejudicial to the free flow and general safety of traffic along these roads contrary to Policies T2, T3 and T18 of the Unitary Development Plan*

The above mentioned application (15/01492/FULL1) was allowed on appeal on 31st December 2015.

## **Conclusions**

### Background

The premises changed from a Retail Unit (Use Class A1) to a Restaurant (Use Class A3) in November 2016 under temporary 2yr consent. The applicant has until November 2018 before the temporary consent comes to an end and he would need to apply to the Council to regularise this. The applicant has chosen to bring forward this process and this application seeks full planning permission for the changes made to the shopfront.

Although there are other applications relating to the use and other development at this premises, this application should be considered entirely separately from these and on its own merits.

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.

BE11 states that in order to preserve or enhance the character or appearance of Conservation Areas, a proposal for new development, alteration or extension to a building will be expected to respect or complement the layout, scale, form and materials of existing buildings.

The site is located within the main part of Beckenham High Street which lies in designated Primary Shopping Frontage and Beckenham Town Centre Conservation Area. The works to the shop front have already been carried out.

The original shop front included a recessed door, with two display windows, fanlight above the door and a generous stall riser. The proposed and implemented changes include the doorway being relocated from a central position to the left hand side of the premises, large glazed window and a stallriser and main fascia sign with canopy awning. The existing external brickwork at ground and first floor has been painted black.

It is noted that High Street Beckenham encompasses a variety of shop fronts, with traditional and modern designs. These vary in terms of their materiality, glazing pattern and stall riser depth. The High Street was designated a Conservation Area in 2015. Forward of this period Policy BE11 is now a consideration in the determination of the application.

The overall design and proportions, whilst modern, are considered to be in keeping with the host building and Conservation Area. The applicant has sought to retain a traditional recessed door, stallriser and glazed window which would have a neutral effect on the character and appearance of the Conservation Area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/02751/FULL1, 17/02753/FULL1, 17/02754/FULL1 & 17/02755/FULL1, 16/05191/FULL1, 16/04189/CUTA, & 15/01492/FULL1, set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 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.**