

Delegated Report	Analysis sheet		Expiry Date:	09/01/2014
	N/A / attached		Consultation Expiry Date:	19/12/2013
Officer			Application Number(s)	
Obote Hope			2013/6745/P	
Application Address			Drawing Numbers	
56 Chetwynd Road London NW5 1BX			Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	Date:
Proposal(s)				
Installation of a new shop front and canopies to the front and side elevation.				
Recommendation(s):	Grant planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:						
Informatives:	Refer to Draft Decision Notice					
Consultations						
Adjoining Occupiers:	No. notified	08	No. of responses	05	No. of objections	04
Summary of consultation responses:	<p>Original proposal: Site notice displayed on 20/11/2013 – 11/12/2013, press notice published on 20/11/2013 – 11/12/2013.</p> <p>Revised plans were consulted upon in February 2014 by written notification to persons that had commented/objected to the original.</p> <p>Original proposal: Objections were received from 2 residents on Twisden Road, 2 on York Rise and 1 on Chetwynd Road :</p> <ul style="list-style-type: none"> • Proposed concertina/folding windows on both the Twisden Road and Chetwynd Road elevations will result in noise/smells affecting the surrounding residential area, see para 2.3 • Appropriate refuse provision must be provided, see para 3.1 • Appropriate ventilation and odour control should be secured, see para 3.1 • Control on number of covers should be considered as on-street parking is a problem in the area, see section 3.0 – 3.5 • Concern that it might open as a hot food takeaway with attendant noise, smell and disturbance see para 3.2 • Objection to a new window and open plan kitchen to the rear of the premises next to adjacent residential properties see para 2.3 <p>Revised proposal, 3 responses were received noting the following:</p> <ul style="list-style-type: none"> • Removal of the fenestration on the Twisden Road flank elevation welcomed • It is not clear whether the windows at the front would be openable which would be objected to, see para 2.3 • There is no confirmation of refuse/recycling storage internally, see para 3.1 • The windows whilst indicated as being timber framed lack detailing see para 2.3 • There should be no internally illuminated signage, see para 3.3 • Hours of opening should not extend past 23:00, not midnight as indicated in the application documents, please see para 3.1 • It must not be allowed to operate principally as a takeaway which would bring noise, litter and antisocial behaviour to the area please see para 3.1 & 3.2 <p>1 expression of support was received (resident in Chetwynd Road) indicating that the reopening of the restaurant would contribute to the thriving village.</p> <p><i>Officer response is detailed below</i></p>					

CAAC/Local groups* comments:
*Please Specify

Original objection from Dartmouth Park CAAC objected to the following:

- traditional character of frontage must be maintained, please see para 2.2

Revised objection from Dartmouth Park CAAC:

- Inappropriateness of new windows to the flank elevation on Twisden Road please see para 2.4
- change of character of this very distinctive Victorian street, which provides, almost in its entirety, a series of positive contributors to the CA, please see para 2.4
- Smell and fumes please see para 2.4

Chetwynd and Twisden Roads Residents' Association objected to the following:

- Noise spillage from the floor to ceiling opening doors/window, please see para 2.3
- Conflict with the window pattern of other units in the parade –stall risers should be re-introduced, please see para 2.3
- Object to any new window whether opening or not on the Twisden Road frontage which was never part of the active shopfront, please see para 2.3
- Proposed fascia signs are inappropriate and should not be shown on the plans as these would require advertisement consent, please see para 3.3
- Proposed canopies would interfere with sight-lines for traffic, please see para 3.4
- The rear kitchen door should be shut at all times and other measures taken to protect residents from smell/fumes, please see para 3.1
- No provision is made for refuse and recycling storage which should be indicated on the plans, please see para 3.1
- Hours of opening should be controlled to not later than 23:00, please see para 3.1
- Concern about parking, especially if there is a takeaway use involved, please see para 3.2
- The site has a long history of unauthorised works, signage and environmental health violations including problems with inadequate waste and recycling storage

Revised objection from Chetwynd and Twisden Roads Residents':

- The floor plan does not have the 'refuse and recycling' area annotated, please see para 3.1
- There is no new revised ground floor plan submitted. Floor plan re-submitted
- And still no section. Section plan was requested and displayed on the

28th/02/2014

- Photomontage A1306-P400 also not updated, not assessed under this application.

Site Description

Number 56 Chetwynd Road is an existing corner shop located on the south side of Chetwynd Road at its junction with Twisden Road with a small area of shopfront on the Twisden Road Elevation. It has residential premises located above. The unit was last used as a restaurant and is currently vacant.

The property is located within the Dartmouth Park Conservation Area and the building is defined as making a positive contribution to the Dartmouth Park Conservation Area.

Relevant History

December 1990(8903156P): Alterations including the erection of a new shop front and rear ventilation duct as shown on drawing nos. 202 2680/A(R2) and unnumbered section/elevation (R2) and

202 2618/A(R3) revised on 03.11.90 13.11.90 04.12.90.” **Granted** 29/01/1990.

