

Application Recommended for Delegation

APP/2016/0575

Gannow Ward

Full Planning Application

Retrospective application for installation of 2no. roller shutters
318 PADIHAM ROAD, BURNLEY

Background:

The roller shutters have been erected without consent. A previous application was submitted for the existing shutters and was refused due to the design. The current application is for an amended proposal.

An objection has been received.

Relevant Policies:

Burnley Local Plan Second Review

E25 - Shop fronts

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP9 - Security and Planning Out Crime

Design guidance on roller shutters

Site History:

Relevant applications:

95/0397 - Proposed extension to shop and sales area to first floor, new shop front and access ramp to forecourt – c/c

05/0021 – Use for sale of hot drinks (opening 8.30am to 5.30pm) and extension to front elevation to provide glazed entrance – c/c

15/0459 – Change of use of ground floor to hot food take-away to include installation of new flue and metal staircase to rear of building – opening times 11am to 12 midnight Mon to Fri and Sundays and 11am to 2am on Saturdays – refused

16/0007 – Change of use of ground floor to hot food take-away and installation of flue etc. – c/c

16/0261 – Discharge of conditions 3 and 4 on APP/2016/0007 – awaiting further information

16/0395 – Retrospective application for installation of 2 roller shutters - refused

16/0576 – Display of illuminated signage – not yet determined

Consultation Responses:

Neighbouring resident (328 Padiham Road) – Oppose the application for the roller shutters. States that the Post Office was trading from there for many years without the need for roller shutters (just a discreet alarm).

Highway Authority – The proposals raise no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

Planning and Environmental Considerations:

The property is located within a residential area where there are a small number of shops along this stretch of Padiham Road.

The property is an end terraced shop that has recently been granted permission for a change of use from a post office to a hot food take-away. The applicant has installed shutters without consent and following an enforcement enquiry was asked to submit an application.

The existing shutters which are on the front and side elevations are grey aluminium; the middle section is perforated and the housing box is external. The previous application for the retention of these shutters was refused due to their design.

Local Plan policy GP9 - Security and Planning out Crime (criteria e) states that the Council will permit development which ensures that any security measures do not have a negative impact on environmental quality.

Local Plan policy E25 – Shop Fronts (criteria c) states that applications for shop fronts and/or external security shutters will be permitted when the security shutters are designed to integrate into the design of the shop front and maintain an open appearance.

