

Parish: Chichester	Ward: Chichester North
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## CC/18/00553/FUL & CC/18/00554/LBC

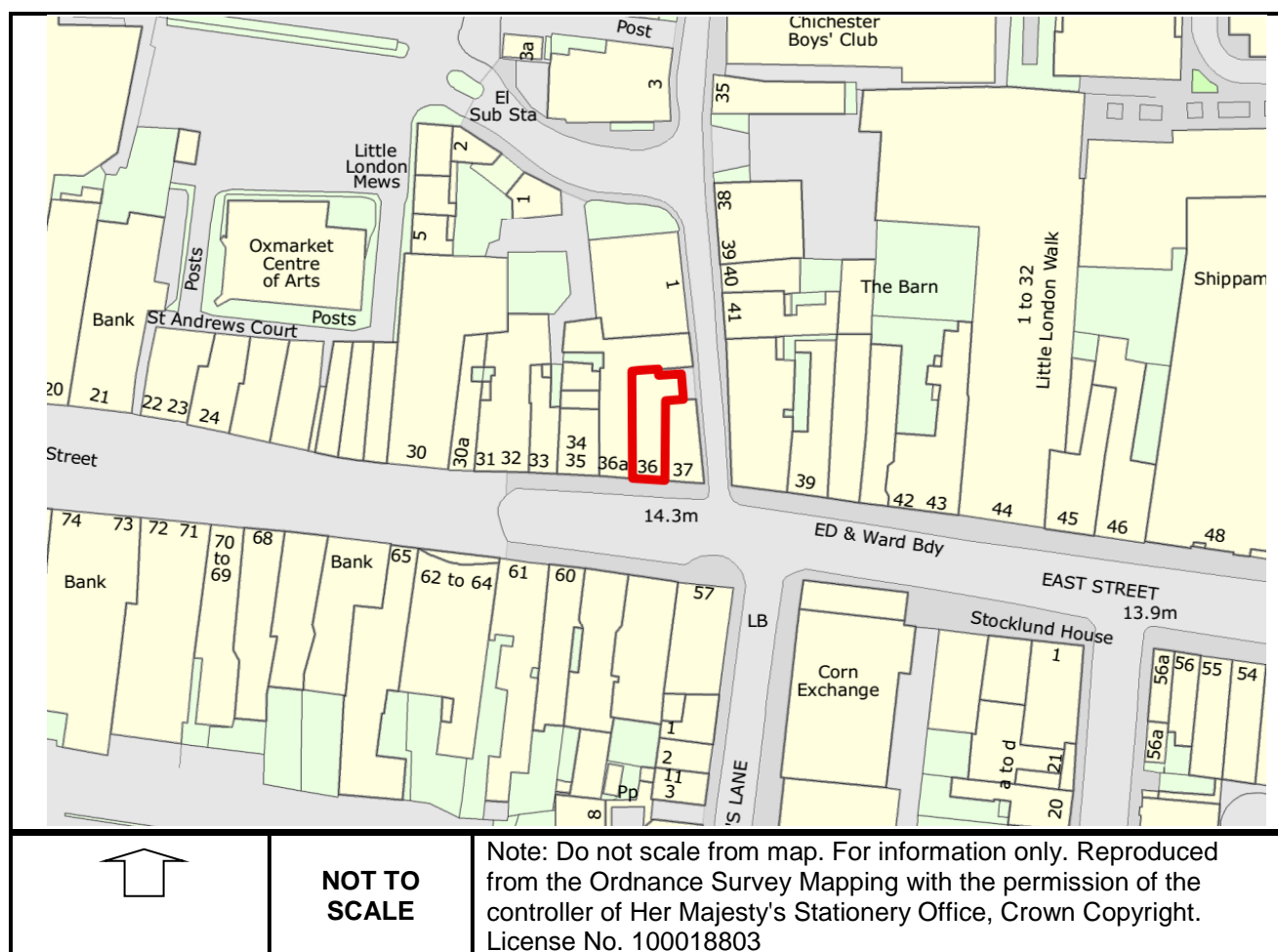
**Proposal** Replacement shop frontage.

