

**Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 19/02201/FULL1

**Ward:**  
Copers Cope

**Address :** 69 High Street Beckenham BR3 1AW

**Objections:** No

**OS Grid Ref:** E: 537446 N: 169489

**Applicant :** Autofuels Limited

**Description of Development:**

The installation of a replacement shopfront.

**Key designations:**

Conservation Area: Beckenham Town Centre  
Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Local Cycle Network  
Flood Zone 2  
London City Airport Safeguarding  
London Distributor Roads  
Secondary Shopping Frontage  
Smoke Control SCA 12

**Proposal**

The application seeks consent for the installation of a replacement shopfront. This application is submitted in response to dismissed appeal ref: APPG5180/C/18/3199021 following the issue of an Enforcement Notice. The enforcement notice concerned the authorised installation of the existing shopfront.

**Location and Key Constraints**

The application relates to a three-storey mid-terrace building, which is located on the east side of High Street Beckenham, close to a four way junction. The site includes commercial at ground floor level and is also located within the Beckenham Town Centre Conservation Area. The surrounding area is commercial and residential in character.

**Comments from Local Residents and Groups**

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

## **Comments from Consultees**

Conservation Officer - The key elements that were missing from the refused scheme were the recessed central entrance and the stallriser. The inclusion of these elements is welcomed and the timber frame also appears more suitable than the frameless glass. On this basis the proposal is in accordance with Policies 41 and 101. The "as per approved plans" condition would suffice on this proposal

Highways - No objections

## **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:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the policies.

The Bromley Local Plan was adopted in January 2019.

The development plan for Bromley comprises the Bromley Local Plan (2019) & the London Plan (March 2016).

### London Plan Policies

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and archaeology

### Bromley Local Plan

Policy 37 General Design of Development

Policy 41 Conservation Areas

Policy 101 Shopfronts and Shutters

## **Planning History**

The relevant planning history relating to the application site is summarised as following:

Planning permission was refused under ref: 16/05804/FULL1 for the retention of replacement shopfront. This was then subsequently dismissed at appeal under ref: APP/G5180/Z/3175811 in September 2017.

Following this appeal decision the Council issued an enforcement notice requiring the removal of the unauthorised shopfront. An appeal against this notice was then submitted under ref: APP/G5180/C/18/3199021. On the 6th March 2019 the appellants appeal against the Notice was dismissed and the notice was upheld. The notice requires the removal of the unauthorised shopfront within 6 months from the date of the appeal decision which is the 6th September 2019.

## **Considerations**

The main issue in this case relates to the impact of the replacement shopfront on the character and appearance of the host building and streetscene; whether or not it would preserve or enhance the character or appearance of the Conservation Area, and whether it satisfactorily addresses previous reasons for refusal and objections raised by the Inspector.

Policy 41 of the BLP relates to development within Conservation Areas. This requires new development, alterations or extensions to a building within a conservation area to preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces and using high quality materials.

Policy 101 of the BLP relates to shopfronts. This policy states that the Council will resist the removal of shop fronts of architectural or historic merit.

The installed shopfront replaced an existing example which featured more traditional elements of a shopfront design. The Inspector observed that the shopfronts in the wider area display a variety of designs with some appearing more traditional than others. A number of these however still retain traditional features including: a recessed door with fanlight above, two display windows and generous stall risers. Where these features remain, the Inspector found that they made a 'positive contribution to the quality of the built environment and therefore have an important role in preserving both the character and appearance of the CA.'

The original shopfront included many of these traditional features and was considered to be more in keeping with the character and appearance of the host building. The installed shopfront led to these features being lost and, due to the prominent location of the site, close to a 4 way junction and opposite a pedestrian crossing, the loss of such features was considered significantly harmful to the appearance and character of the surrounding area.

The shopfront currently in situ incorporates a significant use of glazing and features no stallriser or any visual break which could be provided by a mullion or transoms. The Inspector found that this amounted to an 'unsympathetic, unrelated and prominent form of development which fails to respect its context.'

At the time of the appeal relating to the Enforcement Notice, the appellant set out a number of proposed changes to the shopfront, including the installation of a stall riser and other traditional features in order to address Council objections, along with trying to obtain deemed consent via the appeal process. However, the Inspector observed that in respect of these changes, there remained an issue relating to the lack of a recessed door. The original shopfront, prior to the current example in situ, had a recessed door. The Inspector of this latter appeal considered that 'recessed doorways make a significant impact in preserving the character and appearance of the Conservation Area. The failure to provide a recessed door within the shopfront would erode the character and appearance of this part of the Conservation Area. As such the Enforcement Notice was upheld and planning permission refused on the deemed application.

The current application is therefore submitted to address the Enforcement Notice.

The proposed shopfront is now of timber construction and includes two large display windows set either side of a recessed entrance comprising a double set of doors with fan light above. There would be a generous stall riser and the areas of glazing would be suitably broken up with the use of mullions and transoms. The proposed shopfront has therefore sought to reintroduce many of the traditional features lost by the example currently in situ, and these traditional features were found to play an important role in preserving the character of the Conservation Area. The proposal overall would be more in complementary in its appearance and is sympathetic to the host building, streetscene and Conservation Area as a whole. As such, the revised proposal is considered to have satisfactorily addressed previous objections.

The Enforcement Notice requires the removal of the unauthorised shopfront by the 6th September 2019 but does not specify a replacement therefore a condition could be imposed requiring the installation of the approved shopfront within three months from the date of this permission.

## **Conclusion**

The proposed shopfront is therefore considered to be an acceptable alteration which reintroduces important shopfront design features lost by the unauthorised works, and which are considered important in preserving the character and appearance of the Conservation Area.

## **RECOMMENDATION: PERMISSION**

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

- 1 The shopfront hereby approved shall be installed within 3 months from the date of this permission.**

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990 and in the interest of the character and appearance of the Conservation area and in order to comply with policies 41 and 101 of the Bromley Local Plan.**

- 2 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**