

Committee	PLANNING COMMITTEE C	
Report Title	134 Kirkdale SE26	
Ward	Forest Hill	
Contributors	Hoa Vong	
Class	PART 1	24 September 2015

<u>Reg. Nos.</u>	(A) DC/15/90414 (B) DC/15/90431
<u>Application dated</u>	31.12.2014 [as revised on 10.06.2015]
<u>Applicant</u>	Mr A. Moore on the behalf of Mrs Shafiq
<u>Proposal</u>	(A) Change of use of the existing premises at 134 Kirkdale SE26 from Class A1 Shops to a Class D1 cooking studio, together with the alteration of the fixed fascia level board and construction of a rear yard canopy. (B) Listing building consent for the change of use of the existing premises at 134 Kirkdale SE26 from Class A1 Shops to a Class D1 cooking studio, together with the alteration of the fixed fascia level board and construction of a rear yard canopy.
<u>Applicant's Plan Nos.</u>	(A) 14051-001, 14051-002 Rev B, 14051-007 (Received 1 January 2015). 14051-003 Rev D, 14051-005 Rev A, 14051-008 Rev A (Received 10 June 2015). Design and Access Statement, Heritage Statement (Received 27 July 2015). (B) 14051-001, 14051-002 Rev B, 14051-007 (Received 1 January 2015). 14051-003 Rev D, 14051-005 Rev A, 14051-008 Rev A (Received 10 June 2015). Design and Access Statement, Heritage Statement (Received 27 July 2015).
<u>Background Papers</u>	(1) Case File LE/240/134/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Grade II Listed Building

1.0 Property/Site Description

- 1.1 134 Kirkdale is Grade II listed end of terrace, three storey commercial property consisting of a ground floor commercial unit with residential units above. The current application relates only to the ground floor commercial unit. The subject property is located within a local shopping parade on the west side of Kirkdale with the buildings at 134 to 146 Kirkdale also nationally listed by Historic England at Grade II.
- 1.2 The ground floor unit at No. 134 was previously occupied by an A1 costume hire shop, Antoinette Costume Hire, however is currently vacant. The commercial use has been vacant for approximately 1 year.
- 1.3 It was noted during the Officers site visit that the property has begun to fall into various states of decline. Original features such as the mosaic tiling and green glazed stallrisers,

which are specifically mentioned in the Historic England listing and the redbone herring floor have been damaged and are in need of restoration. The interior of the premises is also beginning to fall into decline.

1.4 There are a variety of commercial uses to the immediate area with a mix of A1, A2 and A3 uses. The commercial units part of the same row consist of:

- 136- Pharmacy A1
- 138-140- Bakery A1
- 142-144- Antiques Shop A1
- 146-148- Garden shop A1
- 150- Public House- A4

1.5 There is also a Tesco Express located directly opposite the subject property.

1.6 The area is typical of a local shopping parade and is characterised by buildings of a similar design consisting of ground floor commercial units with residential accommodation arranged over two/three storeys above.

1.7 The property is not located within a Conservation Area.

1.8 High Street Buildings, 134 to 146 Kirkdale (LEN: 1392512) have the following listing description:

1.9 "Parade of five shops with apartments above, c1896, by Alexander Hennell. Minor later alterations mostly at ground floor level. The buildings are numbered slightly oddly with two of the five buildings having two numbers. From north to south, the numbers are: 134, 136, 138/140, 142/144 and 146.

1.10 EXTERIOR: High Street Buildings is a Queen Anne style terrace of three storeys, rising to four in the central part, in red brick with extensive buff terracotta dressings. While the plan is fairly typical, as determined by the five plots available along the road, the detailing is dramatic particularly along the roofline with its Flemish-style gables and Gothic pinnacles. The façade is symmetrical and on the upper storeys comprises the following: a central bay with shallow bow mullion and transom windows and terracotta bands inscribed with 'High Street Buildings' and a carved frieze of garlands; flanked by two bays with further mullion and transom windows, this time with pediments and a cartouche, and terracotta details; two further bays with a carved frieze of foliage and cartouches which terminate the elevation. At ground floor are shops divided by oversized pilasters with alternating large and small quoins and a carved console; all have an attractive green glazing. Three out of the five original shop fronts survive (Nos. 134, 142/144 and 146), each having a recessed central entrance with mosaic floor to the shop, two display windows with metal surrounds, and separate entrance to the accommodation to the side. The shop fronts to Nos. 136 and 138/140 are modern.

2.0 Planning History

2.1 There is no relevant planning history.

3.0 Current Planning Applications

3.1 The applications seek listed building consent and planning permission for the change of use of the existing premises at 134 Kirkdale SE26 from a Class A1 Shop to a Class D1

cooking studio together with the alteration of the fixed fascia level board, construction of a rear yard canopy and internal alterations.

