

Delegated Report		Analysis sheet		Expiry Date:		04/02/2021	
		N/A / attached		Consultation Expiry Date:		17/01/2021	
Officer				Application Number(s)			
Tony Young				2020/4986/P			
Application Address				Drawing Numbers			
37 Chalton Street London NW1 1JD				Refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of replacement shopfront (retrospective)							
Recommendation(s):		Refuse with Warning of Enforcement					
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:		Site notice displayed 25/12/2020, expiring on 17/02/2021. One objection was received in respect to the shopfront being ripped out and replaced with something bland. Concerns that we are losing too much of the older characterful fabric and that this should not be allowed.					
CAAC/Local groups comments:		N/A					

Site Description

The site comprises a three-storey plus basement building located on the West Side of Chalton Street. It was originally a public house and is now a restaurant. There appears to be residential use located on the upper floors at the site.

The area is characterised by mixed commercial/residential uses.

The site is not listed, but is locally listed building and makes a positive contribution to the street scene and is therefore a non-designated heritage asset. The site is not located in a conservation area.

Relevant History

Planning history:

There is no relevant planning history

Enforcement History:

14/09/2020- complaint received in respect to renovations to alter the shopfront (Ref: EN20/0726). The case is still under investigation.

Relevant policies

NPPF 2021: Chapter 16- paragraph 203

London Plan 2021-Policy D4 (Delivering good design)

LDF Core Strategy and Development Policies

Camden Local Plan 2017:

D1 (Design)

D2 (Heritage)

D3 (shopfronts)

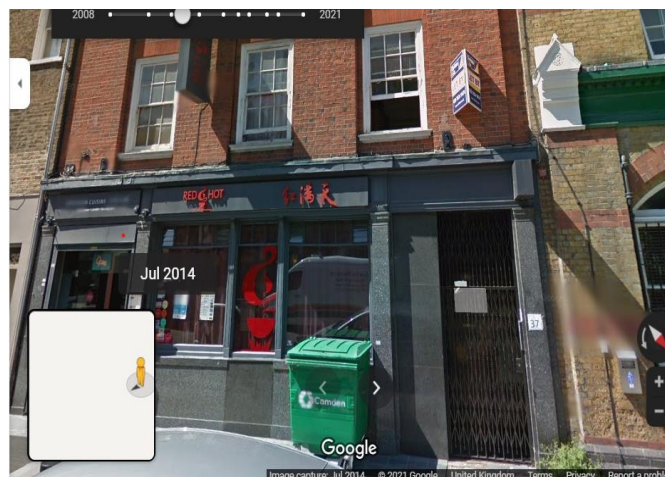
Camden Planning Guidance- Design 2021: chapter 6

Assessment

1.0 Proposal:

1.1 The proposal is for a new shopfront. However, it appears that during the course of the application a new shopfront has been installed without the benefit of planning permission.

Previous shopfront:



Existing shopfront:



2.0 Policy background:

2.1 Policy D1 expects development of a high standard of design that respects the local context and character and will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area. The site is locally listed and is therefore a non-designated heritage asset. Policy D2 seeks to protect non-designated heritage assets, and weigh up the public benefits of a proposal, balancing the scale of any harm lost and the significance of the heritage asset. Paragraph 7.69 states that when determining applications that affects a non-designated heritage asset then the Council will seek the significance of that asset as a material consideration.

2.2 Policy D3 expects shopfronts of a high standard of design and will resist the removal of shop windows without a suitable replacement. The policy also states that where an original shopfront of architectural or historic value survives in whole or substantial part, there will be a presumption in favour of its retention.

2.3 Commentary in paragraph 7.22 of the policy confirms that “shopfronts form an essential part of the character and attractiveness of many areas in Camden, in particular its centres, and contribute to the creation of vibrant streets and public spaces. We will seek to protect existing shopfronts that make a significant contribution to the appearance and character of an area, for example through their architectural and historic merit”.

2.4 The above policy is supported by Camden planning guidance on design (2021), where guiding principles are set out. These are that:

- Shopfronts should be designed to a high standard and should consider the character and design of the building and its context
- Shopfront alterations to existing buildings should respect the detailed design, materials, colour and architectural features of the shopfront and building itself.
- Shopfronts in newly designed buildings should be designed to integrate well with the surrounding area and contribute positively to the public realm.
- The Council strongly encourages shopfront security measures to be internal rather than external. Solid shutters will only be considered acceptable in exceptional circumstances.
- Vibrant and well-designed shopfronts animate and activate the street scene and contribute to creating healthy places.

2.5 Paragraph 6.2 in the guidance says that it is important that new shopfronts and alterations to existing shopfronts are sensitively designed and do not detract from the character of the host building or the surrounding area. Paragraph 6.13 in the guidance confirms that shopfronts should respect the design, character and proportions of the building within which they are situated and respect the character of the street. It further goes on to say that the materials and proportions of shopfronts should be sensitively chosen to be appropriate to the host building and surrounding context. Paragraph 6.16 of the CPG stipulates that on traditional shopfronts, large expanses of undivided glass should be avoided. Vertical glazing bars (mullions) should be used to subdivide large windows to help visually relate the shopfront with the upper elevations of the building.

3.0 Design

Although the shopfront is not listed, it is contained on the Council's local list that was adopted in Jan 2015. The local list identifies locally significant buildings that contribute to a sense of place, local distinctiveness and civic pride. The building is considered to be of architectural, historical and townscape significance. The listing confirms that in terms of sizing and proportions this building contributes positively towards the overall townscape of Chalton Street.

The current shopfront is considered to detract from the architectural composition of the host building and the existing townscape. Although the previous shopfront appeared not to be original, its overall composition was traditional. The pilasters and fascia board created a pleasing composition that

reflected a Victorian shopfront and complimented the detail of the upper floors of the building. The altered shopfront has resulted in removing shopfront features such as stallrisers, mullions, transoms, and pilasters and is currently considered to be harmful to the quality and architectural merit of the locally listed building. The current shopfront has very little articulation in terms of its design and has replaced a previous shopfront that had some architectural expression with one that is considered to be a bland replacement. The existing shopfront is not considered to be architecturally sympathetic to the host building or the local context by virtue of the expanse of glass, and lack of traditional features that fail to relate to the upper floors of the building. The existing shopfront also lacks an active frontage and detracts from the vibrancy of the existing streetscene and shopping parade and would set an unacceptable precedent should it be allowed to be retained.

In light of the above, it is considered that the proposal amounts to 'less than substantial harm' of this non-designated heritage asset and can see no public benefit that outweighs the harm.

The development is considered to be unacceptable in design terms and is thereby contrary to policies D1, D2, and D3 of Camden's Local Plan 2017.

4.0 Recommendations:

4.1 Refuse planning permission

4.2 Authorise Enforcement Action

That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended for the total removal of the existing shopfront and reinstatement of the shopfront to its previous style 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 a new shopfront

What you are required to do:

1. Remove the shopfront and reinstate the shopfront (to include fascia, timber framed windows, transoms, stallriser, pilasters and corbels) to its previous style, using the same proportions, architectural detailing and use of materials; and
2. Make good any damage made as a result of the above works

Period of compliance: 3 Months

Reason for issuing the notice:

The replacement shopfront by reason of its design, scale and materials has a detrimental impact on the character and appearance of the locally listed building, the existing townscape and wider area in general contrary to policies D1, D2 and D3 of the London Borough of Camden Local Plan 2017.