

# Appeal Decision

Site visit made on 26 May 2017

**by Gary Deane BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 7 June 2017**

---

**Appeal Ref: APP/N5660/Z/17/3171855**

**4 The Pavement, London SW4 0HY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Ken Jones of Iceland Foods Limited against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 16/05317/SPF, dated 9 September 2016, was refused by notice dated 23 December 2016.
  - The development proposed is described as the installation of new shop front with aluminium stallriser and high level opaque glazing and complete with new automatic sliding entrance doors, tiled finish to left hand side of shop front and new solid lath security shutter to right hand side.
- 

## Decision

1. The appeal is allowed and planning permission is granted for the installation of new shop front with new automatic sliding entrance doors at 4 The Pavement, London SW4 0HY in accordance with the terms of the application Ref 16/05317/SPF, dated 9 September 2016, and the plans submitted with it, which are drawing numbers ICE144-CLAPHAM-1548-01, ICE144-CLAPHAM-1548-SP02, TD-B01931-1, G1028-207-D01 and 1548 Sheet 4 Rev. G.

## Procedural matters

2. Notwithstanding the description of development set out in the above heading, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises a new shop front with new automatic sliding entrance doors. Part E of the planning appeal form, which was completed by the appellant, describes the development in this way. The Council dealt with the development on this basis and therefore so shall I.
3. The new shop front and automatic sliding entrance doors are in place and appear to be broadly in accordance with the plans.
4. The proposed layout plan also shows signage above the new shop front. This signage is the subject of a separate appeal, which is also before me to determine.

## Main issue

5. The main issue is the effect of the development on the character and appearance of the local area.
-

## Reasons

6. The appeal property is a retail unit that occupies a prominent position facing The Pavement, which is a busy thoroughfare within an established District Centre. It is also located within the Clapham Conservation Area (CA), which includes Clapham Common and several residential areas around it. That part of the CA to which the site belongs includes retail, residential, cafes and restaurants, all of which contribute to a vibrant local street scene, with ground floor premises displaying a wide variety of shop fronts and signage.
7. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy Q22 of the Lambeth Local Plan (LP) reflects this statutory duty.
8. The new shop front includes opaque glazing along the upper section of the new shop front, extending across almost the full width of the front elevation. It occupies space that was previously taken up by fascia sign that broadly aligned with signs above the ground floor premises to one side of the site, which are 2 and 3 The Pavement. This element of the appeal scheme has, therefore, discontinued the historical pattern of fascia signs along this section of terrace.
9. Nevertheless, the opaque glazing has an unassuming presence within the new shop front mainly due to its elevated position and modest extent. It does not unacceptably subdue or 'deaden' the front façade of No 4 because the majority of the shop front, which is at eye level, includes large panels with transparent glass that allow clear views into the appeal premises from the highway, from which merchandise and general activity within the store and several advertisement displays are evident. Consequently, the new shop front creates visual interest in the local street scene even with opaque glazing forming part of it. While the opaque glazing has replaced the fascia sign, there is no reason, in principle, why signage could not be displayed above the shop front, in accordance with the requirements of LP Policy Q16 (b).
10. The appearance of the new shop front sets the appeal premises apart from the frontages of Nos 2 and 3 in terms of the position of the fascia signage. Nevertheless, this contrast does not draw the eye because the opaque glazing blends in with the rest of the new shop front. Furthermore, it does not look out of place among the varied shop fronts and fascia signs that is a distinctive feature of the ground floor units with which No 4 is visually 'read' and in the wider area. As a result, there is no visual disharmony in the local street scene. Taken as a whole, the new shop front integrates well into the host building and its context. As the vibrant mixed character and appearance of the CA are preserved with the new shop front in place, there is no reduction in the significance of this heritage asset.
11. On the main issue, I therefore conclude that the development is in keeping with the character and appearance of the local area. Accordingly, there is no material conflict with LP Policies Q5, Q16 and Q22. These policies aim to ensure that development sustains or reinforces local distinctiveness, responds to the positive aspects of the local context and preserves or enhances the character or appearance of conservation areas. It would also comply with the National Planning Policy Framework, which emphasises the importance of

securing high quality design and states that heritage assets should be protected or enhanced.

12. As the development is complete, it is unnecessary to impose a condition to require that it be carried out in accordance with the approved plans, as suggested by the Council. It is, however, appropriate to list the approved drawings in my decision for certainty.

**Conclusion**

13. For the reasons given above, I conclude that the appeal should be allowed.

*Gary Deane*

INSPECTOR