

**Decision Maker:** **DEVELOPMENT CONTROL COMMITTEE**

**Date:** **2 November 2021**

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **SHOPFRONT DESIGN GUIDANCE IN BROMLEY**

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**Chief Officer:** Director of Housing, Planning, Property and Regeneration

**Ward:** Copers Cope

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1. Reason for report

- 1.1 The Beckenham High Street Shop Fronts Design Guide (at Appendix 1) has been submitted to the Council with a view to it being used to assess relevant planning applications in Beckenham Town Centre. This report considers this guide and recommends that it be used to inform the production of the borough wide shopfront design guidance in the Council's forthcoming Bromley Design Guide Supplementary Planning Document (SPD).
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2. **RECOMMENDATION(S)**

- 2.1 **That the Beckenham High Street Shop Fronts Design Guide be used by the Council to inform the production of borough wide shopfront design guidance in the forthcoming Bromley Design Guide Supplementary Planning Document.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: None
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## Corporate Policy

1. Policy Status: N/A
  2. BBB Priority: Quality Environment, Excellent Council, Healthy Bromley
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## Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: N/A
  3. Budget head/performance centre: Planning Policy and Strategy
  4. Total current budget for this head: £0.568m
  5. Source of funding: Existing Revenue Budget for 2021/22
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## Personnel

1. Number of staff (current and additional): 10fte
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: N/A
  2. Call-in: Not Applicable
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## Procurement

1. Summary of Procurement Implications: None
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? The draft was provided by Ward Cllrs
2. Summary of Ward Councillors comments: Ward Councillors are understood to be supportive of the use of the guide in future decision making and in informing future guidance and policy

### 3. COMMENTARY

- 3.1 The appended Beckenham High Street Shop Fronts Design Guide has been submitted to the Council with a view to it being used to assess relevant planning applications in Beckenham Town Centre. The production of the guide was initiated by the Beckenham Town Centre Team and has been produced in collaboration between the Beckenham Business Association, Copers Cope Area Residents' Association, Park Langley Residents' Association, West Beckenham Residents' Association, and The Beckenham Society.
- 3.2 The document has not had any input from the Council nor was its production specifically encouraged by any Council decision. The neighbourhood planning process<sup>1</sup> does allow local groups to prepare and adopt documents (subject to an independent examination and a local referendum), but such groups must first identify a specific neighbourhood area and demonstrate that they are a representative forum for this area, in line with national legislation. The Beckenham group is not a designated forum.
- 3.3 The Beckenham document includes broad guidance on shopfronts and related features, and relevant photographs of Beckenham Town Centre. The vast majority of the document replicates a similar draft guide produced for Chislehurst in 2014. Development Control Committee (DCC) noted the content of the Chislehurst guide in 2014 and supported using the guide to inform a borough-wide shopfront design guide as part of preparing the Local Plan<sup>2</sup>.
- 3.4 The Beckenham document does not include any guidance that is specific to Beckenham, nor has any cogent reason been put forward to justify why a Beckenham-specific document would be necessary. The broad guidance that is provided could apply borough wide. As the guide is largely based on the 2014 draft Chislehurst guide, it does not reflect the most up-to-date planning policy context, particularly the adoption of the new London Plan (and the guide itself references the London Plan 2016). The guide also includes a number of elements that are not relevant planning matters.
- 3.5 There is a range of national, regional and local policy and legislation that would apply to shopfronts, for example, Local Plan policy 101 and London Plan policy D3. It is not the case that there is a vacuum of policy or guidance for shopfronts. It is understood that a number of cases of unauthorised development have taken place in Beckenham involving insensitive alterations to shopfronts. Whilst additional guidance would help to ensure that new proposals are suitable, it would not prevent those who are ignorant or intent on breaching planning regulations from carrying out unauthorised work.
- 3.6 As the Town Centre is designated as a Conservation Area, it already has a very high level of protection against inappropriate development, and where this does take place the Council has existing enforcement powers to ensure that any inappropriate development is removed. The Beckenham Conservation Area appraisal already serves to highlight important elements of the Town Centre that contribute to its character and appearance, and a management plan for conserving the area. This existing document is considered sufficient to uphold the high quality of the area.
- 3.7 The Council's Local Development Scheme (LDS)<sup>3</sup>, published in September 2020, sets out the planning documents that the Council intends to produce (in accordance with planning legislation); this includes a borough-wide Design Guide SPD which will provide guidance on key

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<sup>1</sup> Details on the neighbourhood planning process are available from:

<https://neighbourhoodplanning.org/about/neighbourhood-planning/>

<sup>2</sup> Development Control Committee report, 10 April 2014, 'SHOPFRONT DESIGN GUIDACNE', available from:

<https://cde.bromley.gov.uk/documents/s50019459/DRR14046%20SHOPFRONT%20DESIGN%20GUIDE.pdf>

<sup>3</sup> Available from:

[https://www.bromley.gov.uk/download/downloads/id/1801/local\\_development\\_scheme\\_september\\_2020.pdf](https://www.bromley.gov.uk/download/downloads/id/1801/local_development_scheme_september_2020.pdf)

design and sustainability principles for new development in the borough, including borough-wide guidance on shopfronts (which reflects the intent of the Chislehurst guide which DCC noted in 2014). Officers intend to use the Beckenham and Chislehurst guides to inform the shopfront guidance in the Bromley Design Guide SPD; the borough wide guidance will build on the relevant parts of the Beckenham and Chislehurst guides and reflect the most up-to-date policy context.

- 3.8 It is anticipated that a draft Bromley Design Guide SPD will come to relevant committees (including Development Control Committee) for consideration in 2022, ahead of public consultation. Adopting ad hoc documents would not be appropriate and undermine the planned approach to the production and publication of planning policy and guidance, which could ultimately be harmful to the outcomes of decision making in the Borough.

#### 4. POLICY IMPLICATIONS

- 4.1 The Beckenham High Street Shop Fronts Design Guide has no formal policy status as it is not a document that has been prepared by the Council or a relevant neighbourhood forum, as per the requirements of planning legislation. The Bromley Design Guide SPD, once adopted, will be a material consideration in the determination of planning applications and provide strong support for planning decisions where needed.

#### 5. FINANCIAL IMPLICATIONS

- 5.1 No financial implications from the report recommendation set out in paragraph 2.1. The financial implications of producing the Bromley Design Guide SPD have been considered and can be met within the existing Planning Policy and Strategy budget.

#### 6. LEGAL IMPLICATIONS

- 6.1 No legal implications from the report recommendation set out in paragraph 2.1. The production of the Bromley Design Guide will be undertaken in line with relevant planning legislation, which includes a statutory requirement for consultation.

<b>Non-Applicable Sections:</b>	IMPACT ON VULNERABLE ADULTS AND CHILDREN  PERSONNEL IMPLICATIONS  PROCUREMENT IMPLICATIONS
Background Documents: (Access via Contact Officer)	Bromley Local Plan 2019  London Plan (adopted March 2021)