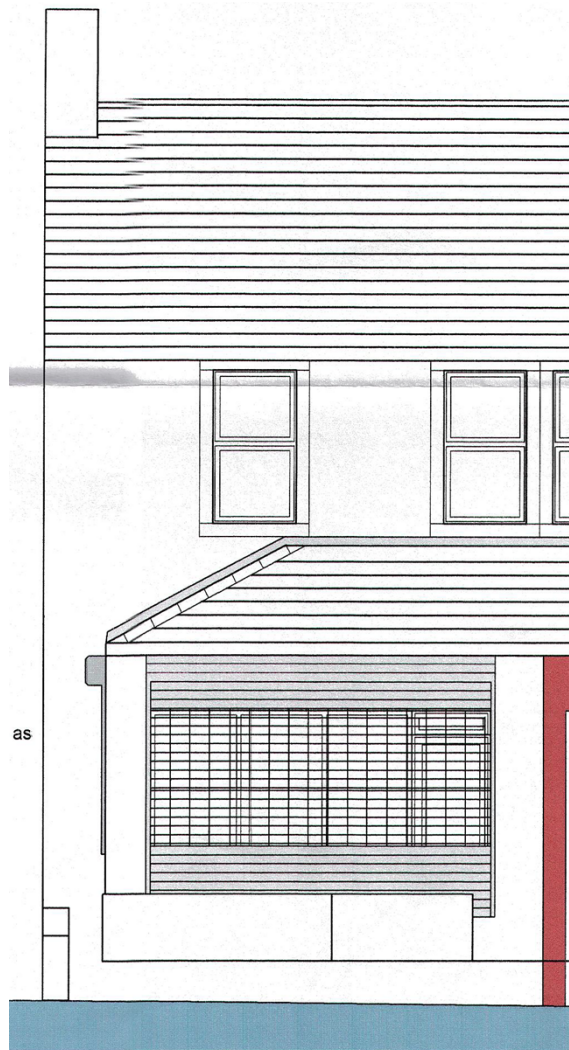


existing security shutters

The amended design for the shutters (which have been erected on the front and side elevations) shows the majority of the shutter area (the mid- section which covers the window/door) to be an open chain style (see below), which would retain visibility through the shutters/windows. It is proposed to retain the shutter housing and erect fascia signs over them (the subject of a separate application – APP/2016/0517). The drawing below shows the shutters without the housing / fascia boards (the applicants have been asked to provide a drawing showing the housing / fascia boards as well as the shutters [without the advert]).

There are other shutters in this area of Padiham Road further towards Burnley where they are retail rows i.e.294 - 304 and 305 – 319; there are no existing shutters on the shops within this block (318 – 328) or the next block (330 – 340) which are both mixed retail and residential blocks.

On balance it is considered that the proposed amendments to the shutters will improve them from a visual point of view and that once amended the shutters would not have a significant enough detrimental effect on the visual amenity of the area that a refusal would be warranted.

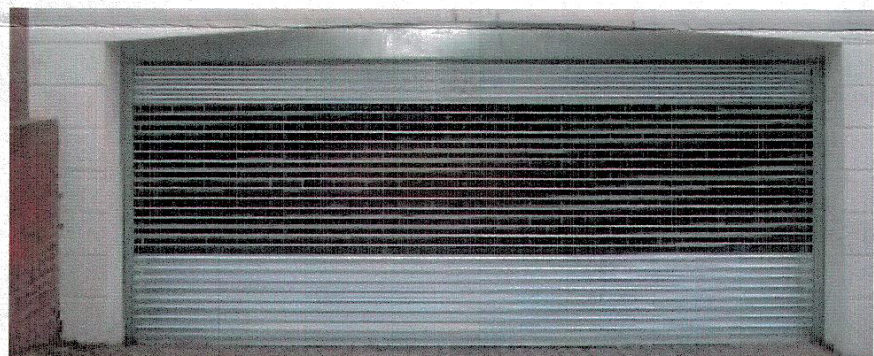


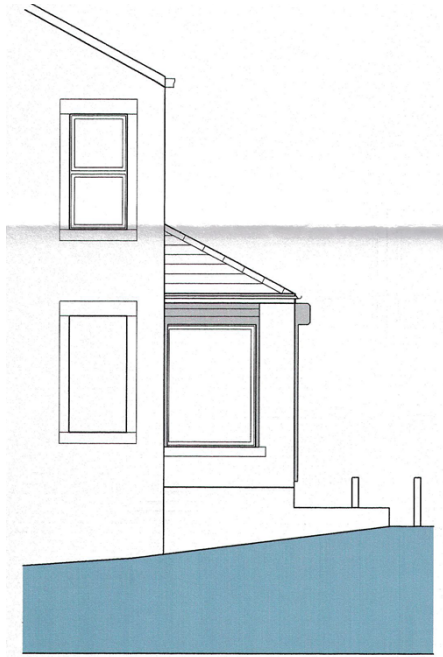
FRONT ELEVATION SHOWING
NEW PROPOSED SHUTTERS
PRIOR TO SIGNAGE INSTALLATION



FRONT ELEVATION SHOWING NEW SIGNAGE

Example of Proposed Shutter Style





SIDE ELEVATION SHOWING EXISTING AND PROPOSED SHUTTERS IN OPEN POSITION

Recommendation:

That, subject to the conditions below, the decision to grant planning permission be delegated to the Head of Housing and Development Control subject to the receipt of a plan showing the shutter housing / fascia board (without the advert).

Conditions:

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Detailed drawing, block plan and location plan received 13 December 2016.
3. Fascia boards must be erected around the shutter housing within three months of the date of this approval, as per the approved plans.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. In the interests of visual amenity and in accordance with policy E25 of the Burnley Local Plan Second Review.