3.2 It is proposed that the cooking studio would serve a community function, offering cooking classes to locals in the area, including disabled children and also providing healthy alternatives to those who have strict dietary requirements.

3.3 The proposed canopy would occupy the existing side return and possess a glazed roof with powder coated galvanised steel supports.

3.4 The alterations to the front include:

- the name of the cooking studio hand painted onto the existing fascia board together with the installation of a slim profile trough LED light surround,
- the restoration of the front mosaic tiling to the front entrance threshold (to be secured by condition),
- the restoration of the glazed tiled stallrisers (to be secured by condition).

3.5 The internal alterations include:

- removal of the dividing panelling and doors between the rear of the shop display area and the main shop,
- removal of the dividing wall and door between the corridor and the main shop,
- removal of 2 doors and section of wall alongside the corridor,
- removal of the cupboard at the front end of corridor.
- installation of new kitchen equipment including ovens, cookers, cooker hoods dishwashers, sinks, worktops, cupboards, shelving, fridges, etc, suitable to run a proposed cookery studio, plus associated plumbing and electrics.
- restoration and protection of the herringbone wooden floor (to be secured by condition)

4.0 Consultation

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.2 Site notices were displayed and letters were sent to residents, councillors and businesses in the surrounding area. The Council's Conservation Officers, Historic England and the Sydenham Society were also consulted.

Written Responses received from Local Residents and Organisations

4.3 The Sydenham Society and 2 local residents have objected to the application on the following grounds:

- The change of use
- Loss of partitions/window display areas

- Exterior Fascia/ signage
- Refuse Storage and collection
- Noise
- Ventilation
- Hob in window
- Exterior glazed tiles
- Location of the DDA toilet
- Parking

4.4 One letter of support has been received by the occupier of 58 Fairlawn Park.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due

weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

London Plan (March 2015)

- 5.5 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 7.1 Lifetime Neighbourhoods
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 8.3 Community infrastructure levy

Core Strategy

- 5.6 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Development Management Local Plan

- 5.7 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.8 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 16	Local shopping parades and corner shops
DM Policy 19	Shopfronts, signs and hoardings
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

5.9 This document seeks to promote good design in order to enhance the character and appearance of the borough as a whole. The guide advises on the use of sensitive design and careful attention to detail and that whilst shopfront design encompasses a wide variety of styles and details there are certain basic rules that apply everywhere.

6.0 Planning Considerations

6.1 The main issues to be considered in respect of the application for planning permission are:

- a) Principle of development
- b) Refuse
- d) Impact on adjoining properties

6.2 The main issues to be considered in respect of the application for listed building consent are:

- a) Impact on the heritage of the subject property

Principle of Development

6.3 The principle of the change of use of the premises at 134 Kirkdale from an A1 shop unit to a D1 cooking studio is established in DM policy 16 Local Shopping Parades and Corner Shops which states that:

1. The Council will require the retention of Class A1 shops located in a local shopping parade or operated as a corner shop in order to preserve or enhance the local character and support the provision of essential daily goods and services, unless an applicant can demonstrate:

- a. the availability of similar alternative shopping facilities within a comfortable walking distance (approximately 400 metres or less)
- b. a balance to the number and type of units within the parade
- c. that reasonable attempts have been made to market vacant shop units, for more than 12 months, at an appropriate rent
- d. the replacement use will result in no harm to the amenity of adjoining properties.

6.4 According to DM Policy 16, the Council would seek to retain A1 shops and similar uses to maintain high levels of footfall and the vitality of local parades. A proposed D1 non-residential use located within a local shopping parade consisting of A1, A2 and A3 uses would therefore be resisted as D1 uses are not normally associated with commercial uses which would offer the same level of passing trade.

6.5 In this case however due to the nature of the intended use and services that would be offered, it is considered that the proposed cooking studio would maintain a relatively high footfall whilst also contributing to an active shopping frontage. In addition to this it is considered that the proposed cooking studio, which would offer cooking classes to locals in the area, including disabled children and also provide healthy alternatives to those who have strict dietary requirements, would benefit the local community and is a form of development that the Council would seek to promote. In recognition of this and in order to maintain the vitality of the local parade it is considered suitable to impose a condition restricting the use class of the premises to a cooking studio only.

