



**1 SUMMARY OF APPLICATION DETAILS**

Ref: 16/00329/P  
Location: 69 Portland Road, London SE25 4UN  
Ward: South Norwood  
Description: Retention of alterations to the shopfront  
Drawing Nos: A207 Sheet 7 A208 Sheet 8, Location Plan  
Applicant: Mr Singh  
Agent: Mr Tewari  
Case Officer: Nicola Townsend

- 1.1 This application is being reported to Planning Sub-Committee because objections above the threshold in the Committee Consideration Criteria have been received.

**2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission:
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions [and informatives] as necessary:

**Informatives**

- 1) Retrospective Planning Permission
- 2) Removal of Site Notices
- 3) Any [other] informative(s)

**3 PROPOSAL AND LOCATION DETAILS**

**Proposal**

- 3.1 This planning application proposes:
- Retention of alterations to shopfront
  - Aluminium framed shopfront and rendered pilasters and fascia board

**Site and Surroundings**

- 3.2 Site is occupied by a two storey detached building with is located on the north–eastern side of Portland Road. The ground floor is in retail use with residential use at first floor level. The surrounding area predominantly comprises retail uses at ground floor level with residential flats over.
- 3.3 The site is designated as follows:
- Site lies within a Local Area of Special Character
  - Area of High Density
  - Portland Road is a Local Distributor Road

## Planning History

3.4 The following planning decisions are relevant to the application:

09/03994/P - Construction of replacement roof at rear; lowering of floor and installation of mezzanine floor – Permission Granted

11/02679/P - Use of part of ground floor as a place of worship – Permission Refused

14/00506/C – Planning enforcement investigation into the alleged removal of wall between the ground floor dwelling and the installation of a garage/workshop shutter and self-containment of the first floor flat. Planning enforcement notice issued on the 6<sup>th</sup> January 2015.

14/03214/P - Retention of first floor rear extension, new shopfront and security shutter – Permission Refused

3.5 On 6<sup>th</sup> January 2015, the Council instigated planning enforcement action against the unauthorised aluminium shop front, guide rail and security shutters, with the notice requiring the removal the shopfront, the security shutter and the shutter-box/guide rail. The subsequent planning enforcement appeal was dismissed and the enforcement notice upheld – with the notice requiring a 3 month compliance period.

3.6 The Planning Inspector made the following comments when dismissing the appeal:

*Looking first at the shutter, whilst this is perforated, when it is lowered it is detrimental to the street scene, obscuring the shopfront and thereby harming visual amenity as well as contributing to a hostile public realm. As to the shopfront behind it, this is of a utilitarian design, with materials which contribute little to the character and appearance of the host building or neighbouring buildings, and which relate poorly to the more traditional design and materials of the upper portion of the building*

3.7 16/02438/P – Use of ground floor for educational purposes – Permission Granted (Not Implemented)

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 Whilst the works proposed as part of this retrospective planning application do not cover all aspects of the planning enforcement notice requirements, the works to the pilaster and fascia boards and the installation of a more appropriate security shutter helps to ensure that the existing shopfront and shopfront surround contributes more positively to the appearance of the host property and the character and appearance of the immediate locality and the nearby South Norwood Conservation Area. Whilst the previous enclosing of the former archway was unfortunate, officers are satisfied that the re-instatement of this particular feature cannot be reasonable justified or required.

4.2 The revised security shutter arrangements renders the appearance of this property significantly less hostile and would be in general accordance with the Council's Shopfront Design Guide.

## 5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below

### LOCAL REPRESENTATION

5.2 The application has been publicised by way of site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 14      Objecting: 14      Supporting: 0

5.3 The following local groups/societies made representations

:

- The Norwood Society objecting

5.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Summary of objections	Response
<i>Heritage</i>	
Damage to the historic character of the building particularly due to the loss of the arch	Whilst the site lies within an Area of Local Special Character, the alterations to the shopfront are considered acceptable.
Harmful impact upon the setting of the nearby conservation area	Officers consider that the development is in character with the area in which it is located and that the development does not result in harm to the adjoining conservation area
Poor design not in keeping with the existing property	Officers consider the development to be in accordance with the design and character of the property.
Unacceptable solid security shutter	The applicant has removed the solid shutters from the site and the application does not seek its retention
<i>Procedural</i>	
Request for unauthorised works to be investigated	Planning enforcement have an open enforcement investigation in relation to the development.

