

Delegated Report		Analysis sheet		Expiry Date:		05/02/2024	
		N/A		Consultation Expiry Date:		14/01/2024	
Officer				Application Numbers			
Fast Track GG				2023/3983/P			
Application Address				Drawing Numbers			
50A Leather Lane London EC1N 7TP				Refer to Draft Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of two external shutters (Retrospective).							
Recommendation:		Refused and Warning of Enforcement Action to be Taken					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
Summary of consultation responses:	<p>One site notice was displayed directly outside the site on Leather Lane on 15th December 2023 (expiring on 8th January 2024).</p> <p>The application was advertised in the Camden New Journal on 21st December 2023 (expiring on 14th January 2024).</p>						
CAAC/Local groups* comments: *Please Specify	None						

Site Description

The application relates to the ground floor of a building of three-storeys plus mansard on the corner of Leather Lane and St. Cross Street. The ground floor unit is in commercial use, class E, at upper floor levels comprise a dentist surgery and a residential unit. It is not listed but located within Hatton Garden Conservation Area.

Relevant History

Application Site

2013/1087/A (50B) - Display of 2 x externally illuminated fascia signs to front and side elevations and 1 x externally illuminated projecting sign to Leather Lane elevation of existing shop unit. **Granted 18/04/2013.**

PSX0104592 (50) - Installation of new shopfronts and refurbishment of front elevation, including new double glazed windows. **Granted 17/07/2001.**

ASX0104593 (50) - Display of externally illuminated fascia sign and rehanging of existing projecting internally illuminated box sign to the St. Cross Street elevation. **Granted 17/07/2001.**

27452(R) (50) - The erection of a new shop front and an extract duct up the rear flank wall from ground floor to roof level. **Refused 17/04/1979.**

N16/6/11/26640 (50) - Change of use of part of the ground floor from retail use to use as a shop for the sale of hot food. **Granted 18/10/1978.**

CA1297 (50) - Erection of an internally illuminated double sided box sign advertising "Shoes". **Granted 14/10/1960.**

13515 (50) - Proposed new shop front. **Granted 12/10/1960.**

Relevant policies

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

C5 Safety and security

D1 Design

D2 Heritage

D3 Shopfronts

Camden Supplementary Planning Guidance

CPG Design 2021 Chapters 1 (Introduction), 2 (Design Excellence), 3 (Heritage), 6 (Shopfronts)

CPG Amenity

Assessment

1 Proposal

- 1.1 The proposal involves the retrospective installation of two external shutters on the Leather Lane elevation and St. Cross Street elevation of the ground floor commercial unit.
- 1.2 Each shutter has a shutter box at the top of the door, and guard rails to the sides which are constructed using anthracite grey coated metal.

2 Assessment

2.1 The principal material considerations to the determination of this application are summarised as follows:

- Design Conservation and community safety;
- Amenity

3 Design and community safety

3.1 Local Plan policies D1 (Design) and D3 (Shopfronts) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Policy D3 states that alterations to shopfronts should consider the existing character, architectural, and historic merit and design of the building and its shopfront. Local Plan policy C5 states that *“external security features which obscure the front of buildings such as solid roller shutters can make places seem hostile and unsafe which can discourage pedestrian movement, they will therefore be resisted.”* Camden Planning Guidance (CPG) on Design also mentions that *“solid shutters [...] can generate feelings of insecurity in those walking by, hide internal intruders and encourage crime and anti-social behaviour such as graffiti.”*

Figure 1 – Photograph of St Cross Street shutter



Figure 2 – Photograph of Leather Lane shutter



3.2 Two solid roller shutters have been installed (one facing Leather Lane and the other facing St Cross Street) and can be seen on the above figures 1 and 2. The applicant has specified that the shutters are required because there have been reported breaks-ins to the property. Further details of this have not been provided.

