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**F/YR22/0529/F**

**Applicant: Mrs Monika Kabaran  
Bridge Cafe**

**Agent : Mrs Emine Yurdakul  
Pera Solutions Ltd**

**15 Bridge Street, Chatteris, Cambridgeshire, PE16 6RD**

**Replace existing shop front and separate access door with folding doors, and installation of roller shutters to restaurant frontage (retrospective)**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on advice of Committee Chairman**

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## **1 EXECUTIVE SUMMARY**

- 1.1. The application site is the ground floor unit of a two-storey semi-detached house which is currently used as a café-restaurant (Bridge House), which lies within the Chatteris conservation area.
- 1.2. The site has had two previous approvals to replace the existing shop front with folding doors (F/YR20/1019/F & F/YR21/0281/F). However, the installed doors do not reflect the most recent approved plans. Furthermore, roller shutters have been installed to the bifold doors, access door and ground floor sash window which were not included within the original approved scheme. This proposal seeks to regularise the installation of the roller shutters and the changes to the installed doors.
- 1.3. The proposals result in a loss of proportion and loss of fascia to the existing shop front, and the introduction of roller shutters results in harm to the character and heritage of the area, contrary to Policies LP16 and LP18 of the Fenland Local Plan. Furthermore, the design of the shutters does not conform with the required standards of Policy LP17 (e).
- 1.4. As such, the application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1. The application site is the ground floor unit of a two-storey semi-detached house which is currently used as a café-restaurant (Bridge House), which lies within the Chatteris conservation area. The building is of 19th century origin and contains a modern, though sympathetic and well-scaled shop front, having been converted from a residential property, though planning history does not indicate when this change took place.

### 3 PROPOSAL

- 3.1. The site has had two prior approvals to replace the existing shop front with folding doors (F/YR20/1019/F & F/YR21/0281/F). However the installed doors do not reflect the most recent approved plans. Furthermore, roller shutters have been installed to the bifold doors, access door and ground floor sash window which were not included within the original approved scheme. This proposal seeks to regularise the installation of the roller shutters and the changes to the installed doors.
- 3.2. The works also include changes to the signage on the premises, however this will be considered separately under F/YR22/0530/A.

### 4 SITE PLANNING HISTORY

F/YR21/0281/F	Replace existing shop front and separate access door with folding doors	Granted 05.05.2021
F/YR20/1019/F	Replace existing shop front with folding doors	Granted 21.12.2020
F/YR04/3681/F	Variation of Condition 02 of planning permission F/99/0197/F to operate between the hours of 11.00 to 22.30 on Sundays and Bank Holidays	Granted 03.09.2004

### 5 CONSULTATIONS

#### 5.1. Conservation Officer (FDC) – original comments received 20.06.2022

**For clarity, references to the proposed signage (being considered under a separate application F/YR22/0530/A) have been removed from the below comments.**

- 1. This application seeks retrospective planning permission for the replacement of an existing (replica) shop front with folding doors and installation of roller shutters [...]*
- 2. Consideration is given to the impact of this proposal on the character and appearance of the Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
- 3. Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 8 195, 197,199, 200, and 202. The following comments are made:*
- 4. A heritage statement has been submitted with the application. The information is insufficient to comply with paragraph 194 of the NPPF and policy LP18 of the 2014 local plan. The heritage statement incorrectly affirms that the proposal will not impact the character of the building, but also fails to consider the impact on the character and appearance of the conservation area.*

5. *The applications are not supported. The following comments are made:*
- i. *Planning history indicates that approval was granted for a replacement shop front under /FYR20/1019/F with minor amendments to the scheme under F/YR21/0281/F. No objection was raised to the replacement shop front due to the fact that the previous shop front was a modern installation to a converted mid-19th century residential building, rather than a surviving historic shop. The previous shop front displayed good proportions, detailing and materials. The proposed shop front displayed similar characteristics in a more modern design and style. Due to the fact that there would be no loss of historic fabric, it was considered that there would be a neutral impact on the character or appearance of the conservation area. The approval was subject to the condition that precise product details for the bi-fold doors would be submitted for approval prior to the commencement of works. **It is within this context that this proposal is considered.***
  6. *The use of roller shutters was not part of either earlier application. They have been installed during the course of the works and are therefore currently unauthorised. The current planning application seeks to regularise this fact by gaining planning approval retrospectively. However, the use of roller shutters is contrary to policy LP17 (e) of the local plan which states that 'proposals for new shop frontages should avoid the use of external roller shutters. Where it can be demonstrated that they are necessary, shutters should be of an open grille design and integrated into the design of the shop front'.*
  7. *Therefore, had the initial application included an element for a roller shutter, the application would have been recommended for refusal, or amendment to remove these elements. It therefore does not follow, that advice would now be contrary to policy, and recommend approval of this element in retrospect.*
  8. *Furthermore, the application does not, in accordance with LP17 (e), demonstrate that shutters of any kind are necessary. The slight increase in the expanse of glass from the previous shop front to the current bi-fold doors is not sufficient reason, and the appearance of the roller shutter box, (when shutters are open) detracts from the sleek appearance of the intended modern shop front, and the shutters when closed, adversely impacts the street scene and therefore the character and appearance of the conservation area.*
  9. *Roller shutters present a harsh, defensive façade, which has negative connotations, and therefore negative impacts on an area. A further roller shutter has been installed over an historic sash window to the north end of the elevation. Given that this is not even part of the shop front, this seems even more incongruous and out of context.*
  10. *In addition to the roller shutters, the bi-fold doors as constructed are not in accordance with that previously approved under F/YR21/0281/F. They are taller in scale and have involved the removal of historic brickwork and therefore resulted in the loss of important fascia space. This lack of*

*proportion and encroachment on the first-floor windows would have led to a recommendation for an alteration, had this been submitted as part of the original scheme.*

11. *The application offers no justification of public benefit for these changes over and above what would have been gained under the previous approved application, yet there is an increase in the level of harm.*
12. [...]
13. *Given the loss of proportion, loss of fascia, introduction of unjustified roller shutters [...], the application is contrary to policy and overall does not preserve or enhance the character or appearance of the conservation area. The application is therefore not supported.*

### **RECCOMENDATION: REFUSE**

#### **5.2. Conservation Officer (FDC) – revised comments received 20.07.2022**

*I note that the images for the first incident of damage pre-date the application for a new shop front (F/YR20/1019/F), and while the second incident of damage did occur after the second application (F/YR21/0281/F), the shop front was installed only relatively recently, giving sufficient time for a withdrawal of the 2021 application, and a resubmission of an application with an integrated security shutter. I therefore feel that a retrospective application for a roller shutter still cannot be supported on conservation grounds, though you may be able to take a balanced judgment. I also feel that a grille shutter, if a shutter is found to be a justified necessity, would provide sufficient protection to the business. The window glass may be damaged, but this is replaceable, and a grille would still provide the protection to the business which is required, and would achieve an acceptable compromise.*

#### **5.3. Designing Out Crime**

*Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder and the fear of crime. I have completed a search of the Constabulary crime and incident systems for the above area covering the last 3 years. At present, I consider this to be an area of low vulnerability to crime.*

*Crime stats are as follows.*

*Business burglary – 0*

*Robbery – 1 (Not at the location)*

*Public Order – 1*

*Criminal Damage – 2*

*Bike Theft – 3 (Not at the location)*

*Violence – 2*

*I have no further comment at this stage.*

#### **5.4. Chatteris Town Council – Support**

#### **5.5. Environment Agency – We have no comment to make on this application.**

#### **5.6. Environment & Health Services (FDC)**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality and the noise climate or be affected by ground contamination.*

5.7. **Cambridgeshire County Council Highways Authority** – *Highways do not have an objection to this application. Please ensure the doors do not open towards the footway.*

5.8. **Local Residents/Interested Parties** – no comments received

## **6 STATUTORY DUTY**

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

6.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

## **7 POLICY FRAMEWORK**

### **7.1. National Planning Policy Framework (NPPF)**

Para 2 – NPPF is a material consideration in planning decisions.

Para 47 – Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise;

Para 125 – Good design is a key aspect of sustainable development;

Para 130 – Planning policies and decision should ensure developments are sympathetic to local character and history;

Section 16 – Conserving and enhancing the historic environment

### **7.2. National Planning Practice Guidance (NPPG)**

Determining a planning application

### **7.3. National Design Guide 2019**

Context

Identity

### **7.4. Fenland Local Plan 2014**

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP6 – Employment, Tourism, Community Facilities and Retail

LP16 – Delivering and Protecting High Quality Environments

LP17 – Community Safety

LP18 – The Historic Environment

### **7.5. Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation on 25th August 2022, the first stage of the statutory process leading towards the

adoption of the Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP10 – Shop Frontages, Security Shutters and Canopies  
LP23 – Historic Environment

## **8 KEY ISSUES**

- **Principle of Development**
- **Impact on Character and Heritage**
- **Community Safety**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1. The proposals seek to alter the fabric of an existing building within the settlement of Chatteris. The principle of development in terms of replacing the shop front was established during consideration of the earlier approvals of F/YR20/1019/F and F/YR21/0281/F relating to similar proposed works.