## 6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement

Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

6.2 The Council is in the process of a partial review of Croydon Local Plan CLP1.1 and producing detailed policies Croydon Local Plan 2 (CLP2), which will eventually replace the UDP. Both of these documents have now been submitted to the Secretary of State for Examination. As these documents move towards adoption they will gain greater weight in the consideration of applications.

6.3 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Requiring good design.
- Conserving and enhancing the historic environment

6.4 Consolidated London Plan 2015 (LP):

- 7.4 Local Character
- 7.6 Architecture

6.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP4.1 Urban Design and Local Character
- SP4.2 Urban Design and Local Character
- SP4.11 Character Conservation and Heritage
- SP4.12 Optimise Opportunities to enhance Heritage Assets
- SP4.13 Promote improvements to Heritage Assets

6.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and Siting of New Development:
- UD3 Scale and Design of New Buildings
- UD4 Shopfront Design
- UC5 Local Areas of Special Character

6.7 CLP1.1 & CLP2

- DM12 Shopfront Design and Security

6.8 There is relevant Supplementary Planning Guidance as follows:

Supplementary Planning Document No.1 on Shopfronts and Shop Signs (SPD1) and Addendums.

## **7 MATERIAL PLANNING CONSIDERATIONS**

- 7.1 The main planning issues raised by the application that the Planning Sub Committee are required to consider are:
1. Impact on the visual amenity of the site and the street scene
  2. Inclusive design
  3. Impact on adjoining occupiers and highway users

### **Impact on the visual amenity of the site and the street scene**

- 7.2 The original shopfront included a stone archway which was removed when the alterations to the frontage were undertaken without the benefit of planning permission. This frontage was replaced with an aluminium shopfront; again without the benefit of planning permission. As can be seen from the planning history, the applicant sought to retain that shopfront through the submission of planning application (LBC Ref 14/03214/P) which was subsequently refused. In dismissing the appeal against the subsequent planning enforcement notice, the Planning Inspector commented as follows:

*As to the shopfront behind it, this is of a utilitarian design, with materials which contribute little to the character and appearance of the host building or neighbouring buildings and which relate poorly to the more traditional design and materials of the upper portion of the building.*

- 7.3 Whilst the loss of the arch to the original shopfront is regrettable, the Planning Inspector did not specifically refer to its loss in his appeal decision, but rather concentrated on the quality of the replacement. Following the 2016 enforcement appeal decision, the applicant has undertaken further works to the shop-front to seek to overcome the Council's and Planning Inspector's concerns.
- 7.4 The current proposal (which flows from the works that have been undertaken on site) seeks to retain the rendered pilasters and fascia and the red powder coated aluminium shopfront and associated panels. The previous security shutter, shutter box housing and guard rails have now been removed pursuant to the requirements of the planning enforcement notice. The shop front surround (now having been rendered) now matches the materials of the upper floors of the building and consequently has a more permanent and satisfactory relationship with the remaining elements of the building and the character of the immediate locality (especially bearing in mind the appearance of shop-fronts in the vicinity). Whilst the previous shutters have been replaced with alternative open grille-like shutters, this alternative installation (again captured by this planning application proposal) accords with guidance contained within SPG 2 outlined above and is acceptable and creates a less hostile feel in the vicinity of the application premises.
- 7.5 Whilst close to the South Northwood Conservation Area and visible from within the conservation area, the design of the shopfront would have a neutral impact on character and appearance.

### **Inclusive Design**

- 7.6 The proposal provides level access with the street and provides inclusive access in accordance with SPG 2 (Shopfront Design)

## **Impact on adjoining occupiers and highway users**

7.7 There would be no impact as a result of these works to the shopfront to adjoining occupiers or to those using the highway and adjacent footpath.

## **8 CONCLUSIONS**

8.1 The material considerations for the application are as follows;

- The shopfront is of an acceptable design and appearance in the context of the building, the street scene, the Local Area of Special Character in which it is located and the nearby South Norwood Conservation Area.
- The development includes level access and therefore accords with the principles of inclusive design.

8.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision.