

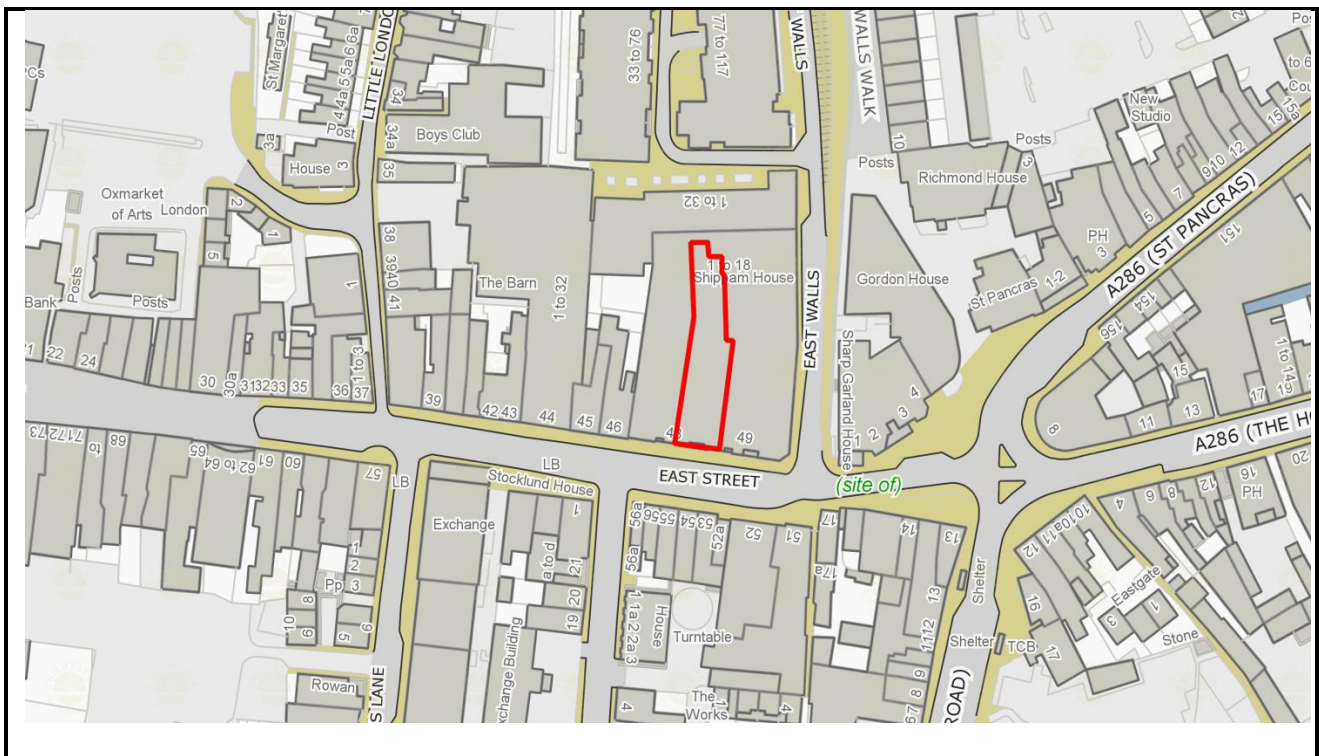
Parish:
Chichester

Ward:
Chichester Central

CC/22/01046/FUL

Proposal	Re-paint existing shopfront in Black. Alterations to fenestration.		
Site	48 East Street Chichester West Sussex PO19 1HX		
Map Ref	(E) 486392 (N) 104795		
Applicant	Mr James France	Agent	Mr Francis Nwokedi

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located to the north side of East Street within the Chichester Settlement Boundary and Chichester Conservation Area. The application site comprises of a four-storey building with retail units at ground floor level. The application site comprises part of a retail unit that has been sub-divided to provide two smaller retail shops, the western retail unit being subject to this application.

3.0 The Proposal

3.1 The proposal seeks full planning consent, for the repainting of the existing timber shop front in Black and alteration to the existing fenestration and infilling of the existing shopfront. The advertisement application (22/01047/ADV) relates to the advertisements connected with the proposed use of the property at 48 East Street.

4.0 History

03/01773/FUL	WDN	Two and four storey redevelopment and conversion of site and alterations to 42-43 and 45-46 East Street, for mixed uses comprising A1 retail, A3 food and drink and residential, together with highway and access works and landscaping.
03/01775/CAC	WDN	Demolition of majority of Shippams factory buildings and adjoining properties, i.e. Sadlers Walk and the Boys Club in Little London.
05/00427/CAC	PER	Demolish front section of former Shippam's factory.
05/00430/FUL	PER106	Comprehensive mixed-use redevelopment, comprising of retail and residential accommodation, together with associated car parking landscape and highway works (after demolition of existing factory and former social club building).
12/03154/ADV	REF	2 no. pod signs and 1 non-illuminated projecting sign.
12/04286/ADV	PER	Two 10mm thick block perspex letters fixed to existing timber fascias (Retrospective).
21/02880/ADV	PER	1 no. non-illuminated fascia sign to front of building to replace existing.

21/02893/FUL	PER	Re-paint existing shopfront in Basalt Grey (retrospective).
21/03145/FUL	WDN	Shopfront repainted with new paint. Alterations to fenestration.
21/03146/ADV	WDN	New illuminated fascia sign to front and rear of building to replace existing.
22/01047/ADV	PDE	Non-illuminated white acrylic lettering to front of building.

5.0 Constraints

Listed Building	No
Conservation Area	Yes
Rural Area	No
AONB	No
Tree Preservation Order	No
EA Flood Zone	
- Flood Zone 2	No
- Flood Zone 3	No

6.0 Representations and Consultations

6.1 Parish Council

Further Comments (15.06.22)

Objection. The acrylic lettering, black paint to the whole shopfront and the application of flat wooden panelling (including to replace the existing stallrisers), would be contrary to the conservation area shop front advertisement design guidance and would harm the traditional character and appearance of the historic city centre conservation area. Appropriate materials and colours should be used, and traditional elements of the shopfront should be retained rather than clad over, in accordance with the design guidance, in order to contribute to, rather than detract from, the special character of this area.

6.2 CCAAC

The Committee objects to this Application. Loss of the rendered shopfront division pilasters which unite vertically with the upper floors, and not addressing the set back in the middle of the composition, harm the architectural scheme and rhythm of the overall elevation, which relates to the C19th shop fronts of East Street. Hand painted lettering in compliance with CDC shop-front guidance would be preferable. There is also no street number.

6.3 CDC Conservation and Design

Thankyou for consulting Conservation and Design on the applications at the above site. The property is not listed but lies within the Chichester Conservation Area.

The existing shopfront is of no particular interest in its own right, it is modern thick framed timber with two large recessed areas for double doors for the former retail fashion tenant. The proposed replacement shopfront is timber and reasonably well composed with a stallriser and clear transoms and mullions. The detailing on the timber is flatter but the host building is a largely modern iteration of a more traditional overall form so this is not an inappropriate measure in this context. Shopfronts are usually darker colours and black is an appropriate colour for a modern or traditional shopfront and is appropriate in this case. The signage is restrained and non illuminated. The new shopfront has a neutral impact on the Chichester Conservation Area.

Recommendation: Approve with standard conditions

6.4 Third party comments

One letter commenting on the following have been received;

a) The shopfront vertical dividers should be stone coloured, rather than the black painted finish proposed.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made neighbourhood plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 10: Chichester City Development Principles

Policy 27: Chichester Centre Retail Policy

Policy 47: Heritage and Design

Chichester Local Plan Review Preferred Approach 2016 - 2035

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 in 2022. Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2023. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 20th July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.5 Consideration should also be given to the following paragraph and sections: Sections 2, 4, 12, 14 and 16. Consideration has been given to paragraph 132 in particular, as this relates specifically to the control of advertisements. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

- 7.6 The following documents are material to the determination of this planning application:
- Chichester District Council Shopfront and Advertisement Design Guidance Note
 - Chichester Conservation Area Character Appraisal
- 7.7 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:
- Maintain low levels of unemployment in the district
 - Support local businesses to grow and become engaged with local communities
 - Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

- 8.1 The main considerations are:
- i. Principle of development
 - ii. Impact upon the character of the conservation area

Principle of Development

- 8.2 The application site is located within the Chichester settlement boundary, which is a location where the provision of a range of homes, workplaces and social and community facilities is supported by Policy 2 of the Local Plan subject to compliance with other policies of the Development Plan. The site is also located within the Chichester Conservation Area.

Impact upon the character of the conservation area

- 8.2 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 and conserving the character and appearance of a conservation area. In addition, Policy 47 of the Chichester Local Plan states that permission will only be granted where it can be demonstrated that the proposal conserves or enhances the special interest and settings of the designated heritage assets.
- 8.3 The application relates to the repainting of the existing shopfront by hand and alterations to the existing shopfront including the infilling of the shopfront. It is considered that the hand painting of the shopfront would be acceptable and would be a more traditional and appropriate finish within the City Centre.
- 8.4 The shopfront is proposed to be painted in Black. It is noted that Chichester Shopfront and Advertisement Design Guidance Note states that 'darker colours, but generally not black are preferred as this helps to emphasise the light in the shop and accentuates the products for sale', which has also been highlighted by Consultees and Third Parties. However, the proposed paint colour is considered in this case to be acceptable on balance, given that it would match the existing paint colour of the fascia. Therefore, it is considered that the repainted shopfront would sit comfortably within the street scene and would not result in an unacceptable amenity impact upon the Chichester Conservation Area or the setting of the nearest Listed Buildings. The proposal also includes the infilling of the existing shopfront, plus the installation of Black painted timber cladding to match the existing and alterations to the fenestration.
- 8.5 On balance, it is considered that the proposed treatment to the shopfront would be acceptable and would not adversely affect the character of the street scene, the Chichester Conservation Area or setting of the nearest Listed Buildings. The proposal is therefore considered to accord with Section 72 of the Listed Building and Conservation Areas Act 1990 (as amended), Section 16 of the NPPF and Policy 47 of the Chichester Local Plan.

Conclusion

8.6 Based on the above assessment, it is considered that the proposed hand painted treatment and minor alterations to the shopfront is compatible with the character of the Chichester conservation area and would not adversely impact upon the setting of the nearest listed buildings. It therefore complies with the National and Local Plan policy Development Plan and there are no material considerations that indicate otherwise. To conclude, it is recommended that planning permission should be granted subject to conditions.

Human Rights

8.6 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been considered and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

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 be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - SITE AND LOCATION PLAN	HLP/1302/05		15.05.2022	Approved
PLANS - Plans PLAN - PROPOSED SHOP FRONT ELEVATIONS	HLP/1302/07	REV M	06.06.2022	Approved

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 Rebecca Perris on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RADCTAERFPR00>