

**R03**

**F/TH/21/1783**

PROPOSAL: Retrospective application for installation of replacement shopfront

LOCATION:

274 Northdown Road MARGATE Kent CT9 2PT

WARD:

Cliftonville West

AGENT:

Mr Tony Michael

APPLICANT:

Mr Michael

RECOMMENDATION:

Refuse Permission

For the following reasons:

- 1 The alterations to the shop front have resulted in the loss of a shop front that was constructed with a traditional design and materials. The replacement shopfront by virtue of its modern design and materials fails to preserve the architectural and historic merit of the building, detracting from the special character and significance of the Conservation Area as a designated heritage asset, resulting in significant harm which is not considered to be outweighed by the public benefits of the proposal. This development is therefore contrary to the aims of paragraphs 130, 197, 199, 200, and 202 of the National Planning Policy Framework and Thanet Local Plan Policies HE02 and QD02.

#### SITE, LOCATION AND DESCRIPTION

The application site is the ground floor of number 274 Northdown Road. It is a mid terrace property located on the southern side of Northdown Road, close to the junction with Crawford Gardens and within a row of commercial properties.

The application form indicates that the works to the shopfront requested as part of this application have been completed.

#### RELEVANT PLANNING HISTORY

There is no planning history for the site.

#### PROPOSED DEVELOPMENT

This is a retrospective application for installation of replacement shopfront.

#### DEVELOPMENT PLAN POLICIES

## **Thanet Local Plan 2020 Policies**

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

HE02 - Development in Conservation Areas

HE03 - Heritage Assets

QD01 - Sustainable Design

QD02 - General design Principles

QD03 - Living Conditions

TP02 - Walking

TP03 - Cycling

TP06 - Car Parking

## **NOTIFICATIONS**

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

One letter of support has been received from the tenant of the property raising the following points:

Improved security, safety, insulation and access to the property

Previous shopfront did not comply with building regulations

Property could not be insured in previous condition

Improved appearance of the shop front

A petition of support has been received with 93 signatures

## **CONSULTATIONS**

**TDC Conservation Officer** - "274 Northdown Road is located within the main commercial thoroughfare of Northdown Road Conservation Area, a short distance from Margate Old Town.

Thanets adopted Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

Guidance under the National Design Guide Section C2, Paragraph 45 highlights that when determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape and paragraph 47 which states Well-designed places and buildings are influenced positively by the local vernacular, including historical building typologies such as the terrace,

town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details.

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Reviewing the application now provided, regardless of its retrospective position I am very much concerned regarding the materials which have been used and the impact perceived due to the loss of the removed shop front.

The traditional heritage shop front has been removed and replaced by a aluminium frontage which appears contemporary amongst the traditional environment that exists within the conservation area and throughout principle elevations of nearby properties. The new shopfront is of little character or quality, and contributes to a diminished level the positive aesthetic given that it has lost all the defining traditional features following their removal. This includes the detailed brick course along the bottom, the small display cabinet to the right hand side of the entrance door, course of transom lights, traditional door and internal panelling. The removal of these elements combined with the installation of the aluminium shop front is deemed to be a considerable loss of character for the conservation area causing harm to its appearance and general disruption of its traditional form. I can acknowledge and accept that there is already an existing array of designs and materials along Northdown Road however this is not a reason to further degrade the existing character and appearance of the conservation area by the use of inappropriate shopfronts and advertisements. Therefore I do not consider the proposal to be compliant with NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Progressively traditional shop fronts are being retained and repaired where possible which are increasingly improving the character of the streets around Northdown Road. It is unclear why the shop front could not be retained and repaired to further contribute to this improving aesthetic and therefore as no information has been included on this.

Justification for the loss of the shopfront has been suggested to be less important because it was not original, however I do not consider this an acceptable reason for its replacement but regardless of its installation date, it was of traditional form, and as such part of Northdown Roads developmental character and very of an age not to be considered 'new'. A further suggestion has been made that the overall quality and character of Northdown Road has reduced over time and degraded in its quality, which I do not disagree with in some circumstances. However this is not a reason to further construct poor quality development and overall reduce the quality of materials evident to the area.

Irrespective of the circumstances regarding the site, given its prominent location within the conservation area the choice of materials is most definitely not acceptable. The removal of timber and its replacement with aluminium is considered a reduction in quality materials which, under Thanets adopted Local Plan, policy HE02, states within Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in

the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.' is therefore not considered acceptable. This is a common approach taken to doors, windows and shopfronts within the conservation environment to retain the expected material palette of quality materials.

Reviewing the information submitted as part of this application I do not believe that the aforementioned legislation has been complied with nor has the setting or the character and appearance of the surrounding conservation area been considered, evident through the lack of quality materials. Therefore I object to the application proposed and suggest that it is reverted back to enforcement and a quality shopfront installed."

## COMMENTS

This application has been called in to the Planning Committee by Cllr Currie due to concerns regarding the condition of the previous shopfront and access for disabled customers.

### **Principle**

The site comprises an existing building located within the urban confines of Margate. The principle of extending and altering an existing building is considered acceptable subject to all other material considerations.