- 6.6 The proposed D1 use in this context is therefore considered to be appropriate, providing that the requirements of DM Policy 16 are also met.
- 6.7 With regards to paragraphs a and b, it is noted that there are a variety of commercial uses to the immediate area with a mix of A1, A2 and A3 uses. The properties at 136-150 which form part of the same parade consist of:
- 136- Pharmacy A1
 - 138-140- Bakery A1
 - 142-144- Antiques Shop A1
 - 146-148- Garden shop A1
 - 150- Public House- A4
- 6.8 There is also a Tesco Express located directly opposite the subject property, approximately 20m away. Due to the presence of a Tesco Express and number of A1 units in the area, the loss of the current A1 use is not considered to result in any harm to the vitality of the shopping parade or result in the loss in the provision of essential daily goods and services. The existing balance to the number and type of units within the parade is also considered to be acceptable.
- 6.9 With regards to paragraph c, marketing evidence has not been provided. The commercial unit which was previously in use as a A1 costume hire shop however has been vacant for approximately 1 year and the applicant has stated that this was economically unviable. It is considered that the proposed use would enhance the local character and maintain a relatively high footfall in comparison to the last use. The proposed development is therefore in this respect, considered to be acceptable and the loss of the A1 shop unit and replacement with a D1 cooking studio is not considered to be harmful to the vitality of the shopping parade.
- 6.10 With regards to paragraph d, it is considered that the proposal would result in no significant harm to the amenity of adjoining properties. This is discussed in further detail in the remainder of the report.
- 6.11 In conclusion, due to the mix of uses located in the vicinity and the nature of the proposed D1 cooking studio, the change of use of the premises at 134 Kirkdale from an A1 shop to a D1 cooking studio is not considered to negatively impact the vitality of the shopping parade or provision of essential daily goods and services. The proposed D1 cooking studio use is also considered to enhance the local character of the parade and maintain a relatively high footfall, bringing a vacant unit back into use.
- 6.12 The proposed development would therefore satisfy the requirements of DM Policy 19 and the principle of the change of use of 134 Kirkdale from an A1 shop unit to a D1 cooking studio is considered to be acceptable.

Design and impact on the heritage of the subject property

- 6.13 Section 16 of the Listed building acts states special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.14 DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens states that consent will only be granted for

alterations and extensions to Listed Buildings which relate sensitively to the building's significance and sustain and enhance its significance and integrity

- 6.15 The proposed development includes internal alterations as well as alterations to the front and rear. Whilst the principle of the change of use is considered to be acceptable, it must be demonstrated that the proposal would make a positive contribution to the local shopping parade and either conserve or enhance the heritage and setting of the subject property, which benefits from a Grade II listing.
- 6.16 No objections have been raised by Conservation Officers or Historic England regarding the proposal. Conservation Officers however have suggested a number of amendments which the applicant has complied with. These amendments include:
- reusing a cupboard door at the front end of a corridor which appears to be the historic entrance door as the front access to the flats above the shop and,
 - confirmation that the flooring plinths, which raises the height of the floor within the shop window display areas will not be removed (shown in drawing 14051-003 Rev D),
 - the restoration of the front mosaic tiling to the front entrance threshold (to be secured by condition),
 - the restoration of the glazed tiled stallrisers (to be secured by condition),
 - restoration and protection of the herringbone wooden floor (to be secured by condition).
- 6.17 The following sections will assess the impact of the alterations to the front and rear as well as the internal alterations on then heritage of the subject property.

Front

- 6.18 DM Policy 19 shopfronts signs and hoardings states that shopfronts should be designed to a high quality and reflect and improve the character and quality of their surroundings. This includes retention of original fascias and new shop signs that relate successfully to the architectural features and detailing of the building.
- 6.19 The Councils shopfront design guide SPD provides further guidance in regards to traditional lettering and sign writing as well as shopfronts in general and states that lettering should reflect the proportions of the fascia and the quality and character of the shopfront and that hand-painted or individually fixed lettering will be encouraged.
- 6.20 No objections have been raised by Conservation Officers or Historic England regarding the alterations to the front elevation. The Sydenham Society has requested that the mosaic tiling to the front elevation and glazed stallrisers to the front be restored. This will be secured by condition.
- 6.21 The Sydenham Society have objected to the proposed signage and have requested that a typeface more appropriate to the historic detailing be used.
- 6.22 The Councils shopfront design guide SPD however states that, "lettering should reflect the proportions of the fascia and the quality and character of the shopfront," and that, "hand-painted or individually fixed lettering will be encouraged." The proposed signage as shown in drawing No. 14051-005 Rev A, would therefore meet these policy requirements and is also considered to be of a high quality, reflecting the character of the subject property, not only preserving the original fascia board but also offer a rather subtle design in keeping with the character of the subject property and group of listed buildings in the same row.

