

Officer Report

Application No.	20/1793/FH
Site Address	31-33 High Street, Hythe, CT21 5AD
Officer Name	Piran Cooper
Proposal	Retention of alterations to shop front

Recommendation

Report Number	RD-423839
Recommended Decision	Recommended to be Refused
Recommendation Date	11 January 2021

Report

20/1793/FH – 31-33 High Street, Hythe, CT21 5AD

Performance data:-

Date application valid: 17.11.2020

Applicable 8/13/16 week target date: 12.01.2021

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) - No

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA? - No

SITE VISIT

A site visit was undertaken by the Landscape and Urban Design Officer 4th January. The council's conservation architect made comment.

SITE

Nos. 31 – 33 High Street, Hythe are located towards the western end of Hythe town centre, on the north side of the High Street, on a corner where a narrow alleyway cuts through to Bartholomew Street to the north of it. The building is a part of the continuous shopping frontage which comprises traditional buildings of a variety of sizes, shapes and periods. The building itself is Grade II listed and is within the conservation area.

This building is c 18th, possibly older at the rear, and is notable for having been the birthplace of Sir Francis Pettit Smith, inventor of the screw propeller. The front upper storeys appear to have been rebuilt in brickwork in modern times but with 5 no. sash windows replicating the older arrangement.

The shopfront, as it was prior to the works, appeared to have been late Victorian and, previous to the works, appeared to have survived unchanged, despite the rebuilding of the upper storey above

them. The shopfronts were of a classic late Victorian design. A pair of shopfronts divided by a central pilaster, each with a deeply recessed splayed ingo and with large plate glass windows with 'mop-stick' glazing bars at the ingo corners, these windows set up on a very low stallriser with subcill.

The fascia survives and projects forward and is capped by a moulded cornice and contained by enormous projecting trusses at each end. The shopfront returns around the corner into the alleyway for a short distance and here there are the same fascia details with enormous support trusses, these meeting at the corner in a distinctive fashion.

The shopfront glazing has now all been stripped out, complete with the ingoes, deeply recessed doorways and stallrisers and this all replaced by a black aluminium shopfront with standard rectangular glazing sections set on a low aluminium stall riser panel. The right-hand unit is now arranged with a shallow, wide rectangular ingo recess with a sliding door set – also of black aluminium -at the back of it. The left-hand unit has no doorway at all and is simply glazed in three large panes. The shopfront fascia however remains as it was, complete with the distinctive support trusses at either end, although the original fascia panel is, unfortunately, over-clad with a Perspex fascia sign, this seeming to have been there for some time.

RELEVANT HISTORY

20/1808/FH – Accompanying Listed Building Application for retention of alterations to shop front - Under consideration

Y19/1110/FH - Listed building consent for the retention of a free standing refrigeration unit within the private walled yard of the shop - Awaiting decision

Y19/1109/FH - Retrospective application for the retention of a free standing refrigeration unit within the private walled yard of the shop - Awaiting decision

86/0806/SH - Retrospective application for the demolition of front wall and rebuilding (variation of planning permission SH/84/1296) - Approved with conditions

86/0648/SH - Retrospective application for listed building consent for the demolition of front wall - Approved

84/1297/SH - Listed building consent for partial demolition and alterations (as amended by Drawing DS/419/27 accompanying letter dated 25th January 1985) - Approved

84/1296/SH - Part demolition erection of extensions and alteration to provide shops in ground floor with offices over Nos. 31-33 and a flat over No. 35 (as amended by Drawing No. DS/419/27 accompanying letter dated 25th January 1985) - Approved with Conditions.

PROPOSAL

Retrospective planning application for the retention of new aluminium framed shopfronts following the removal of the previously existing shopfronts.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Hythe Town Council – Object on the grounds that the frontage is not in keeping with the street scene

In addition there are five submissions from members of the public on file strongly objecting to the shopfront. In summary the objections are the inappropriate design and appearance of the replacement windows and their impact on the listed building and the conservation area.

PUBLICITY

Site notice displayed - Expiry date 18.11.2020

Advertised in press - Expiry date 24.12.2020

RELEVANT POLICIES

Places and Policies Local Plan: HB1 & HB8

Core Strategy Local Plan: DSD

NPPF: Chapter 12 Achieving well designed places

NPPG:

APPRAISAL

The main issues to be considered for this application are the impact of the proposal upon the character of the building itself and the setting of the listed building/conservation area, the impact upon any neighbouring amenities and any impacts on the highway or parking.

Design

National Planning Policy Framework Chapter 12 ***Achieving well designed places*** provides a range of design considerations for development. It is too generic to be directly applied to this application but it does reinforce the need to encourage high quality design standards.

