

Delegated Report		Analysis sheet	Expiry Date:	13/08/2012
		N/A / attached	Consultation Expiry Date:	26/07/12
Officer			Application Number(s)	
John Nicholls			2012/3175/P	
Application Address			Drawing Numbers	
6 High Holborn London WC1V 6DR			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of new shopfront retail unit (class A1)				
Recommendation(s):		1. Refuse planning permission 2. That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended requiring the removal of unauthorised shopfront, shutter and associated box housing 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.		
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
			No. electronic	00		
Summary of consultation responses:	A site notice was displayed on 5/7/2012. No press notice or consultations letters were required for this application.					
CAAC/Local groups* comments: *Please Specify	This site is not within a CA.					
Site Description						
<p>The site is located on the north side of High Holborn close to Chancery Lane Underground Station. It comprises a large, modern, multi-storey building with retail at ground floor level. This application relates to only the ground floor shop unit.</p> <p>The site is not listed and is not within a conservation area. The site forms part of a designated Central London Frontage and is also within the Holborn Growth Area.</p>						
Relevant History						
<p>9580039 - Display of one internally illuminated fascia panel and one internally illuminated projecting box sign – Granted - 17/03/1995</p> <p>9500309 - Alterations to existing shopfront – Granted - 17/03/1995</p> <p>2012/2368/P - Change of use from retail (Class A1) to finance and professional (Class A2) at basement and ground floor level – Minded to Grant subject to S106 being signed – still awaiting signature.</p>						
Relevant policies						
LDF Core Strategy and Development Policies						
<p>CS5 – Managing the impact of growth and development</p> <p>CS14 – Promoting high quality places and conserving our heritage</p> <p>DP24 – Securing high quality design</p> <p>DP26 – Managing the impact of development on occupiers and neighbours</p> <p>DP30 – Shopfronts</p>						
<p>Camden Planning Guidance 2011 – (CPG 1 -Design)</p> <p>NPPF 2012</p>						

Assessment

Proposal

The proposal involves the replacement of an existing shop front. The works have already been undertaken without the benefit of planning permission.

Design

The existing shopfront had a shallow curved glazed recess with one double set of glass doors and two singles either side of them. The recently approved shopfront has been pulled forward onto the front building line of the property, which in principle is considered acceptable. The proposal involves half of the shopfront being fitted with a glass shop window and the other half been completely open with only a roller shutter to be pulled down when the premises is closed.

The half of the shop front which is fitted with glass uses a black powder coated aluminium window frame. This matches a black powder coated aluminium shutter which is proposed in the other half of the shopfront with shutter box located directly in line with the front elevation.

Policy DP30 states that the Council will expect a high standard of design in new and altered shopfronts. When assessing new shopfronts the Council will also consider the general characteristics of shopfronts in the area as part of this assessment. The supporting statement also states that the Council will resist the removal of shop windows without a suitable replacement.

In the supporting paragraph 30.8 it states that folding /opening shopfronts will not generally be acceptable as they can create a void at ground level which can harm the appearance of a building and can have a negative impact on local amenity.

Para 7.11 of the CPG requires new shopfronts to be designed so that they sensitively relate to the scale, proportions and architectural style and surrounding facades. Furthermore, it states that entrances should be in keeping with other elements of the shopfront (paragraph 7.12 - p58) and in relation to open shopfronts it states that the lack of a door (*whether it is via a folding shop front or lack of door – my emphasis*) is considered to create a visual void which is not considered acceptable and harmful to the visual appearance of the property and terrace in which it is located (paragraph 7.12 - p61).

There are no other 'open' shopfronts in the local area and therefore, the proposed half width shopfront and then open area would be out of character with the area and would create a visual void in the street scene. The unit itself would be open to the elements as there would be no way of sheltering the shop unit unless the roller shutter is pulled down.

The external roller shutter is considered to have an unwelcoming appearance to this unit and the streetscene and can attract graffiti therefore they are discouraged as stated in the CPG. Internal shutters can be acceptable however that is not what is proposed as part of this planning application.

The lack of a shop front door and the use of an external solid security shutter are considered to cause visual harm to the shopfront, the property as a whole and the parade of shops in which it is located. Therefore, these elements are considered contrary to policies CS5, CS14, DP24 and DP30 of Camden's Core Strategy and Local Development Plans.

Amenity

There are no amenity concerns as a result of this proposal.

Recommendation 1: Refuse Planning Permission

Recommendation 2:

That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended requiring the removal of unauthorised shopfront, shutter and associated box housing 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:

The unauthorised installation of a new shopfront, shutter and associated shutter box housing.

WHAT THE APPLICANT IS REQUIRED TO DO:

- 1) Remove the unauthorised shopfront;
- 2) Remove shutter and associated shutter box housing.

PERIOD OF COMPLIANCE

The Notice shall require that is removed within a period of 3 months of the Notice taking effect.

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.

The shopfront, shutter and associated shutter box are considered to cause visual harm to the shop unit, the building as a whole and the parade of shops it is located within and is therefore contrary to Policies CS5 and CS14 of the London Borough of Camden Core Strategy Development Plan Document and Policies DP24 and DP30 of the London Borough of Camden Local Development Plan 2010.

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