
Borough Green Borough Green And Long Mill	560920 157389	03.07.2006	TM/06/01618/FL
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Proposal:	Replacement windows to accommodate disabled entrance
Location:	49 High Street Borough Green Sevenoaks Kent TN15 8BT
Applicant:	G Pascoe

1. Description:

1.1 The application seeks retrospective planning permission for a new shop front that has been installed at this café/bar premises. The new shopfront comprises a four panelled bi-folding door in white UPVC.

2. The Site:

2.1 The application site is located within the built confines of Borough Green and is located on the western side of High Street, adjacent to the railway line. The café/bar is located within the ground floor of a mixed use building which accommodates flats within the upper floors and a restaurant within the basement.

3. Planning History:

- 3.1 TM/99/02327/RD Awaiting decision
Details of extract unit submitted pursuant to condition 4 of planning permission TM/98/00802/FL: change of use of part ground floor and all of lower ground floor from A1(shop) to A3(restaurant) and ancillary works.
- 3.2 TM/99/02099/FL Approved
Change of use of shop premises on ground floor to wine bar/bistro
- 3.3 TM/99/02327/RD Awaiting decision
Details of extract unit submitted pursuant to condition 4 of planning permission TM/98/00802/FL: change of use of part ground floor and all of lower ground floor from A1(shop) to A3(restaurant) and ancillary works.
- 3.4 TM/98/00802/FL Approved 20.10.98
Change of use of part of ground floor and all of lower ground floor A1 (shop) to A3 (restaurant) and ancillary works.
- 3.5 TM/98/00649/FL Approved 28.07.98
Change of use and conversion of first floor accommodation from offices and flat to residential accommodation of one no. one bedroom flat and two no. bedroom flats and ancillary works.

4. Consultees:

- 4.1 PC: No observations
- 4.2 KCC Highways: The submitted application is a retrospective proposal for new windows and doors that have been installed. The windows are generally acceptable; however I would raise concerns over one of the doors, which opens outwards. Consulting records it seems that the lay-by fronting the site is private; however, the footway between the site and lay-by was resurfaced and dedicated for highway use by the previous owners Cloakes. For reasons of pedestrian safety, I suggest that the door be re-hung to open inwards.
- 4.3 Private Reps: Objection – proposals not required for disabled access, customers will spill out of premises onto highway, out of keeping with façade of host building, there would be a detrimental impact upon noise emanating from the premises.
- 4.4 DHH: I have concerns that the adjoining residential properties may suffer noise disturbance if the bi-fold doors are left open on a regular basis. I recommend that a condition be imposed requiring that the doors be kept closed at all times (except for access and egress) when there is a live music event or similar within the premises and no later than 19-30 hours at all other times.

5. Determining Issues:

- 5.1 The key issues involved with this case are threefold in my view. Firstly, whether or not the new shop front is acceptable in visual terms. Secondly, whether or not the new shop front with its bi-folding doors are likely to cause noise disturbance to the neighbouring dwellings and, finally, whether or not the operation of the doors unduly obstruct the adjacent footway.
- 5.2 In terms of visual amenity, although I would accept that the UPVC fenestration installed does not match the original joinery in the wider building in terms of material, scale or glazing bar detail. (The host property has quite distinctive joinery). That said, I do not consider that the appearance of these windows gives rise to any significant harm to local visual amenities being located on the ground floor of a building within a commercial area where a range of shopfront styles can be viewed and given that this is neither a Listed Building nor sited within a Conservation Area.
- 5.3 Turning now to the second and third issues, the bi-fold doors enable the whole of the opening to be 'concertinaed' back and this has implications for the escape of noise and odours from the premises. The original planning permission to allow the use of these premises as a bar included a stipulation that the entrance doors be closed at all times other than during their use for access purposes and that they be fitted with self closing devices. I consider that if a similar condition is applied to these new doors that there would be adequate acoustic protection and any encroachment of the footway would only be momentary. It is appreciated that this restriction would effectively curtail the primary usefulness of the bifold doors in so far as they would not be able to be concertinaed back during the opening hours of

the premises but the applicant would have been aware of the previous restrictions upon entrance doors and why they were originally imposed.

6. Recommendation:

6.1 Grant Planning Permission subject to:

1. The new doors hereby approved shall be kept closed at all times after 19-30 Hrs and at all times whilst live music or amplified music is being played at the premises other than to allow entry and exit of patrons.

Reason: To safeguard the aural amenity of the occupiers of the flats above and to avoid encroachment onto the public footway.

Contact: Kevin Wise