**Site** 36 East Street Chichester PO19 1HS

**Map Ref** (E) 486282 (N) 104806

**Applicant** MECABURY PROPERTIES LTD

## RECOMMENDATION TO PERMIT



## 1.0 Reason for Committee Referral

1.1 Parish Council Objection – Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The application site is a Grade II Listed Building and the listing description from Historic England is as follows:  
“EAST STREET 1. 972 (North Side) Nos 36 & 37 SU 8604 NW 4/462 II 2. Early C19 earlier timber framed core to No 36. Slate roof. 3 storeys. 5 windows. No 37 projects slightly. Stuccoed front. Parapet. Cornice in No 37. Sash windows in flat arches; some in reveals. Small windows on 2nd floor in No 37. Narrow centre windows to No 36. All glazing bars intact. Plate glass shop fronts on ground floor.”
- 2.2 The application site is located to the north of East Street, in a prominent position within the Chichester City Centre and within the Conservation Area. The existing shopfront contains a large glazed shopfront with a recessed single door located to the side of the shopfront. The site sits within a row of glazed shopfronts, which vary in terms of their window arrangements. No. 37 has a flush frontage and a set of central double doors with stallrisers and large glazed shop windows either side. No. 35 has central set of double doors which are recessed and has a shallow stallriser. The prominent arrangement of shopfronts along East Street is central double entrance doors, most of which are recessed.

## **3.0 The Proposal**

- 3.1 The application proposes to replace the existing shopfront by removing the existing recess and installing central double doors flush with the frontage to match the neighbouring shopfront at No. 37 East Street. The proposals have been amended through the course of the application to improve the design of the double doors.

## **4.0 History**

74/00157/CC	PER	Change of use of about 1/4 ground floor office space for the use of printing journals.
75/00254/CC	PER	Change of use, first floor to office accommodation.
75/00622/CC	PER	Provision of one additional window.
79/00582/CC	PER	Advert.
87/00856/CC	REF	New shopfront.
89/00444/CC	PER	Fascia advertisement comprising individual moulded letters (non-illuminated).
89A/00444/CC	PER	Fascia advertisement comprising individual moulded letters (non-illuminated).
99/01446/LBC	REF	Demolition of listed & non-listed buildings & erection of new retail development with ancillary space above.

99/01447/LBC	REF	Demolition of listed & non-listed buildings & erection of new retail development with ancillary space above.
99/01455/FUL	REF	Demolition of listed & non-listed buildings & erection of new retail development with ancillary space above.
99/01456/FUL	REF	Demolition of listed and non-listed buildings and erection of new retail development with ancillary space above.
00/01286/LBC	PER	Insertion of essential structural tie bars, plates and 'structural' rain water pipe to brace cracked and leaning building.
02/02131/LBC	REF	Fix name/corporate identity to existing fascia/shop frontage.
02/02146/ADV	REF	1 no. fascia sign and 1 no. window sticker.
03/01374/LBC	PER	Fix name/corporate identity to existing fascia/shop frontage.
03/01375/ADV	PER	Non-illuminated fascia sign.
03/02409/FUL	PER	Alterations to existing retail units, part demolition and rebuilding of rear retail, conversion of existing offices to storage/retail, 3 no. flats and refurbishment of existing residential space.
04/03100/LBC	PER	Shopfitting works.
04/03492/ADV	PER	1 no. fascia sign.
04/03595/LBC	PER	New shopfront signage.
07/05345/FUL	PER	Change of use and alteration of first and second floors to provide 4 no. flats. Internal and external adaptations to suit.
07/05346/LBC	PER	Change of use and alteration of first and second floors to provide 4 no. flats. Internal and external adaptations to suit.
13/00293/LBC	REF	Retrospective new non illuminated signage to replace existing.

## 5.0 Constraints

Listed Building	Yes
Conservation Area	Yes - Chichester
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

## 6.0 Representations and Consultations

### 6.1 City Council (23/05/18)

Amended plans have not addressed the issues members raised with the development and our objection still stands.

Prior to amendments:

#### City Council

Objection as the replacement shop front, particularly the double doors, would harm the character and appearance of the Listed Building and Conservation Area.

### 6.2 Chichester Historic Building Adviser

The proposed Drawing No. 900/SF.103/ Rev.3 shows a traditional timber shopfront with central entrance double doors with kick- plates and an overhead transom, flanked by two rectangular plate-glass shop display windows supported by panelled stall-risers. The shop frontage is completed by a timber fascia above which is painted, all to oil painted grey colour.