At the local level, within the Places and Policies Local Plan ***Policy HB1, Quality Places Through Design*** relates to design, placemaking and the built environment and ensures high standards of design. The text in paragraph 1 is of particular importance; development should ***make a positive contribution to its surroundings, enhancing integration while also respecting existing buildings and uses, , particularly with regard to layout, scale, proportions, massing, form, density, materiality and mix of uses so as to ensure all proposals create places of character;***

It is not considered that the design of the replacement windows adheres to these criteria. The loss or period elements and the utilitarian appearance of the replacement windows is detrimental to the character of the building and incongruous in the street scene.

The opening paragraph of Places and Policies Local Plan ***Policy HB8 Alterations and Extensions to buildings*** includes a range of general design considerations, which will mitigate or potentially eliminate any negative impacts arising from development. Paragraph 7 is important in terms of this application as it stresses the importance that any alterations which are made to a building respect its character and do not cause unacceptable harm. The changes that have already been made to No. 31-33 High Street are considered to have resulted in unacceptable harm for the same reason that has been outlined for Places and Policies Policy HB1.

In the assessment of the accompanying listed building consent (20/1808/FH) the council's consultant conservation architect noted the loss of period features and the inappropriate nature of the design for the replacement windows, which are the subject of this application. Hythe High Street is

characterised by the variety of historic buildings of all ages that, together, creates the character of a traditional English small town High Street. A good number of traditional shopfronts also survive – again these are of all periods from the mid-C 19th right through until the 1930s.

The two shopfronts at nos.31 – 33 were an attractive pair of late Victorian shopfronts – probably fitted to the building in the later years of the C.19th. They were of an attractive traditional appearance and the twin ingoes, in particular, formerly contributed to the lively traditional appearance of the street scene.

The proposed works, by their retrospective nature, have seen these ripped out and replaced by a bland arrangement in standard black aluminium sections, and without the deep ingoes that gave the originals more visual interest. The loss of the left-hand Ingo, in particular, is unfortunate as the new shopfront arrangement appears unbalanced, with an uncharacteristically wide recess to the right hand shopfront and no ingo at all to the left-hand side this adding to the blandness of the current appearance.

For this reason, the application is considered contrary to the provisions set out within the above mentioned Development Plan Policy.

Neighbourhood Amenity

There will be no impact on the amenity of neighbouring properties. The changes to the shopfront have included the removal of one of the two doors that was previously included in the shopfront. This may result in some minor inconvenience to shop users but will not have any wider implications for wider neighbourhood amenity.

No objection is raised to the proposal on amenity grounds.

Road Traffic and Parking

This application does not affect vehicle movements in the area or have any impact on existing parking provision.

No objection is raised to the proposal in relation to road traffic or parking.

CONCLUSION

Whilst this application is acceptable in relation to its impact on neighbouring properties and in relation to traffic and parking it is not acceptable in relation to the design, which is considered to be inappropriate for the building and detrimental to the character of the conservation area.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

The works are necessary to ensure that the property is maintained to high standards. They are minor and will not have an impact on the existing use of the property or its surroundings, as such it is considered that this application should be recommended for approval.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

RECOMMENDATION

In light of the above, it is considered that planning permission should be refused due to the detrimental impact of the replacement windows on the appearance of Nos 31-33 High Street, Hythe and the street scene/conservation area.

Case Officer: Piran Cooper Date: 10th January 2021

Report and draft decision notice completed and passed to senior officer.

Name: Position: Date:

Report and draft decision notice agreed and passed to admin to issue decision.

Name: Helena Payne Position: Strategic Sites Team Leader Date: 11/1/2021

Recommended Refusal Reasons (1)

1

The new replacement windows to the front elevation by reason of their materiality and design have had a negative impact on nos 31-33 High Street, Hythe and detract from the historic character of surrounding area. The proposals are considered to be contrary to National and Local Policy, notably Places and Policies Local Plan Policy HB1.

Suggested Informatives (1)

2

Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted drawings:

- Retention of existing shop front at 31-33 High Street, Hythe, CT21 5AD, Block Plan - Drawing Number PL-001, Date November 2020
- Retention of existing shop front at 31-33 High Street, Hythe, CT21 5AD, Existing Site plan - Drawing Number PL-002, Date November 2020
- Retention of existing shop front at 31-33 High Street, Hythe, CT21 5AD, Pre-existing Ground floor plan and Front elevation - Drawing Number PL-003, Date November 2020
- Retention of existing shop front at 31-33 High Street, Hythe, CT21 5AD, Existing Ground floor plan and Front elevation - Drawing Number PL-004, Date November 2020