

**PLANNING COMMITTEE – 22 JULY 2021****PART 3**

Report of the Head of Planning

**PART 3**Applications for which **REFUSAL** is recommended

<b>3.1 REFERENCE NO - 21/501584/FULL</b>		
<b>APPLICATION PROPOSAL</b> Installation of security roller shutters to the front windows of 106-110 Broadway (retrospective).		
<b>ADDRESS</b> 106 -110 Broadway Sheerness Kent ME12 1TS		
<b>RECOMMENDATION</b> Refuse		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Town Council support the application		
<b>WARD</b> Sheerness	<b>PARISH/TOWN COUNCIL</b> Sheerness Town Council	<b>APPLICANT</b> Mr J Cheema <b>AGENT</b> E P Architects Ltd
<b>DECISION DUE DATE</b> 21/05/21		<b>PUBLICITY EXPIRY DATE</b> 29/04/21

**Planning History**

21/502499/PNC

Prior Notification for the proposed change of use from shop (Class A1) to a pizza takeaway restaurant (Class A3) and for building or other operations for the provision of facilities for ventilation, extraction and the storage of rubbish. For its prior approval to: - Noise impacts of the development - Odour impacts of the development - Impacts of storage and handling of waste in relation to the development - Impact of the hours of opening of the development - Transport and highways impacts of the development - Whether it is undesirable for the building to change to a use falling within Class A3 because of the impact of the change of use - (I) On the provision of services falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) (II) The sustainability of that shopping area - The siting, design or external appearance.

Prior Approval Refused Decision Date: 06.07.2021

20/500647/FULL

Changes to fenestration of 108-110 Broadway.

Refused Decision Date: 08.04.2020

SW/80/0354

Change of use to a consumer research amusement parlour 108 110

Refused Decision Date: 03.06.1980

SW/79/1219

Change of use from shop to office accommodation

Approved pre 1990 Decision Date: 07.11.1979

SW/74/0144

Change of use from shop to office accommodation  
Approved pre 1990 Decision Date: 30.09.1974

## **1. DESCRIPTION OF SITE**

- 1.1 The application site consists of the ground floor of 106-110 Broadway which is located within the built-up area boundary. The subject building is not listed but forms part of the setting to the nearby grade II listed Catholic Church, on the opposite side of the road. The existing shopfront retains some traditional features but has been painted a dark grey colour and fitted with roller shutters which are the subject of this application.
- 1.2 The stretch of Broadway is a mixture of shops and residential dwellings. The prominent feature in the streetscene is the Grade II listed church. No.106 is in use as a newsagent.

## **2. PROPOSAL**

- 2.1 The application seeks retrospective planning permission for the erection of external roller shutters to the front elevation of 106-110 Broadway.
- 2.2 These will be metal security roller shutters with grey power coated finish.
- 2.3 The roller shutters installed provide protection and security to the existing building.

## **3. PLANNING CONSTRAINTS**

- 3.1 Environment Agency Flood Zone 3
- 3.2 Grade II Listed Church and Presbytery lies opposite the site.

## **4. POLICY AND CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Development Plan: Policies CP4, DM14, DM16 and DM32 of Bearing Fruits 2031: The Swale Borough Local Plan 2017
- 4.3 Supplementary Planning Guidance entitled “The Design of Shopfronts, Signs and Advertisements”

## **5. LOCAL REPRESENTATIONS**

- 5.1 No comments received from residents.
- 5.2 Sheerness Town Council support the application stating “to support local businesses and security is an issue so anything we can allow them to take precautions will help traders and businesses thrive”.

## **6. CONSULTATIONS**

- 6.1 None.

## **7. BACKGROUND PAPERS AND PLANS**

7.1 Application plans and documents for 21/501584/FULL.

## **8. APPRAISAL**

### Principle of Development

8.1 The site lies within the built-up area boundary where the principle of development is acceptable subject to other amenity considerations. In this instance the visual impact on the area and the impact on the setting of the adjacent listed Church must be carefully considered.

### Visual Impact

8.2 The subject building whilst not listed, nevertheless forms an important element in the Victorian and Edwardian townscape between the Sheerness Mile Town and Marine Town Conservation Areas, as well as forming part of the setting to the nearby Grade II listed Catholic Church.

8.3 Policy DM15 of the Local Plan states that development involving shopfronts is required to be of a design which responds positively to the character of the building and its locality. The adopted SPG refers to external roller shutters as unsightly and states that they can have a detrimental effect on both the appearance of the building and the streetscene. It also notes that other methods of protecting the security of a shop should be considered before resorting to external roller shutters.

8.4 The site is located opposite a listed church and has traditional shopfront features, which would be contained behind these shutters. The resulting appearance of the building, particularly when the shutters are down is a bland and unattractive one, removing significant character of the building by obscuring the shopfront features. Given the proximity of the listed church I have sought guidance from the Council's Design and Conservation Officer who considers that the installation of the metal security shutters would be detrimental to the visual appearance of the building itself and to the setting of the adjacent listed church.

8.5 It is noted that the agent has provided a number of sites within the Mile Town Conservation Area where roller shutters are present. Whilst each application must be assessed on its own merits, I note that some of the shutters are designed to be more transparent which limits their visual impact, and some have been installed on more modern buildings that do not have traditional attractive shopfront characteristics. In this instance and at this site, the external metal roller shutters are not considered appropriate as they would harm the setting of the listed building and the appearance of the application building.

### Residential Amenity

8.6 There would be no adverse impact on residential amenity. The changes proposed are minor and satisfactorily removed from any adjacent neighbour.

## **9. CONCLUSION**

9.1 In summary, it is considered that the harm caused by the roller shutters to the affected building and the setting of the adjacent listed church outweighs any security benefit that they may have. Other options for security should be considered in this location.

## **10. RECOMMENDATION**

REFUSE subject to the following reasons:

- (1) The addition of roller shutters on the subject building would dilute the strong design quality of this building resulting in further unsympathetic changes, thus failing to respect the intrinsic character of the building and as such, would cause demonstrable harm to the design of the building itself and to the setting of the nearby listed church contrary to policies CP4, DM14, DM15, DM16, and DM32 of the Swale Borough Local Plan Bearing Fruits 2031 and the Council's SPG entitled "The Design of Shopfronts, Signs and Advertisements".

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.



21/501584/FULL - 106 - 110 Broadway Sheerness ME12 1TS

Scale: 1:1000

Printed on: 12/7/2021 at 11:27 AM by SaraP