### **Impact on Character and Heritage**

- 9.2. Policies LP16 and LP18 of the Fenland Local Plan seek to protect and enhance heritage assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. Consideration is given to the potential impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.3. In comparison to the doors previously approved (2.0m high by 4.8m wide for the main doors and 2.0m high by 1.65m wide for the separate access door), the installed main bifold doors are 2.65m high by 4.8m wide and the separate access door is 2.65m high by 1.65m wide. As such, whilst the width openings are the same, the height of this installed doors have increased, which has led to the removal of historic brickwork and resulted in the loss of important fascia space above the doors. Consultations with the Conservation Officer resolve that had these door proportions and subsequent loss of fascia been submitted as part of the original scheme, recommendations for alteration would have been sought to ensure a more sympathetic frontage in the context of the Chatteris conservation area.
- 9.4. Notwithstanding, it is considered that the overall increase in scale of the doors do not cause significant harm to the character of the area, on balance with the agreed scheme.
- 9.5. Moreover, and perhaps more importantly, the unauthorised installation of roller shutters to the main doors, access door and a separate sash window on the front elevation has resulted in a harsh, defensive façade, which has negative impacts on the character and overall appearance of the conservation area and do result in harm to the character and heritage of the area, contrary to Policies LP16 and LP18 of the Fenland Local Plan.

### **Community Safety**

- 9.6. Policy LP17 (e) of the Fenland Local Plan states that proposals for new shop frontages should avoid the use of external roller shutters, but that where the need for shutters can be demonstrated as necessary, should be of an open grille design and integrated into the design of the shop front.
- 9.7. Evidence provided by the applicant, and corroborated through consultation with Cambridgeshire Constabulary's Designing Out Crime Team, established that the site has been previously vandalised on two occasions, with the shop front windows broken. Further evidence relating to the incidents, the installation date of the unauthorised shutters, other methods of security already installed and evidence of issues with insuring the premises was also submitted by the applicant for consideration.
- 9.8. It is pertinent to consider the timeline of these incidents in relation to the site's recent planning history and works:
- **25.02.2020** First instance of criminal damage
  - **21.12.2020** Approval of F/YR20/1019/F to replace existing shop front with folding doors
  - **05.05.2021** Approval of F/YR21/0281/F to replace existing shop front and separate access door with folding doors
  - **30.09.2021** Second instance of criminal damage
  - **11.10.2021** Installation of shutters at site
- 9.9. It is noted that the first instance of criminal damage occurred prior to the approval of the original application F/YR20/1019/F, however this scheme did not include proposals to install shutters within the proposed replacement shop front at this time. Furthermore, the revised scheme considered under F/YR21/0281/F did not propose the addition of shutters, although given that an incident of damage had already occurred the scheme could have been revised to include these at this time, although this was not pursued.
- 9.10. It is also worth noting that given the limited amount of time between the second instance of damage and the installation of the shutters less than two weeks later suggests that the sourcing of the shutters may have already been being pursued prior to the second incident occurring. As such, it could be argued that this could have been included within the scheme under F/YR21/0281/F or by subsequent variation to this application.
- 9.11. Notwithstanding, in accordance with Policy LP17 (e), the site already has CCTV installed and it is noted that the applicant's insurance company have refused cover for criminal damage without further security measures to be installed. As such, the submitted evidence appears to demonstrate the need for additional security measures (such as shutters) to be installed. However, in order to comply with the full requirements of LP17 (e) the installed shutters should be of an open grille design.

9.12. It is considered that, as per the comments provided by the Designing Out Crime Team, the site is within an area of low vulnerability to crime and that shutters of an open grille design, coupled with the existing site CCTV security, would provide sufficient deterrent to vandals whilst providing an acceptable compromise to the impact on the character of the conservation area. The Case Officer did attempt to negotiate with the applicant to amend the shutters' design to an acceptable style on a number of occasions, however the applicant was unwilling to amend the design of the shutters to accord with Policy.

9.13. Therefore, as the installed shutters are not of an open grille design, they do not accord with Policy LP17 (e), and can therefore not be supported.