### **Character and Appearance**

The site is located within the Northdown Road Conservation Area and therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' The NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." (Paragraph 199)

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Paragraph 119 of the NPPF states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 130 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local

character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

The shopfront that has been installed within the front elevation of the ground floor is constructed from aluminium and has a flat frontage and aluminium bars divide the windows within the shopfront. A small fascia sign is located above the shopfront, similar in scale to the shops to the east.

The shopfront that was previously located within the front of the property was constructed from timber with a tiled stall riser and a number of transom lights. The shopfront had an angled frontage with a recessed door and a small display window on the right hand side. It is not clear if this shopfront is original, however this was considered to be constructed from traditional materials and with a traditional design. Furthermore these features are visible in a number of the older shopfronts that remain along Northdown Road. 274 Northdown Road is not included within the list of historic shop fronts within the Northdown Road Conservation Area Appraisal, however Appendix 1 (Map 1 Development Phases) identifies the building as being constructed between 1879 and 1907 and Appendix 2 (Map 2 Townscape Appraisal Map) identifies the property as being a Positive Unlisted Building. It is therefore considered that the shopfront that was previously in situ, due to its design and materials made a positive contribution to the character and appearance of the conservation area.

It is acknowledged that the large fascia board that was previously located above the shop front was an incongruous feature and the smaller fascia board that is visible in the new shopfront is a positive element.

The design and access statement highlights a number of shop fronts within the area that are considered to be of a poor quality design and many of these share similar characteristics with the shopfront that has been installed such as aluminium materials and flush frontages. Number 276 Northdown Road, the adjacent property is identified as a poor quality shop front, however this shop front was installed following the approval of planning application F/TH/15/0437 which removed a flush aluminium shopfront and replaced it with a timber shopfront that included various mouldings and a tiled stall riser, similar to the the shop front that was previously in place at number 274.

Whilst there is a modest benefit to the change in the shopfront through the removal of the large fascia board, no evidence has been provided to show that the fascia board could not have been replaced without altering the whole shopfront. It is therefore considered that whilst there are examples of poor quality shop fronts in the surrounding, the shopfront that was previously in place made a positive contribution to the character and appearance of the area and the replacement shop front which shares a number of similarities with shop fronts that the applicant's agent has identified as poor quality has resulted in harm to the character and appearance of the conservation area.

The justification for the change with the Design and Access statement includes an improvement in the space, security and thermal efficiency of the property. Comments received during the application process also indicate that the previous shopfront was in a poor condition and the change has improved access to the property. It appears that the property has operated for a significant period of time as a commercial premises with the previous shopfront arrangement in place. The alteration to the shopfront are considered to make a limited increase in the space within the property and no evidence has been provided to demonstrate that it was not possible to repair the shop front, improve the security, thermal efficiency or accessibility without totally replacing the shopfront that was previously in place or by using a new design that incorporated traditional design and materials.

The public benefits, such as improved the security, thermal efficiency or accessibility of the property, must be weighed against the harm to the conservation area through the change of the shopfront. Given the modern design and materials of the shopfront and the absence of any evidence to show that these benefits could not be achieved through the adaption of the previous shopfront or the use of more sympathetic materials and design the harm resulting to the conservation area is considered to outweigh these benefits.

It is therefore considered that the alteration to the shop front that has been completed without the benefit of planning permission, has resulted in significant harm to the character and appearance of the conservation area and without justification the public benefits of the proposal do not outweigh this harm. This development is therefore considered to be contrary to policies HE02 and QD02 of the Thanet Local Plan and paragraphs

### **Living Conditions**

This development has not significantly altered the scale of the property and is therefore not considered to result in any significant harm to the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

### **Transportation**

This development has not significantly increased the scale of the property or its proximity to the highway and the door opens inwards. It is therefore considered that this development would have no adverse impact upon pedestrian or highway safety.

### **Conclusion**

The site lies within the Northdown Road Conservation Area, in which it is the duty of the Council, as Local Planning Authority, to preserve or enhance the area's special character and appearance. The alterations to the shop front have resulted in the loss of a shop front that was constructed from traditional materials and with a traditional design. The new shopfront has resulted in some public benefits such as improved security, thermal efficiency and accessibility, however it has not been adequately demonstrated that these benefits could not be achieved through the adaption of the previous shopfront or the use of more sympathetic materials and design and therefore these benefits are considered to be

outweighed by the harm. The replacement shopfront by virtue of its modern design and materials fails to preserve the architectural and historic merit of the building, detracting from the special character and significance of the Conservation Area as a designated heritage asset, resulting in significant harm which is not considered to be outweighed by the public benefits of the proposal. This development is therefore contrary to the aims of paragraphs 130, 197, 199, 200, and 202 of the National Planning Policy Framework and Thanet Local Plan Policies HE02 and QD02.

**Case Officer**

Duncan Fitt

TITLE: F/TH/21/1783

Project 274 Northdown Road MARGATE Kent CT9 2PT

Scale:

