site location plan deposited 14.4.2011 No. 1497/S05
drawings 1497.6/01 ; 1497.11/02 and 'Shop front joinery details' deposited 14.4.2011

DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: 43 Warwick Street WB/10/1100/FULL

DATE OF SITE VISIT: latest 15.08.2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application site comprises a Victorian, mid-terrace, 3-storey building plus roof accommodation within a double-ridged roof, located on the north side of Warwick Street, a pedestrianised shopping street within the Central Shopping Area (Primary Zone B) of Worthing town centre. The ground-floor comprises a restaurant with residential flats above (see Planning History).

The site is located within the South Street Conservation Area and the whole building is identified as a Local Interest Building. [The attached building to the east, No.45, is Listed Grade II.]

Retrospective permission is sought for the retention of the existing oak-framed, concertina-opening shopfront.

NB. This application comprises one of 5 current applications at this site which seek to regularise elements of the existing unauthorised development at this site with a view to negotiating a suitable compromise where possible and where this cannot be achieved with a view to appealing under S.78 in the event of refusal.

RELEVANT PLANNING HISTORY

The existing shopfront dates from December 2009.

Planning permission was granted in February 2008 for the change of use of the ground-floor from Class A1 to Classes A3-5 in addition to extensions and alterations to convert the upper floors into 5 x 1-bedroom flats (WB/07/1451/FULL).

The ground-floor restaurant use commenced December 2009, but the pre-commencement conditions of planning permission WB/07/1451/FULL were not discharged and the associated operational works were not carried out in accordance with the approved drawings. An enforcement notice was served relating to both the unauthorised use and the operational works including the shopfront. However, the enforcement notice was withdrawn during a subsequent appeal hearing and on the advice of the Inspector to allow negotiations to take place between the Council and the applicant (and his agent). The Council's legal advice has since been that the planning permission WB/07/1451/FULL can be implemented retrospectively subject to approving the conditions of planning permission. The applicant has made a

submission to approve the details of the conditions (submitted prior to the planning permission WB/07/1451/FULL lapsing in February 2011) which included payment of the sustainable transport contribution.

Advertisement consent was refused (part retrospective) for a fascia sign and projecting sign under (WB/09/0190/ADV and WB/09/0191/ADV) and was subsequently dismissed at appeal in November 2009.

RELEVANT PLANNING POLICIES:

SEP – CC1, CC6, BE1, BE6

Worthing Core Strategy – 16

WBC Design Guide: Design-Wise 'Design Principles of Shopfronts and Signs' 1994

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

Conservation Area Advisory Committee: No objection.

The Worthing Society comments that the shopfront is a visually clumsy item, not an enhancement to the street scene, neither traditional nor modern enough to get away with it.

PLANNING ASSESSMENT:

The retail function of Worthing town centre is an essential part of the local economy, providing employment, attracting visitors and serving the shopping needs of the local community. The appearance of shop fronts and signs are key components of the character of the shopping area and have a significant impact on the quality of the environment through their design and detailing, through their relationship to the building and the area in which there are situated. The size, scale, proportions, materials, detailing and colour of a new shopfronts should reflect the character of the building and the surrounding area, and in the case of those affecting heritage assets, should respect any existing features of architectural or historic interest that the building possesses. Within Conservation Areas there is a statutory duty to have regard to the desirability of enhancing or preserving the character or appearance of that Area.

The previous shopfront (dating from c.1984) comprised of a traditional timber-framed shopfront with a large single-paned shop display window above a low, rendered stall-riser framed by plain columns with console brackets on either side. A glazed shop door was located on the left-hand side of the shopfront with a single transom light above. The fascia was relatively deep (similar to that at No.41) with a retractable fabric canopy blind positioned below its lower edge. Importantly, the design and proportions of the shopfront appeared balanced in relation to the architectural features of the upper floors, with the shop display window centred below the double bay window feature, and the

position of the shop entrance roughly aligned with narrower, flush-fitting upper floor windows.

This has been replaced with a concertina-opening shopfront constructed in solid oak comprising 6 no. panel doors with 6 no. transom lights above. The main entrance door is now positioned on the right-hand side of the shopfront. The columns with consoles on either side of the shopfront have been retained.

The 'concertina-opening' style has no regard to either the historic period or main architectural features of the upper floors of the building, and consequently appears unbalanced and divorced from the remainder of the building (both when open and closed). The visual cohesion between the ground and upper floors, in part derived from the alignment of the former shop door (previously on the left side) with the first and second floor windows above, has been lost. Similarly the thickness of the oak frames combined with the narrow vertical proportions of the series of folding and opening doors results in a particularly 'heavy' appearance which is unsympathetic to the historic character of this 'Local Interest' building and wholly alien in context to the predominantly slender proportions and delicate detailing of the surrounding traditional timber shopfronts within this terrace. The natural timber finish further emphasises the modern appearance of the shop front and its visual prominence within the streetscene.