## 10 CONCLUSIONS

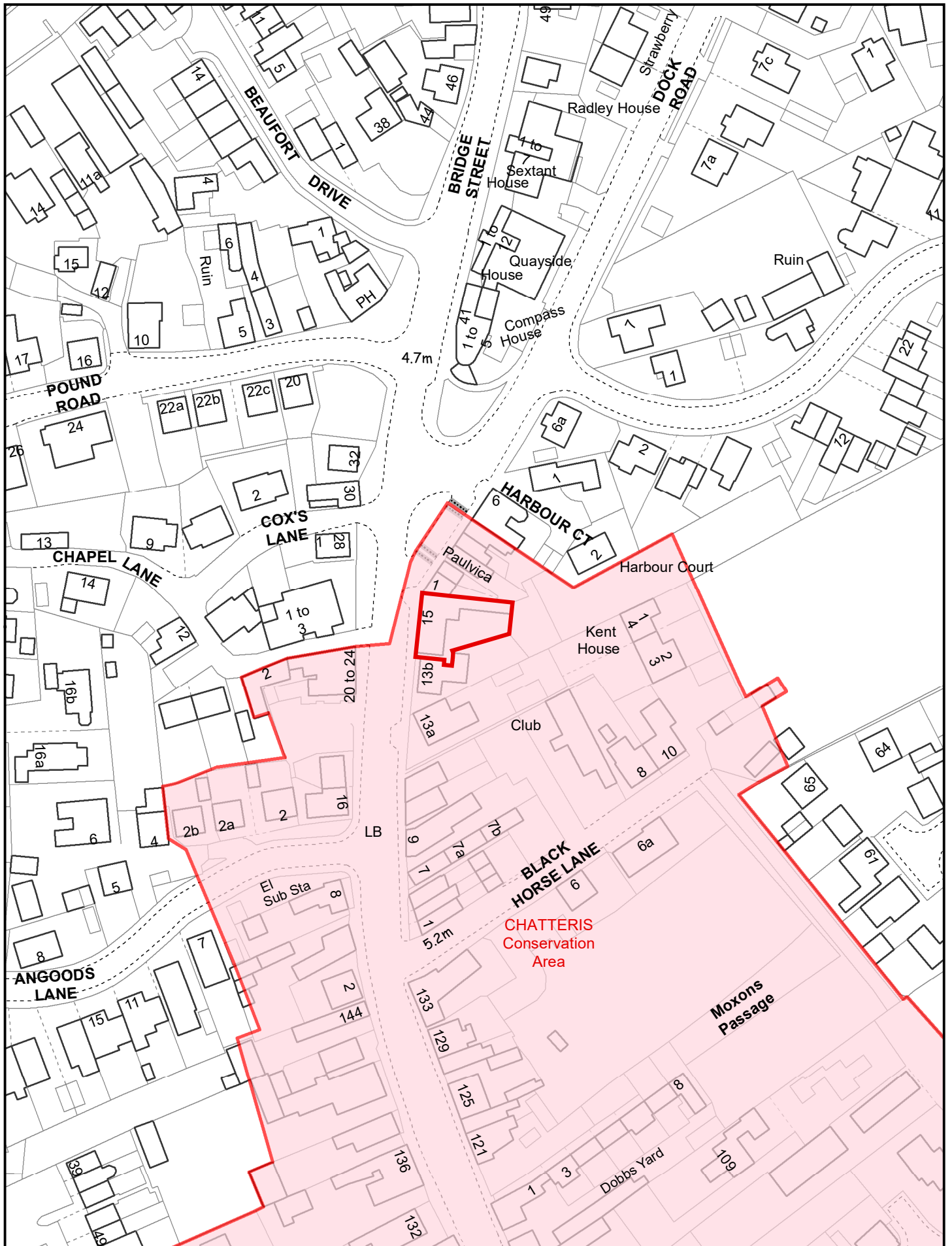
10.1. This application seeks to regularise unauthorised changes to earlier approved schemes for similar works in relation to the resizing of installed bifold doors and the installation of roller shutters to the front elevation of the premises. The installed doors are considered to be acceptable, on balance. However, the shutters result in harm to the character and appearance of the Chatteris conservation area contrary to Policies LP16 and LP18 of the Fenland Local Plan and their design does not conform to the full requirements of Policy LP17 (e). Therefore, the recommendation must be one of refusal.

