

SIDMOUTH TOWN
(Sidmouth)

07/1744/FUL

Target Date 16.08.2007

Applicant:

Ms Preston

Location:

Lloyds Pharmacy, 81 High Street

Proposal:

Retention of New Full Height Aluminium Glazed Shop Front with Sliding Doors

CONSULTATIONS

County Highway Authority

No objections.

Environmental Health

No comments to make.

TOWN/PARISH COUNCIL

18.07.07 – Approve.

A subsequent letter dated 30th August 2007 was then sent to the Town Council in light of the conservation officer's comments to reevaluate the previous recommendation. The following comment is the response;

06.09.07 – 'It was resolved that no change would be made to its original observation. It was understood that aluminium doors had been in situ and the only alteration appeared to be from them opening inwards to sliding giving ease of access for the disabled'.

WARD MEMBER(S)

No comments have been received.

RELEVANT PLANNING HISTORY

App no.	Proposal	Decision	Date
98/P2029	Fascia & Projecting Sign (Part Illuminated)	Approval	17.03.1999
97/P0728	Projecting Sign & Pelmet Light For Existing Fascia Sign	Approval	09.06.1997
82/P0818	New Shop front.	Approval	03.08.1982

PLANNING POLICIES

Devon County Structure Plan (2001–2016)

Policy CO6 - Quality of New Developments

Policy CO7 - Historic Settlements and Buildings

East Devon Local Plan (1995-2011)

Policy D1 - Design and Local Distinctiveness

Policy D7 - Shop Fronts

Policy EN11 - Preservation and Enhancement of Conservation Areas

Policy S4 - Development within Built-up Area Boundaries

SITE LOCATION AND DESCRIPTION

The site refers to Lloyds Pharmacy, 81 High Street located within the Built-up Area Boundary of Sidmouth and located within a Conservation Area.

The property is a three storey building located along the High Street. The bottom floor of the property is occupied by two shops with modern shop fronts and a mix of window styles above. The building is rendered and has a pitched roof with UPVC windows and doors.

The property is neighboured by buildings to the north, south and east of the proposal site.

The proposed development has been substantially completed.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of new full height aluminium glazed shop front with automatic sliding doors.

The existing shop front has been removed to allow for a new shop front with bi-part doors similar to the existing shop front. New fascia and projecting sign is also proposed under a separate application with a new shop front measuring 2.5m in height with an aluminium stall riser of 15cm. The proposed shop front also includes a new internal security shutter and a new ramp with a minimum gradient of 1:12 to compensate for the change in level from the existing shop front.

CONSIDERATIONS AND ASSESSMENT

The main issues for consideration are the impacts of the development on the character and appearance of the existing building within a conservation area, on the street scene and shop frontage, and the comments of the Town Council.

Impact on the Conservation Area

The design is not acceptable and whilst it is appreciated that level easy access to the shop improves access, it should not be at the expense of the overall aesthetics of the building. A more traditional shop front would be more appropriate in this high street frontage within the conservation area with a deeper stall, wider frame and more sympathetic materials.

The external finishing materials are not acceptable within a conservation area and the important high street frontage of Sidmouth. It is considered that the proposed new shop front will have an overriding adverse impact on the character and appearance of the building and street scene of the High Street.

Section 72 of the Conservation and Listed Buildings Act, 1990, outlines the general duty of consideration when considering planning applications within designated conservation areas, in which special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Devon Structure Plan policy CO7 and policy EN11 of the Local Plan adheres to this general duty in the protection of conservation areas. The proposal is therefore considered contrary to these policies.

Impact on Street Scene and Shop Frontage

Policy D7 of the Local Plan makes it clear that traditional style shop fronts which have remained unaltered and are worthy of conservation should be retained, and explicitly cites that traditional features should be retained and any upgrade should be sympathetic. Following the comments of the conservation officer, and the loss of the deeper stall particularly, the proposal does not respect the tradition character of the shop frontage. Therefore the loss of traditional feature on the shop frontage is considered to be contrary to this local plan policy.

Local Plan policy D1 continues in a similar vein to ensure high quality design by reinforcing key characteristics and special qualities of the area in which the development is proposed. The policy also includes that development shall only be permitted where it does not adversely affect the distinctive historic and architectural character of the area. Consequently the proposal is considered contrary to this policy.

The Town Council Comments

The Town Council consider that the aluminium doors had been in situ and that the only alteration appeared to be the opening inwards to sliding giving ease of access for the disabled. The submitted floor plan indicates that the existing plan had a traditional stall, accessed by a slope; with entrance doors recessed approximately 1 metre from the street frontage. The loss of this traditional feature with aluminium sliding doors represents an incongruous feature in this designated conservation area. On balance it is considered that there is not a material improvement in the access for the disabled, from that of the previous arrangement, to out-weigh the detrimental impact of the shop frontage on the conservation area.

CONCLUSIONS

Due to these policy considerations, without overriding material planning considerations, the works are considered to be unacceptable and due to the completion of the works it is recommended that enforcement action should be taken.

RECOMMENDATION

REFUSE for the following reason:

The proposal, by reason of its inappropriate design and loss of traditional shop frontage features, would be detrimental to and would not preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the provisions of Section 72 of the Listed Buildings and Listed Buildings Act, 1990, policy D1 (Design and Local Distinctiveness), D7 (Shop Fronts), EN11 (Preservation and Enhancement of Conservation Areas), S4 (Development within Built-up Area Boundaries) of the East Devon Adopted Local Plan 1995-2011 and Policy C07 (Historic Settlements and Buildings) of the Devon Structure Plan 2001-2016.

Further Recommendation

That the Head of Legal, Licensing and Democratic Services be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control. It being expedient to so because the unauthorised Shop frontage forms an incongruous feature to the detriment of the Conservation Area.

Compliance Period – 3 Months

List of Background Papers

Application file, consultations and policy documents referred to in the report