

**Snodland**  
Snodland East

**570273 161812 6 June 2011**

**TM/11/01507/FL**

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Proposal: Subdivision of ground floor to create part retail unit (Class A1 use) and part financial and professional services (Class A2 use), and installation of new shop front  
Location: 36 High Street Snodland Kent ME6 5DA  
Applicant: Markerstudy Group

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**1. Description:**

- 1.1 This application is partially retrospective as work has taken place to subdivide the ground floor to create two units, one in use as a jewellers/pawnbrokers and one for insurance/professional services. A new shopfront has also been installed, but this is of a different design to that shown in the application.
- 1.2 The application drawings show the removal of the pre-existing traditionally-styled shopfront, containing a central, recessed doorway, and its replacement with a silver painted, aluminium framed shopfront with two centrally located doors set forward in line with the main part of the shopfront. Timber, painted stallrisers were proposed either side of the doorways. The lower edge of the shop fascia would have been retained at its original level.
- 1.3 What has actually been installed on site is a new black coloured shopfront with two entrance doors positioned in the middle of the property, one to each unit. The shop front incorporates panels below door handle level advertising the businesses, with glazing above. A new fascia panel has been installed above at a lower level than previously existed and lower than those of the adjoining shop units. The glazing arrangements and proportions are also different from those shown in the application drawings.
- 1.4 The significant discrepancy between the application drawings and the work undertaken has been brought to the attention of the applicants' agent and it was suggested that accurate plans be submitted. However, none has so far been forthcoming. It is therefore appropriate to consider the application as submitted, but also to consider the acceptability of the work that has actually been undertaken.
- 1.5 Furthermore, as a result of a visit to the site it was noted that projecting signs had been installed at either end of the premises, although these have not been the subject of an application. Details of the dimensions and specification of the advertisements have been requested from the applicants' agents, but none has been received to date.



**6. Determining Issues:**

- 6.1 The application is considered in relation to the national and local policy context. PPS5 concerns development within Conservation Areas and affecting listed buildings and seeks to protect the historic environment. Core Strategy policy CP24 seeks to ensure a high standard of design, whilst saved policy P4/13 and policy annex PA4/13 states that a shopfront should be designed to respect the scale, period, design and detail of the individual building of which it forms a part. Policy CP22 states that new retail development that maintains or enhances the vitality and viability of the existing retail centres can be permitted. Proposals which might harm the vitality or viability of an existing centre or undermine the balance of uses or harm their amenity will not be permitted.
- 6.2 The shopfront that has been removed from number 36 had a single centrally sited door recessed from the pavement. The glazed windows with stall risers were set beneath a narrow fascia sign positioned at the same high level as those on the adjoining shops.
- 6.3 In May of this year it was brought to the Council's attention that some unauthorised works were taking place at the site and the applicant was advised that the works needed to be the subject of a planning application. The works were however completed prior to an application being submitted.
- 6.4 The shop front that has been installed is of a modern design, proportions and materials that bear no resemblance to the original traditional one. The new flush shop front with side-by-side double doors in a black finish with a low fascia level and without a traditional stall riser is a poor substitute for the original design. It has no features that reflect the designated Conservation Area status of the area and the proportions are unsympathetic.
- 6.5 It is recognised that Snodland may not incorporate as many historical or architectural features as some other commercial centres within the Borough, but it does contain many period properties. Whilst the traditional character has already been eroded to some extent, this is no justification to allow further inappropriate changes to take place. In fact the reduced number of older style shopfronts remaining in the High Street is adequate justification for retaining the shop fronts that do remain.
- 6.6 In terms of policy annex PA4/13 the new shop front does not respect the scale, period or design of the building. In addition the development has involved the removal of the traditional shop front and stall risers contrary to the aim of policy annex PA4/13.
- 6.7 The shopfront design included in the submitted application is similarly inappropriate in this location. Whilst the proportions proposed in the glazing arrangements, etc. would have been, to a degree, more sympathetic than what has actually been installed, this would still have involved the removal of the

traditionally-styled shopfront with its recessed single doorway and the insertion of two adjacent doors flush with the main shopfront. The traditional materials would have been replaced with modern substitutes which, irrespective of the fact that similar materials have been utilised on adjacent premises, would have further eroded the character of the Conservation Area.

- 6.8 With the above in mind it is concluded that both the scheme proposed in the application and the works that have been carried out either have or would have eroded the character of the Snodland Conservation Area and are found to be unacceptable in terms of policy CP24 and policy annex PA4/12 as well as the broader context of PPS5.
- 6.9 In the light of the above it is recommended that planning permission be refused and that enforcement action is instigated.
- 6.10 The use of part of the premises for a use within Use Class A2 is not, in itself, harmful to the vitality or viability of the retail centre, in my opinion. Viewed in isolation, I do not believe there would have been any sustainable grounds to refuse planning permission for that element of the proposal.
- 6.11 Further investigations are under way with regard to the projecting and hanging signs that have been installed and I hope to be able to report further on this matter in a supplementary report.

## **7. Recommendation:**

- 7.1 **Refuse Planning Permission** in accordance with the following submitted details: Letter dated 06.06.2011, Planning Statement dated 06.06.2011, Design and Access Statement dated 06.06.2011, Proposed Floor Plans 09.10.02 dated 06.06.2011, Elevations 09.10.03 dated 06.06.2011, Site Plan 11/084/01 dated 06.06.2011, subject to the following:

### **Reason**

- 1 The application involving the loss of an older style shop front and the replacement with one of modern design and materials, is harmful to the visual amenities and character of the Snodland Conservation Area, contrary to the aims of saved policy P4/13 and policy annex PA4/13 of the Tonbridge and Malling Borough Local Plan, policy CP24 of the Tonbridge and Malling Borough Core Strategy and PPS5: Planning and the Historic Environment.
- 7.2 An Enforcement Notice **be issued** as set out below and copies **be served** on all interested parties.

The Notice to take effect not less than 28 days from the date of service, subject to:

- The concurrence of the Legal Services Partnership Manager, he being authorised to amend the wording of the Enforcement Notice as may be necessary.
- In the event of an appeal against the Notice the Secretary of State and the appellant to be advised that the Local Planning Authority is not prepared to grant planning permission for the development the subject of the Enforcement Notice.

### **Breach Of Planning Control Alleged**

Without planning permission the installation of a new shop front.

### **Reasons For Issuing The Notice**

It would appear to this Authority that the above breach of planning control has occurred in the last four years. The loss of an older style shop front and the replacement with one of modern design and materials, is harmful to the visual amenities and character of the Snodland Conservation Area, contrary to the aims of saved policy P4/13 and policy annex PA4/13 of the Tonbridge and Malling Borough Local Plan, policy CP24 of the Tonbridge and Malling Borough Core Strategy and PPS5: Planning and the Historic Environment.

### **Requirement**

To remove the unauthorised shop front and reconstruct the shop front as shown on drawings to be attached to the Enforcement Notice.

### **Period For Compliance**

Three calendar months from the date the Notice takes effect.

Contact: Hilary Johnson