## 11 RECOMMENDATION

**Refuse**, for the following reason;

1	<p>Policy LP17 (e) states proposals for new shops fronts should avoid the use of external roller shutters. Where it can be demonstrated that they are necessary, shutters should be of an open grill design and integrated into the design of the shop front. Furthermore, Policies LP16 and LP18 seeks to ensure development protects, conserves and enhances the historic environment.</p> <p>The installed shutters are not of an open grille design and are therefore contrary to requirements of Policy LP17 (e) of the Fenland Local Plan (adopted May 2014). The proposed development does not preserve or enhance the character and setting of the conservation area which it is located as the introduction of roller shutters results in harm to the character and heritage of the area, by virtue of introducing a harsh and defensive façade within the streetscene, contrary to Policies LP16 and LP18 of the Fenland Local Plan (adopted May 2014).</p>
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Created on: 08/09/2022

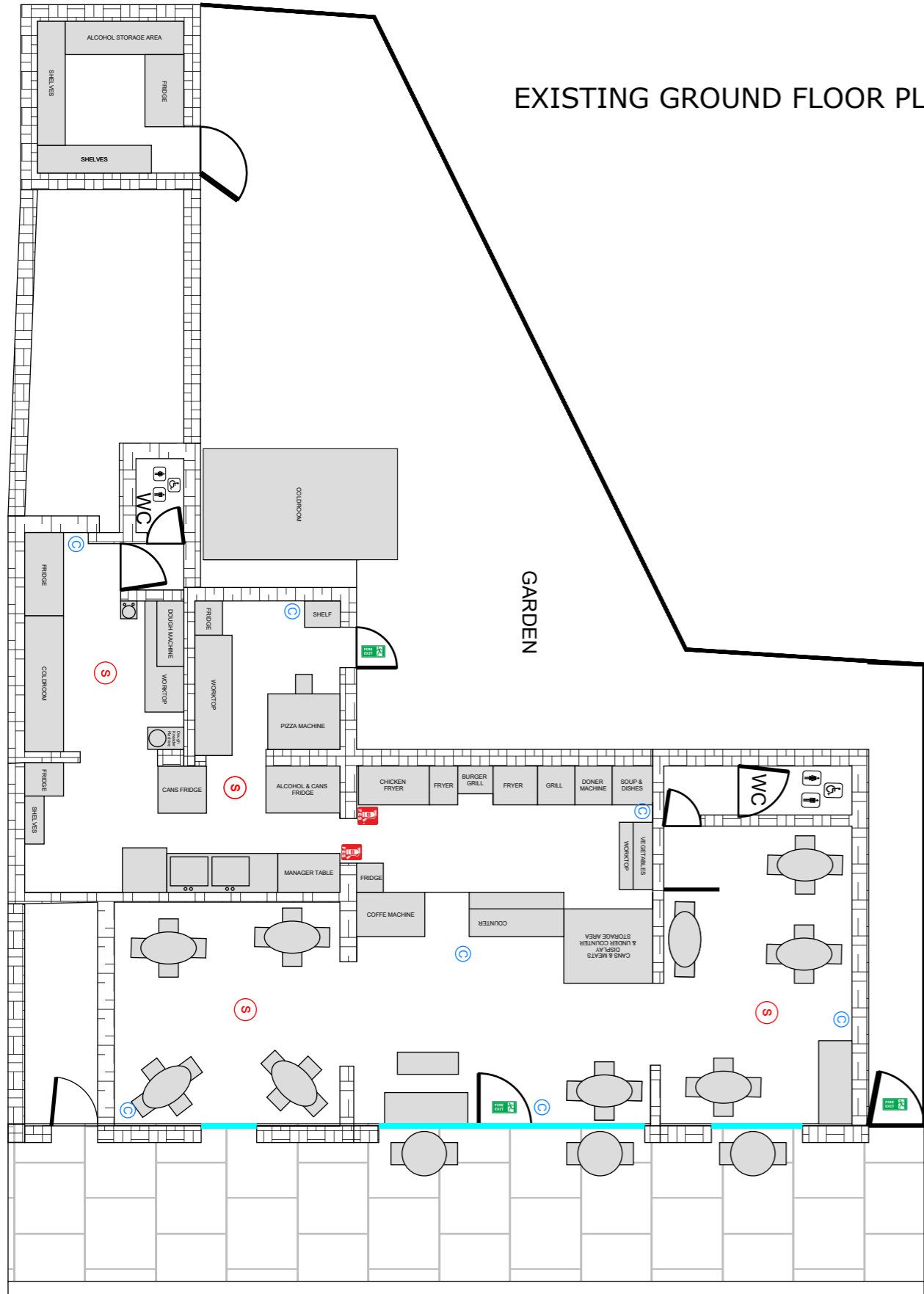
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**F/YR22/0529/F**