This design is wholly in keeping with the Listed Georgian town-house which is now converted to retail at ground floor, as with most of the town-centre premises. The design represents a distinct improvement over the existing bland frontage and adds traditional detailing and materials, so is recommended for Approval of LBC.

Prior to amendments:

#### Chichester Historic Building Adviser

Amendments regarding door design required in order to be acceptable. No concerns with filling the recess. (Verbal comments)

### 6.3 Chichester Society

Amendments advised: the new central entrance doors with their mid rail is out of character with a traditional shopfront which otherwise the proposed is intending to create. This can be remedied by the omission of the mid rail and the provision of a bottom solid panel lining with the stall riser of the proposed shop window.

## 7.0 Planning Policy

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Westbourne at this time. The principal planning policies of the Chichester Local Plan Relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development  
Policy 2: Development Strategy and Settlement Hierarchy  
Policy 10: Chichester City Development  
Policy 27: Chichester Centre Retail Policy  
Policy 47: Heritage and Design

### National Policy and Guidance

7.2 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.3 Consideration should also be given to paragraph 7, 14, 17 generally.

The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

### Other Local Policy and Guidance

7.4 The following documents are material to the determination of this planning application:

- CDC Shopfront and Advertisement Design: A Guidance Note
- CDC Chichester City Conservation Area Character Appraisal
- CDC External Alterations to Listed Buildings in Chichester District Development Advice Note

7.5 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2021 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

7.6 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

## **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Design and Impact upon Visual Amenity/ Character of Area
- iii. Heritage and Design

i) Principle of Development

8.2 The application site falls within the Chichester settlement boundary and is an existing shopfront. Alterations to the shopfront can be considered acceptable whereby they are appropriate and sympathetic additions to the building and meet the requirements of Policy 27 and 47 of the Chichester Local Plan and the Shopfront Design Guidance.

8.3 The considerations for each application to which this report relates are different. For example, for the planning application to alter the shop front the main considerations are the principle of development, the impact of the proposal upon visual amenity and the character of the conservation area, and the impact upon the special historic and architectural importance of the listed building. In respect of the application for listed building consent for the proposed replacement shopfrontage to the listed building the main consideration is the impact upon the historic and architectural importance of the listed building.

ii) Design and Impact upon Visual Amenity/ Character of Area

8.4 S. 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the planning Authority (LPA) to have special regard to the desirability of preserving or enhancing the character of that area. In addition, the NPPF stresses the importance of protecting heritage assets, stating that LPA's should take account: of the desirability of sustaining and enhancing the significance of a heritage asset, the positive contribution that conservation of heritage assets can make to sustainable communities and to the desirability of new development making a positive contribution to local character and distinctiveness. Furthermore, Policy 47 of the Local Plan requires new development to recognise, respect and enhance local the distinctiveness and character of the area and heritage assets. Policy 27 of the Chichester Local Plan also seeks to ensure that the additional retail development respect the character of the existing shopping centre in terms of design, scale and materials.

- 8.5 The proposals would rearrange the existing shopfront so that the entrance doors are located centrally within the shopfront and flush with the display windows either side. The double doors originally proposed had two separate large glazing panels. The City Council objected to the use of double doors due to the perceived harm to the character and appearance of the listed building and conservation area. CDC officers also considered that the design of the double doors were inappropriate and did not achieve a sympathetic design solution for the shopfront. Amendments were therefore requested in order to improve the design. The application, as amended, now proposes a larger main glazing panel in each door and a smaller panel below, which aligns in shape and size of the stallrisers on the existing shop frontage.
- 8.6 The proposals would create a shopfront that would be identical in appearance to the existing arrangement at No, 37 East Street in terms of the position of the entrance door, depth of the stallrisers and size of the window displays. The resulting shopfront would also match the existing shopfronts along East Street whereby the majority comprise of central double entrance doors, stallrisers and display windows either side. Whilst the proposed double doors would not be recessed, it is considered that the proposals would create a traditional shopfrontage which would be in-keeping and similar in design to the neighbour units. Whilst the City Council's concerns still remain regarding the design of double doors, it is considered that the revisions to the double doors to include a large glazed panel and alignment of the lower panel with the stallrisers either side of the door would achieve a sympathetic and appropriately designed shopfront.
- 8.7 For the reasons set out above it is considered that the proposed alterations to the frontage of the building would not detract from the visual amenity of the host building or the surrounding area, and the proposal would preserve the character of the conservation area. The proposal would therefore meet the requirements of policies 27 and 47 of the Local Plan, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance contained within Shopfront and Advertisement Design Guidance.

