

Grounds of Appeal (a)

Planning permission ought to be granted for the scheme

It is contended by London Borough of Camden that the removal of the recessed door to number 21 has:

- Harmed the distinctive character and appearance of the shopfront and the host building;
- Detracted from the quality of the parade of shops it forms part of and the wider streetscape;
- Detracted from the quality of the nearby Conservation Areas and the Grade II listed Stables Market

The development is alleged to be contrary to Policy CS14, DP24, DP25 and DP30 of the Camden Development Plan.

In this appeal we will seek to demonstrate that planning permission ought to have been approved for the scheme submitted under planning application reference 2015/6253/P.

We will identify the circumstances which led to the imposition of the new shopfront and outline the key commercial realities of the situation being a material consideration to this application.

It was accepted by the Council that the existing shopfront building could be removed and therefore it's 'preservation' was not required by the Council, the Council are in fact seeking a pastiche replica of a recessed door. The shopfront was required to be removed to comply with the structural implications of the building and building regulations including the requirement for specific glazing.

It will be demonstrated that the key features of the shopfront and its essence is tied up in the detail and the design rather than the fact that the shop used to be 2 units, therefore the provision of a recess door does not underpin any character or appearance.

The existing streetscape has no design quality of any significance, the building is not listed or locally listed, the area is not in a Conservation Area and has no impact on the setting of the adjacent Stables Market Listed Buildings or Regents Canal Conservation Area from any key views. It will be demonstrated that the shopfront has no harmful impact on the street scene and it in fact improves it. It will also be demonstrated that there will be no detraction from the quality of designated heritage assets, this is underlined by the fact that the original decision notice 2015/6253/P did not refer to heritage or conservation areas as reasons for refusal, yet now the Council are seeking to use such reasons to justify enforcement action.

We will outline how the shopfront is of an acceptable design and re-introduces and preserves some key elements of the previous shopfront whilst incorporating it into a modern functional design and how the shopfront delivers sustainable economic, social and environmental development.

We will also set out other key material considerations which should be reviewed as part of the case, being the policy aspirations within the NPPF and Camden's Local Plan for growth, viability and flexibility for development involving local businesses. It will also be demonstrated that there is no harm to the amenity of the area, underpinned by the fact that there have been no objections to the proposed shopfront during the planning stage or after the implementation of the shopfront. It will also be demonstrated that a recessed door would impact on the viability of the retail unit, would encourage anti-social behaviour and crime, would detract from the appearance of the shopfront through crime mitigation measures and litter collection.