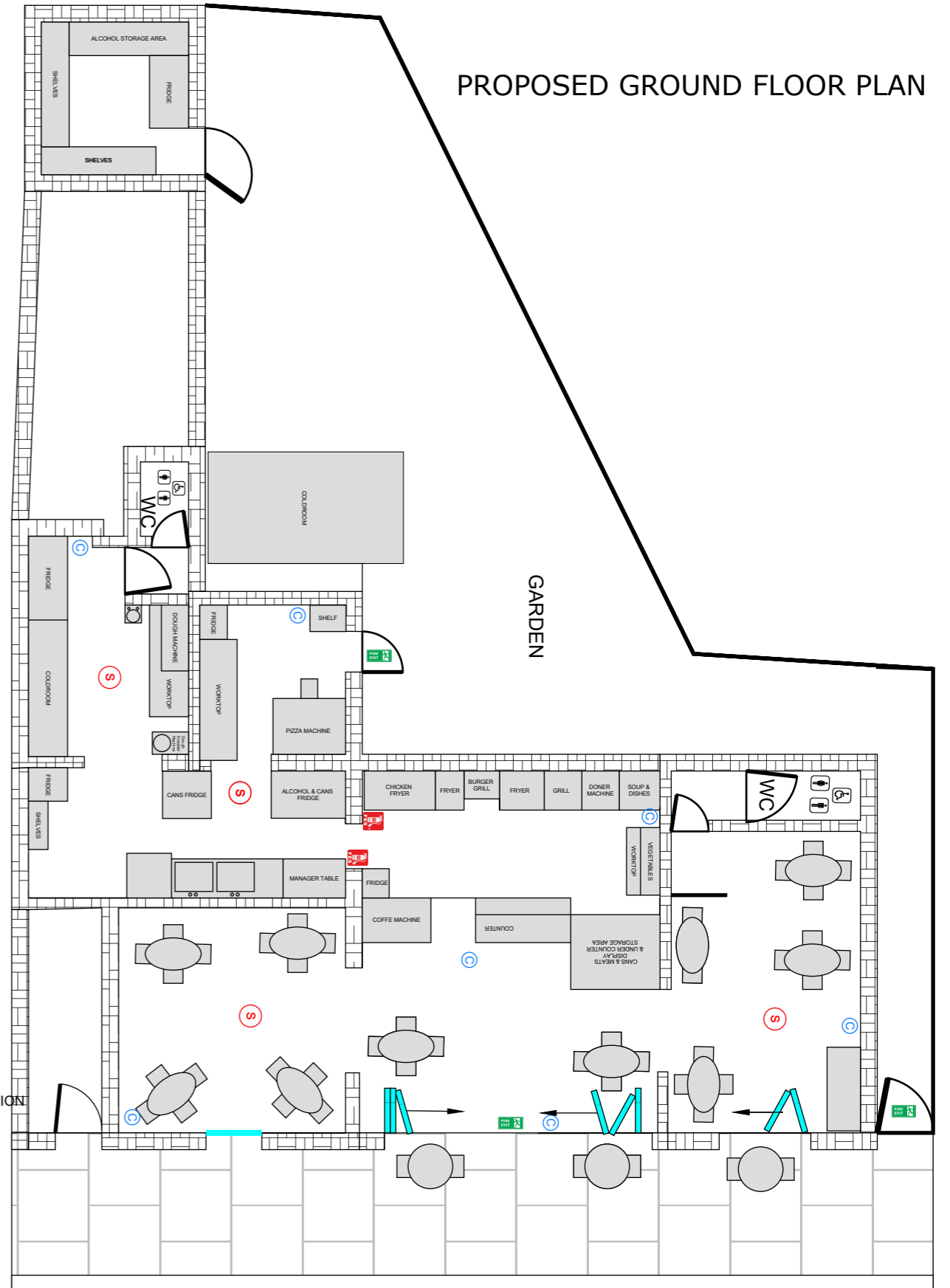
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EXISTING GROUND FLOOR PLAN