August 1985(8500565): Conversion of the upper floors into 1 1-bedroom flat and 1 2-bedroom maisonette including the addition of a new mansard roof at 3rd floor level and 2 roof terraces on the ground and 1st floor rear extensions. As shown in drawings numbered 686 686/1 and 686/2. Revised on 31st May and 7th June 1985. Appeal received against refusal of permission, appeal **dismissed** 08th May 1996.

Relevant enforcement history

September 2010(EN10/0887): Unauthorised trough lighting replacing overhead single lights and Dutch awnings. No Breach found.

Relevant policies

NPPF 2012

The London Plan

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS7 Promoting Camden's centres and shops

CS14 Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP29 Improving access

DP30 Shop fronts

Camden Planning Guidance:

CPG1 (shop front) 2013

CPG6 (amenity) 2013

Dartmouth Park Conservation Area Appraisal and Management Strategy 2009

Assessment

1.0 Background

1.1 The application as originally submitted proposed the following:

- The installation of a replacement shopfront on Chetwynd Road/Twisden Rd corner – this was to be fully openable without a stallriser and included replacement canopies to each elevation
- New window on flank of rear part of restaurant facing Twisden Rd with canopy

1.2 The application was revised as follows:

- The shopfront has been redesigned on Chetwynd Road/Twisden Rd corner to a traditional design incorporating non openable windows and stallrisers to match height the neighbouring shopfront at 58 Chetwynd Road, see par 2.4
- The new window on flank of rear part of restaurant facing Twisden Rd has now been omitted

2.0 Assessment

2.1 The consideration material to the determination of the application are as follows:

- Design of shopfront and impact on the conservation area; and
- Amenity

Design

2.2 The existing shopfront is of no particular merit and detracts from the appearance of the conservation area. The main shopfront and entrance door is on the Chetwynd Road elevation and it incorporates an atypical high stallriser and tile finish. There is an existing window with similar stallriser height and tiling on the splay corner and the Twisden Road elevation forming a corner shopfront. The shopfront includes solid roller shutters and retractable dutch style curved awning to each of the elevations and the corner splay

2.3 The shopfront proposed, now revised to accord with planning guidance, would have a timber frame, non-openable windows with suitable glazing bars, and a timber stallriser to match the adjacent shopfront (No 58 Chetwynd Road). The new shopfront would incorporate a new entrance door on the corner splay elevation and a larger area of shopfront on the Twisden Road elevation. The replacement canopy is a simple retractable design that accords with CPG. No roller shutters are included in the design

2.4 A number of objectors and local groups are concerned about the introduction of new windows on the flank (Twisden Rd) elevation due to amenity and character concerns. In design terms, the introduction a door on the corner splay and a larger window on the return elevation is acceptable. The fact the building incorporates a corner splay physically lends itself to an entrance door in this location and the incorporation of a larger area of shopfront would relate appropriately to the design of the building and the existing shopping parade beyond. It is agreed that the rear subordinate element should not include a shopfront or windows as it would not relate well to the design of the building and would extend the commercial frontage too far into a road with a residential character. This element has now been omitted from the drawings and does not form part of the application.

2.5 The new shopfront and canopy is a significant improvement over the exiting and now relates well to its neighbour and follows guidance relating to the design of historic shopfronts. The fact that roller shutters are removed is also an improvement. Overall the revised proposal represents an enhancement to the character and appearance of the conservation area.

Amenity

2.6 The revision to the shopfront design has addressed most of the amenity concerns raised by the neighbours and local groups. The new windows closer to the residents in Twisden Road have been omitted and the remaining shopfront is now a traditional design without fully openable windows.

Consequently, the use will be contained within the building and the external alterations now proposed would not add to any activity or alter the existing situation in a manner that may adversely affect residential amenity.

3.0 Comments on other Objections

- 3.1 Objectors seek control over the use in terms of hours of operation, numbers of covers, ventilation equipment and smells, refuse storage, vehicle movements, and the kitchen door on the flank elevation. These matters are not suitable for control as part of an application to change a shopfront. They refer to matters that currently exist and no change is proposed in this regard. An area for refuse storage is shown internally on the proposed floorplan and an informative is included to advise the applicant that no refuse sacks be left on the footway.
- 3.2 Concerns in respect of a takeaway use are similarly inappropriate to address through this application. The use as a takeaway (Class A5) would require permission in its own right unless the applicant is able to demonstrate that the last user (Kebabish) was predominantly a Class A5 use and that this occurred for the past 10 years.
- 3.3 The application is for changes to the shopfront only and not the advertisements. As no illuminated advertisements are proposed, the signage would benefit from deemed consent provided it is designed and located to meet the relevant size restrictions. An informative is included to guide the applicant.
- 3.4 There will be no impact on visibility for drivers using vehicles. The open canopies have been designed to meet the height requirement in CPG and drivers would have the same view beneath the canopy that currently exists.
- 3.5 The history of complaints about the previous user should not prejudice the application for external changes to the shopfront now proposed. Any future breaches of control will be investigated and suitable enforcement action taken should they occur.

4.0 Recommendation: Grant Planning Permission

Decision route to be decided by nominated members 24th March 2014. For further information please go to www.camden.gov.uk and search for 'members briefing'

