



Public Examination of the Development Management Local Plan

London Borough of Lewisham response to the Inspector's initial query regarding DM19: Shopfronts, signs and hoardings.

- 1. It is likely to be unsound for part 2 of the policy to prejudge every application for posters in this way. Moreover, it is questionable whether poster hoardings, as opposed to any other form of advertisement, should be referred to as a separate category since the only relevant considerations in respect of all advertisements are so clearly set out in the Advertisement Regulations. Consequently there is no point in an LP attempting to add further gloss. The reference to temporary hoardings is equally unnecessary, as well as unclear in its meaning. The Council's suggested potential modification (SM28) does not overcome these points and, on the face of it, may be better replaced with an MM deleting part 2 of the policy and para 2.155.*
- 2. The Council suggests a further potential change (SM5) concerning part 1g of the policy. However, it is unclear why it is necessary to add to the statutory consideration of 'public safety' specified in Advertisement Regulations by specifying 'highway safety and operations including adverse impacts on pedestrians, cyclist and public transport operations'. Public safety embraces all safety concerns from whatever quarter.*
- 3. The Council also suggests a potential change (SM33) to insert an additional part to the policy requiring an appropriate level of fit-out to new shop fronts below residential accommodation. Why is this an appropriate/reasonable requirement when the requirements of a future occupier may be unknown?*

Planning Policy – 13 January 2014

Councils response.

1. In response to the concerns outlined by the inspector within point 1, the Council suggest deleting DM Policy 19 (2) and the paragraph 2.155 of the justification text.
- ~~2. The Council will not grant consent for the display of poster hoardings. Temporary hoardings may be suitable for some form of public art.~~
- ~~2.155 Poster Hoardings that are out of keeping with the street scene can be intrusive and inappropriate to the character of the area and can lead to visual clutter. They can devalue the character and quality of both shopping and residential areas and therefore will not be permitted. Temporary hoardings can be beneficial in screening unsightly areas~~

~~awaiting development and provide both public art and information about the nature of the development. NPPF para 67 supports this policy.~~

2. In response to the concerns raised by the Inspector regarding the reference to highway safety and public operations, the Council suggest rewording 1g of the policy to read:

g. refuse permission for advertisement, banners, blinds, canopies and awnings that are considered to adversely affect amenity and character of an area or adversely impact on ~~highway safety and operations~~ **public safety**.

3. In response to point 3, the Council received the following comments on DM Policy 19 as part of the consultation on the proposed submission version:

- 3.1 **DMREP 16** : “New shop fronts, particularly below new residential developments, are often built without any frontage- only wooden boarding. This has a negative impact on the streetscape, especially when the shops are not actively marketed and remain empty for years”.

- 3.2 The Council does not consider that the requirements for the fit out of new shop fronts in mixed use schemes unreasonable or onerous, even if the end user is unknown.

- 3.3 The Council consider that the installation of a shopfront, as part of wider scheme, is a basic and fundamental requirement to enable the immediate functioning of a business, without the need for costly fit-outs by a potential end user. The Council intends to support the provision of affordable premises for smaller scale businesses and initial start up costs together with the additional need for shopfront installation and building costs, represents a heavy financial burden for these smaller businesses. The Council has had experience in a number of cases where the cost of a fit out for premises, including the shopfront, has prohibited end users from taking certain premises.

- 3.4 One example are commercial units A & B at Besson House, The Courtyard, 3 Besson Street, London, SE14 5AE (2 units). The units were granted permission for flexible A1/A2/B1(a) use and were constructed to a shell standard with no shopfront or external wall to the front. The units have had 'temporary' wooden boards on the front elevation since they were constructed in 2006, 7 years ago, and have not been occupied. The units are currently being converted to flats. The Applicant's change of use submission contains report stating one of reasons that units could not be let was due to lack of fit out (Section 5). This can be found at: http://planning.lewisham.gov.uk/online-applications/files/7377FACF15D59ADD47DD6DC17F772452/pdf/DC_12_8138_0_FT-DESIGN_AND_ACCESS_STATEMENT_REV_A_APPENDIX_B-197404.pdf