PROPOSED GROUND FLOOR PLAN



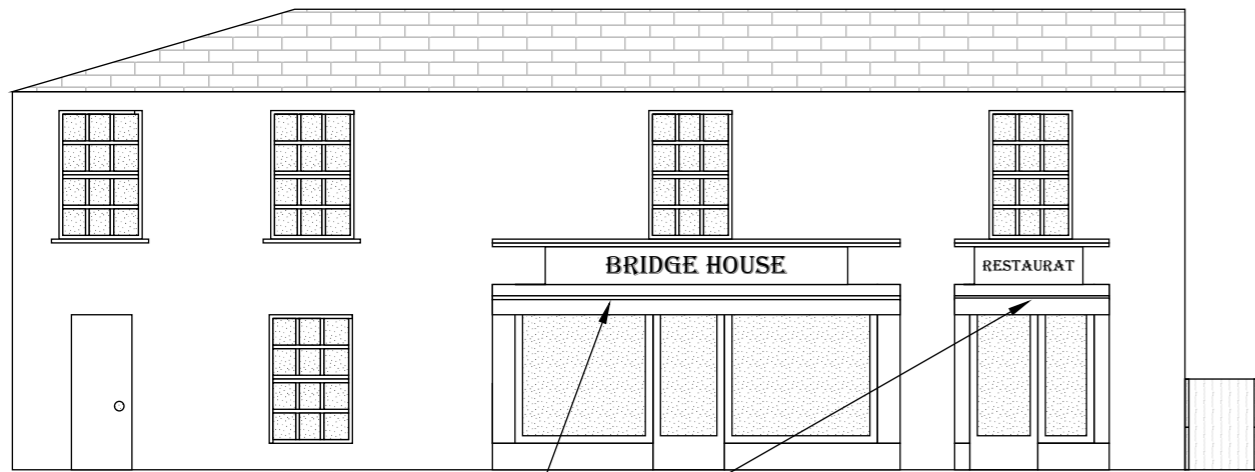
-  FIRE EXIT
-  SMOKE DEDECTOR
-  SECURITY CAM
-  FIRE EXTINGUISHER STATION
-  WINDOW

NOT FOR CONSTRUCTION



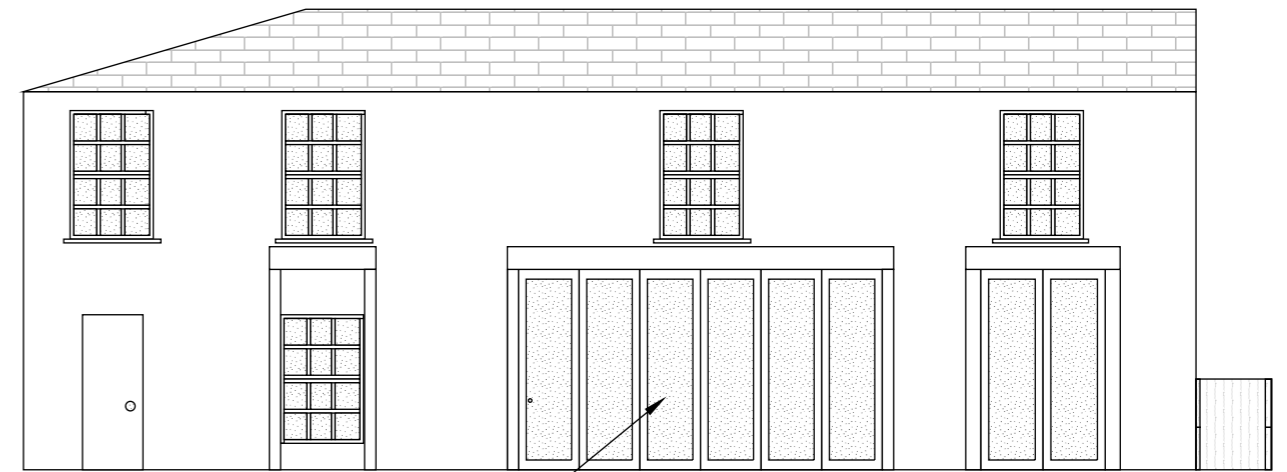
 <p>91 High Street, Wealstone, Harrow HA3 5DL M: 0740 522 65 76 E-Mail : info@ucmechanicalengineering.com http://www.ucmechanicalengineering.com/</p>	<p>CLIENT <b>MONIKA JOANNA KABARAN</b></p>	<p>PROJECT <b>BRIDGE HOUSE PROJECT</b></p>	<p>DATE <b>03.05.2020</b></p>	<p>DRAWN BY <b>UMUT CAN</b></p>	<p>DESCRIPTION <b>EXISTING &amp; PROPOSED GROUND FLOOR PLAN</b></p>	<p>CLIENT ADDRESS <b>15 BRIDGE STREET, CHATTERIS PE16 6RD</b></p>
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EXISTING FRONT ELEVATION PLAN