There is diversity in the detailing, colour, size and proportions of the shopfronts which make up the Warwick Street, reflecting the varying historic features and architectural composition of the individual buildings which make up this terrace. There is nevertheless a strong sense of harmony which arises from their predominantly traditional designs, modest proportions and use of traditional materials. The vast majority of shopfronts on the north side of Warwick Street incorporate the elements of a traditional shopfront, predominantly with stallrisers below a shop display window, framed by columns or pilasters, often with recessed doorways. The traditional character of the shopfronts combined with the lack of modern, corporate designs and signage positively contributes to the distinctive character of Warwick Street, made up of individual shops and restaurants within an attractive pedestrian environment. The South Street Conservation Area Appraisal refers to the shopfronts within Warwick Street as "*Important elements in the streetscene and some of special interest, particularly on the north side where there a variety of designs and unusual recessed lobbies*". The Appraisal identifies traditional shopfronts which respect the overall design, style and period of the individual properties and which contribute to the character and appearance of the streetscene as important architectural, historic and townscape elements which should be preserved

The effect on the setting of the adjoining Listed Building is also pertinent. The following description of No.45 Warwick Street accompanies the listing within the List of Buildings of Special Architectural or Historic Interest:-

"*WARWICK STREET TQ 1502 NW 5/229 No 45 - II House and shop. c1870 end of terrace building, altered c1905 by the addition of Jacobean and*

Georgian style features to the outside and tiled grocers shop to the interior. Stuccoed with slate roof. 3 storeys and attics. 1 window. Attic has curved pediment with scrolled sides. Parapet with end ball finials. Moulded cornice. Upper floors have giant composite pilasters 3 light canted bays with pilasters and glazing bars to the top half of the windows only. Ground floor has projecting shop front having cornice with ovolo moulding and early C20 gilt lettering with the words "LEAL & SON". 3 granite pilasters with composite type capitals with female mask, the upper part fluted. Wide round-headed shop front with elaborate keystone and decorated spandrels. Left side has decorative panel and arched doorcase with ovolo moulding keystone and scrolled spandrels. Fanlight and late C20 door. Interior has mid C19 staircase to upper floors with stick balusters (some missing) mahogany handrail and column-shaped newel posts. Reeded architraves to 1st floor door and 6 panelled door. Ground floor shop of c1905 has ceiling divided into squares by wooden divisions and RSJ with large brackets. 2 partially fluted pilasters to rear of shop and cornice with swags. Right side and rear wall have early C20 tiling predominantly tall yellow panels with blue, grey and green borders. The top has grey panels with floral tiled surround. Listing NGR: TQ1508602652"

In comparison the overtly modern fully opening style of the shopfront at No.43, the unsympathetic proportions of the folding doors, the thickness of the frames and modern external finish, all comprise unsympathetic elements which appear 'heavy' and intrusive in juxtaposition to the more delicate traditional proportions and ornate decorative detailing of the adjoining listed shopfront.

Within the submitted supporting material the applicant agues that the position of the entrance door on the right-hand side of the shopfront is a necessary requirement in order to comply with the Building Regulations (for the purpose of means of escape). However, position of the main door is only one element of the existing shopfront which undermines the visual integrity and traditional character of the building.

It is also suggested that:- "*With modern painting techniques, colours and materials it would be perfectly feasible to paint all the timber to create the impression of an independent stall riser and entrance doors that are recessed, in whatever position the LPA desires, be that centrally located or off-set to one side. If the oak finish is considered unacceptable in principle, it could be painted a colour to be agreed.*" However, this would not overcome the above-stated concerns about the lack of sensitivity to the historic character of the building and its environs resulting from the method of opening, the narrow sub-division and proportions of the folding doors, or the 'heaviness' derived from the thickness of the oak frames.

A lightweight folding-door shopfront has been installed nearby at 'Ask' restaurant, 30-32 Warwick Street, on the opposite side of the road from No.43. However, this premises has a deep forecourt, and is set well back from the main terraced shopping frontage on the south side of Warwick Street. This early C.19 grade II listed building, formerly a pair of houses with their frontage turned away from the main street, has a character and identity which

is visually distinct from the rest of the shopping street and therefore not directly comparable to the application property which forms part of a terrace.

RECOMMENDATION: REFUSE on the ground:-

The existing shopfront, by reason of its method of opening, unsympathetic sub-division, proportions, thickness of the frames and external finish, constitutes an over-dominant, 'heavy' and obtrusive form of development that is visually divorced from the upper floors and detracts from the historic character and visual integrity of this Local Interest Building and the setting of the adjoining Listed Building, and fails to enhance or preserve the character or appearance of the South Street Conservation Area. As such the shopfront conflicts with policy 16 of the Worthing Core Strategy and policy BE6 of the South East Plan and national planning policy contained within PPS:5 'Planning for the Historic Environment'.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. Whilst the development has implications for neighbour amenity and for the applicants' own proposals to develop the land, it is not considered that the nature of the proposed development raises issues material to these Articles of the Act.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

Yes

DELEGATED

Case Officer
Sign..... [redacted] .....Date..... 15·8·2011

Authorising Officer
Sign..... [redacted] .....Date..... 19/8/11