- 3.5 A further example was the case of Buildings A and B in the Renaissance Development Loampit Vale SE13. These units were granted permission for flexible uses between A1/A2 and B1 restricted to creative industries and were fitted out to shell and core. These blocks were left as a shell and core with no glazing. The premises have been extensively marketed, and offered on good terms for the rent, and have been vacant since 2011. Potential end users confirmed that the cost of fit out prevented them from taking on the space.
- 3.6 The Council considers that requiring a basic shopfront fit-out for smaller businesses can encourage new occupiers and will support the aims of the Core Strategy. This level of shopfront fit-out is expected to ensure that the new units are attractive to small businesses.
- 3.7 The Council acknowledges that the wording suggested in SM33 could be clarified to 'shop front fit out' rather than just a reference to 'fit out', which could suggest internal alterations. It is also suggested that the wording is amended to include residential and commercial properties as larger development schemes may also have commercial units on the upper floors and not just residential. Furthermore, the Council does not want to encourage open shop fronts which can harm the visual continuity of a street frontage. It is therefore suggested that a new criteria (j) is added to discourage open shop fronts, which can harm this continuity
- 3.8 **Suggested Modifications**
- 3.9 The Council therefore propose the following modifications. Text additions are **underlined in bold** and deletions are ~~struckthrough~~.

DM Policy 19

Shopfronts, signs and hoardings

1. Shopfronts should be designed to a high quality and reflect and improve the character and quality of their surroundings. This will be achieved by the following:
 - a) retention of high quality shopfronts both within and outside Conservation Areas. This includes retention of original fascia, pilasters and columns including where shop units are combined. Where retention is not possible replacements should use high quality materials and use a design appropriate to the period and character of the building
 - b) new shopfronts and the replacement of non-period shopfronts should use high quality materials and use a design that relates well to the proportion, scale and detailing of the entire host building and makes a positive contribution to the streetscape. Where possible existing original pilasters, brackets and fascia should be retained and new shopfronts should relate well

to these features.

- c) new shop signs should relate successfully to the architectural features and detailing of the new building. Architectural features such as cornices, pilasters and columns should not be obscured.
- d) provision of separate access to any residential accommodation on other floors and encourage the restoration of such access if already removed
- e) provision of suitable access for people with disabilities in new shop fronts
- f) provision of storage for refuse bins where possible
- g) refuse permission for advertisements, banners, blinds, canopies and awnings that are considered to adversely affect the amenity and character of an area adversely impact on highway safety and operations, **including adverse impact on pedestrians, cyclists and public transport operations. public safety**
- h) roller grills and shutters for security purposes should be of an open mesh variety leaving the shop window visible, with the box for any grills or shutter contained behind the fascia where possible
- i) within the Conservation Areas and residential areas, internally illuminated box fascia signs and projecting signs will not be permitted unless they are successfully related to the design and detailing of the building and positively contribute to the special character of a group of buildings or streets
- j) ~~Where applications require a new shop front, in addition to new residential units an appropriate level of fit out will be sought.~~
- i) refusing permission for open shopfronts without a traditional glazed screen that break up the visual continuity of a shopping frontage**

2) Where applications require a new shopfront, in addition to new residential or commercial units, an appropriate level of shopfront fit out will be sought.

- ~~2 The Council will not grant consent for the display of poster hoardings which are considered to be out of scale and character with the building/site on which they are displayed or where they would harm the visual or aural amenity or public safety.~~

3.10 To support the suggested wording within point 19 (2) the Council suggest the inclusion of following justification paragraph:

2.155 The Council considers that requiring a basic level of shopfront fit out for smaller businesses can encourage new occupiers and supports the wider aims of the Core Strategy. The Council will therefore seek an appropriate level of shopfront design detail at the initial application stage to ensure that the they are of a high quality design and sensitive to the surrounding context. A basic level of shopfront fit out will also ensure the units are attractive to smaller businesses.