iii) Heritage and Design

- 8.8 Under sections 16 (2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works the local planning authority shall have special architectural or historic interest which it possesses. Policy 47 (Heritage and Design) of the Chichester Local Plan: Key Policies 2014 to 2029 requires development to demonstrate that the proposal "conserves and enhances the special interest and settings of designated and non-designated heritage assets" including listed building and the conservation area, and "respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality". Under Section 12 of the NPPF the authority is required to consider that heritage assets are irreplaceable and that any harm would require clear and convincing justification,

although the significance of the asset and degree of harm should be weighed against securing best viable use.

- 8.9 No. 36 and 37 are Grade II Listed Buildings, whose ground floor shopfronts vary in terms of their appearance. No. 36 comprises of a recessed entrance off set within the frontage. No. 37 is a more recent shopfront (circa 2009) which comprises of a flush frontage and central double doors and stallriser. Whilst it is not known whether this recess is in its original location on the building, the existing large display windows forming the shopfront are acknowledged within the listing text as 'plate glass shop fronts on ground floor' which by their appearance indicates that these are more modern and later alterations to the 19<sup>th</sup> Century listed building.
- 8.10 The application proposes the replacement of the shop frontage to infill the recess and the addition of central double doors flush with the frontage. The resulting shopfront would match the existing shopfront at No.37 which forms one Listed Building with the application site. Given that the existing shopfrontages are later additions to the Listed Building and the proposals would result in two identical shopfronts which would incorporate traditional features such as a defined and continuous stallriser, central doors and formal display windows, it is considered that the proposals would enhance the overall appearance of the building by creating a visually coherent shop frontage. Furthermore it is considered that the proposals would not have an adverse impact upon the historic fabric or the character of the Listed Building.
- 8.11 The design of the doors has been amended. Despite these amendments, the City Council's concerns still remain regarding the design of double doors, however it is considered that the revisions to the double doors through the use of a large glazed panel and alignment of the lower panel with the stallrisers either side of the door would relate appropriately and sympathetically to the Listed Building.
- 8.12 As such, the proposal is considered to comply with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 47 of the Chichester Local Plan and which requires new development to respect, conserve or enhance the host listed building.

### Conclusion

- 8.13 Based on the above assessment it is considered that the alterations to the shopfront would not have an adverse impact upon the amenity of the site and its surroundings, it would preserve the character of the conservation area and the special architectural and historic character of the listed building. It is therefore considered that the proposal would respect, conserve and enhance the existing shop frontage and its sensitive surroundings and therefore complies with Policies 27 and 47 of the Chichester Local Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the applications for planning permission and listed building consent are all recommended for approval.



## Human Rights

- 8.14 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

### **RECOMMENDATION FOR 18/00553/FUL**

PERMIT subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be carried out other than in accordance with the approved plans: 900/SF101 01, 900/SF102 01 and 900/SF 103 REV 03

Reason: To ensure the development complies with the planning permission.

- 3) Details of the proposed external materials and finishes of the windows and doors shall be submitted to and approved by the Local Planning Authority before construction commences on site. Once approved the windows and doors shall not be altered or replaced without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

### **Informatives**

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### **RECOMMENDATION FOR 18/00554/LBC**

PERMIT subject to the following conditions and informatives:-

- 1) The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The works hereby permitted shall not be carried out other than in accordance with the approved plans: 900/SF101 01, 900/SF102 01 and 900/SF 103 REV 03

Reason: To ensure the works comply with the listed building consent.

- 3) Details of the proposed external materials and finishes of the windows and doors shall be submitted to and approved by the Local Planning Authority before construction commences on site. Once approved the windows and doors shall not be altered or replaced without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

- 4) All new works and making good of the retained fabric whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture, profile and style.

Reason: To safeguard the architectural and historic character of the Listed Building or to ensure the detailing and materials maintain the architectural interest of the building

### **Informatives**

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact Summer Sharpe on 01243 534734