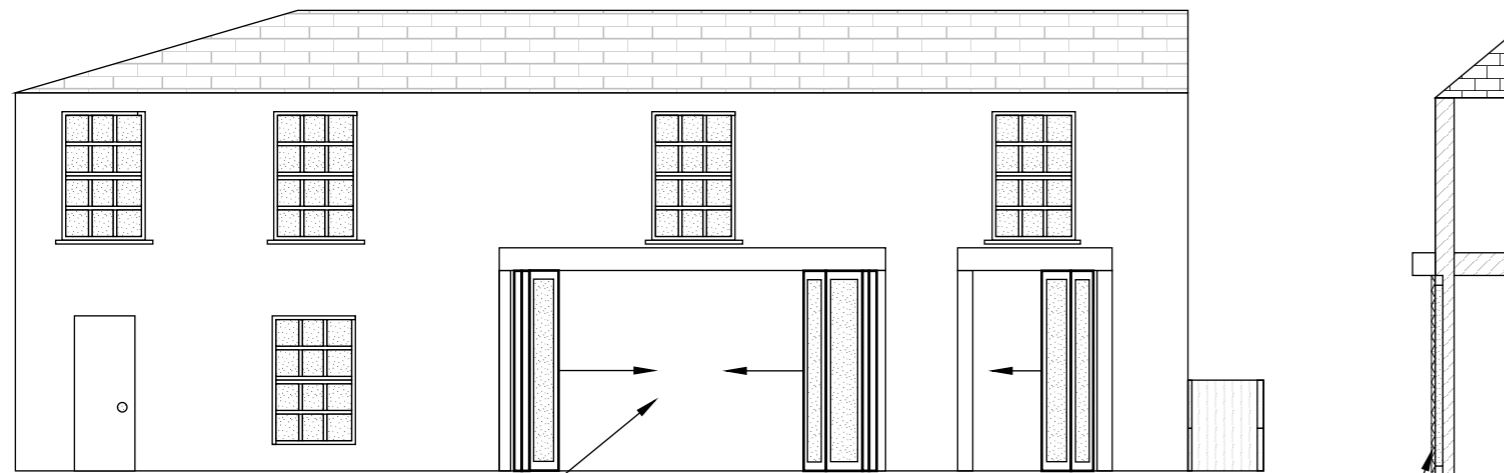
Retractable Awnings

PROPOSED FRONT ELEVATION PLAN (SHOWING DOORS, DOORS ARE CLOSED)



Folding Door

PROPOSED FRONT ELEVATION PLAN (SHOWING DOORS, DOORS ARE OPEN.)

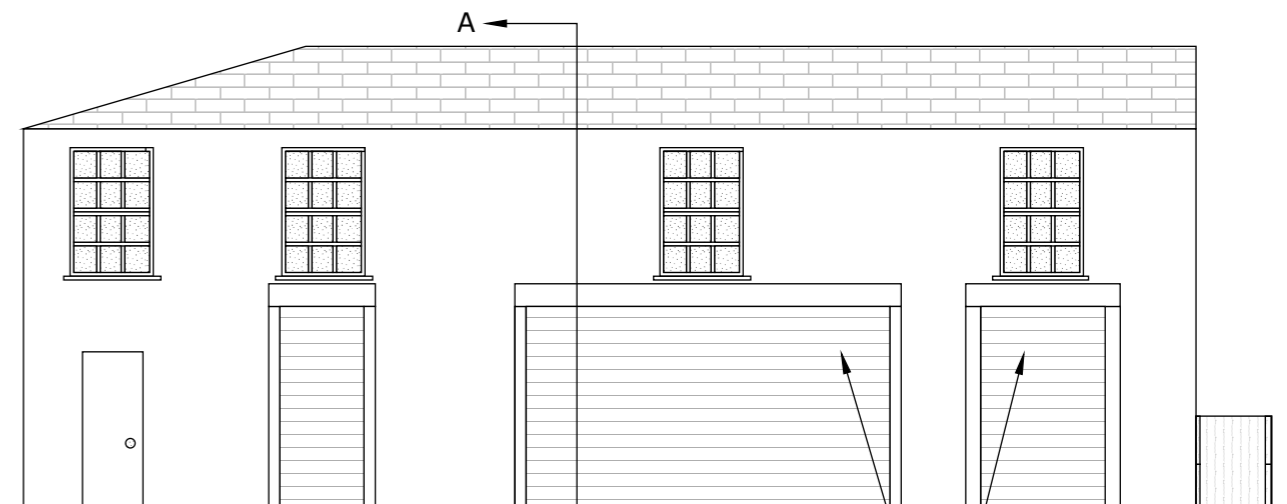


Folding Door

SHUTTER

A-A' SECTION

PROPOSED FRONT ELEVATION PLAN (SHUTTER IS CLOSE)



A'

Shutter

NOT FOR CONSTRUCTION



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CLIENT

MONIKA JOANNA  
KABARAN

PROJECT  
BRIDGE  
PROJECT

DATE  
20.04.2022

DRAWN BY  
UMUT CAN

DESCRIPTION  
EXISTING &  
PROPOSED  
FRONT  
ELEVATION  
PLANS

CLIENT ADDRESS  
15 BRIDGE STREET,  
CHATTERIS  
PE16 6RD

1/1 A3