3.3 As mentioned in the CPG (Design), *“the Council strongly encourages internal rather than external shopfront security measures in order to avoid harming the appearance of shop premises and creating clutter.”* *“Roller grilles are preferable to solid or pin-hole shutters as they provide security without obscuring window displays and allows views of the shop interior, which enhances surveillance and security.”*

3.4 The negative impact that roller shutters have in terms of crime and anti-social behaviour is already demonstrated in the photos submitted to support the application (figure 1) as it has already attracted graffiti which harms the appearance of the building as well as inviting opportunity for crime. The solid nature of the shutter also prevents natural surveillance and can create a hostile and unsafe appearance in the street scene.

CPG Design states that shutter boxes should be discrete and should not project forward of the fascia or obscure any architectural features. They should be concealed wherever possible, for example set behind or within the fascia panel and the guide rails concealed within the frame of the shopfront. The proposed shutter box and frame fail to comply with this guidance with the shutter box projecting forward of the fascia board by 0.25m and the guide rails projecting forward from solid elements of the shopfront by 0.05m. This results in a bulky and incongruous addition to the shopfront which obscures the architectural features of the shopfront harming the character and appearance of the property and surrounding conservation area. The Council resist the installation of metal security shutters as they have a negative effect on the character and appearance of the streetscene.

3.5 The applicant has specified in their Design and Access Statement that shutters are a common sight along both of Leather Lane and St Cross Street. However, the majority of existing roller shutters currently in place on Leather Lane do not benefit from planning permission but do appear to have been in place for more than four years so are likely immune from enforcement action. The design of roller shutter varies along Leather Lane, some of which are better designed with the shutter boxes concealed behind the fascia boards. Officers consider that the application site provides an example of

the harm that can be caused by unsympathetic alterations such as roller shutters, particularly within a conservation area.

3.6 Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character and appearance of the conservation area, under s.72 of the Listed Buildings and Conservations Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

3.7 The external roller shutters are very much visible from public views, and it is considered that they would result in harm to the character and appearance of the host building and the Conservation Area. The harm caused as a result of the proposal to the significance of the Hatton Garden Conservation Area would be less than substantial. Paragraph 208 of the NPPF states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal. The shutters would seemingly result in an improved security benefit for the applicant. It is noted that no evidence has been submitted to support the claims of security improvements, nor has it been demonstrated that other security provisions such as internal shutters or security grille (as mentioned in paragraph 3.2), would not be adequate to meet the security needs of the applicant. In any event, it is considered that such evidence would not be sufficient to demonstrate a public benefit which outweighs the harm caused as a result of the proposal.

3.8 As a result it is considered that the proposal would fail to accord with policies D1 and D2 of the Local Plan, resulting in an incongruous addition, failing to preserve or enhance the appearance of the host building of the setting of the conservation area.

4 Amenity

4.1 Camden Local Plan policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.

4.2 The installation of two solid roller shutters is not considered to create any adverse impacts on neighbouring residential occupiers with regards to a loss of daylight/sunlight, privacy, or outlook. Therefore, the proposal complies with policy A1 of the Camden Local Plan 2017 and CPG Amenity.

5 Recommendation

Refuse planning permission and issue an enforcement notice.

Reason for refusal:

The two external solid roller shutters including shutter boxes and guide rails, by reason of their location, design and appearance, would result in an incongruous addition which would harm the character and appearance of the building and the Hatton Garden Conservation Area, contrary to policies D1 (Design), D2 (Heritage) and D3 (Shopfronts) of the Camden Local Plan 2017.

6 Enforcement Action

6.1 That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended requiring, to remove the two external solid roller shutters, and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The notice shall allege the following breach of planning control:

Installation of two (2) external solid roller shutters facing Leather Lane and St Cross Street.

What you are required to do:

1. Remove the two (2) external solid roller shutters, shutter boxes and associated guide rails on the Leather Lane and St Cross Street elevations.
2. Make good any damage caused as a result of the above works.

Period of Compliance:

One (1) Month

Reasons why the Council consider it expedient to issue the notice:

The two external solid roller shutters including shutter boxes and guide rails, by reason of their location, design and appearance, would result in an incongruous addition which would harm the character and appearance of the building and the Hatton Garden Conservation Area, contrary to policies D1 (Design), D2 (Heritage) and D3 (Shopfronts) of the Camden Local Plan 2017.