- 6.23 The proposed signage is therefore considered to be acceptable and it is as a result not considered appropriate to request that a different typeface be used.
- 6.24 There are no further alterations proposed to the front of the property.
- 6.25 The alterations to the front elevation includes the restoration of the mosaic tiling and glazed tiled stallrisers. These two key elements (which are included in the listing description of the building), would restore the original detailing to the front elevation, enhancing the character of the subject property. The proposed signage is also considered to be acceptable and of a high quality design respecting the character of the subject property and group of listed building in the same row.
- 6.26 The alterations to the front elevation are therefore considered to be acceptable.

Rear

- 6.27 The alterations to the rear include the installation of a glazed canopy with powder coated galvanised steel supports to the side return and a new fit for purpose door to proposed DDA WC.
- 6.28 No objections have been raised by Conservation Officers, Historic England or the Sydenham Society regarding this aspect of the proposal. These alterations would not be visible from the public realm and are considered to be relatively minor and would not affect the heritage or setting of the subject property and are acceptable.

Internal

- 6.29 A number of detailed objections have been received by the Sydenham Society with regard to the internal alterations. No objections have been raised by the Historic England or the Councils Conservation Officers.
- 6.30 Officers have noted the objections raised by the Sydenham Society, however consider the alterations to be relatively minor and in all cases reasonable in order to bring the vacant unit back into use.
- 6.31 The removal of the dividing walls to the front and internal wall to the main corridor are considered to be acceptable as these are not original features. The removal of a section of wall and doors to the rear although are original features, are not considered to cause irreversible harm to the character of the subject property and the historical form and layout would still be legible. Cooker hoods, hobs and other essential kitchen equipment is proposed which would need to be affixed to the walls. This is acceptable and it is recognised that in order bring the property back into use that some alterations would be required, it would therefore be impractical to preserve every aspect of the subject property.
- 6.32 In addition to this it should be noted that due to the length of time that the ground floor unit has been vacant, the property has begun to fall into decline. The proposed cooking studio would prevent any further decline to the historic fabric of the building and the restoration and protection of the herringbone wooden floor (to be secured by condition) is also welcomed.
- 6.33 The internal alterations are therefore considered to be acceptable and would not affect the historical significance of the building. The subject property is not considered to be adversely impacted by the internal alterations and it is considered that the proposed development would not only preserve the character of the subject property, but by bringing the vacant unit back into use and restoring a number of original features, enhance its historical significance.

Refuse

- 6.34 DM Policy 19 shopfronts signs and hoardings states that provision of storage for refuse bins should be made where possible.
- 6.35 Objections have been raised by the Sydenham Society regarding the location of the bin stores to the front of the property. Their comments are as follows,
- 6.36 “The food and other waste that will be generated by a cooking studio/café will soon become a health hazard unless satisfactory measures are incorporated into any plans. The site plan provided by the applicant shows a rear access to the building, via an alleyway to the rear of High Street Buildings. We believe this route may no longer exist. We ask that you please request that the applicant submits plans for the adequate and hygienic storage and disposal of waste prior to the grant of any planning permission.”
- 6.37 The proposed cooking studio would provide cookery classes as opposed to food for sale on a commercial scale. The proposed use as a result is not considered to generate waste on a scale that would cause a “health hazard” to the wider area. It is recognised that the type of waste that would be produced would differ from that of a A1 commercial unit however the existing use and location of the bins would not be affected.
- 6.38 It is proposed that bin storage would be located to the front of the property. This is an existing relationship which is shared by many of the properties on Kirkdale including those part of the same row which are also Grade II listed. As there is no existing side access, the location of the bin stores to the front of the property in this case is the most appropriate location. Bins stores to the rear could be arranged and if necessary secured by condition however this is not ideal as rubbish would have to be carried through areas where food would be prepared. As the bins are already stored to the front of the properties as part of the same parade and the proposed cooking studio would maintain this relationship, Officers are satisfied that the proposed bin storage to the front would not affect the significance of the subject property.
- 6.39 The Sydenham Society has stated there is a rear access to the building via an alleyway to the rear of High Street Buildings which could possibly be used to provide access to a bin store. The rear access and alleyway however does not fall within boundary of the application site and it would be unreasonable to suggest that the bins be located on land that does not fall within the application site. In addition to this the rear access is poorly overlooked and unsafe and would therefore provide an unsuitable access.
- 6.40 The location of the bin stores to the front of the property are therefore considered to be acceptable and appropriate given the context of the site and of no significant harm to the character of the subject property or its setting.

Impact on Adjoining Properties

- 6.41 DM Policy 31 Alterations/extensions to existing buildings requires that extensions should result in no significant loss of privacy and amenity to adjoining houses and their back gardens.
- 6.42 The proposed opening times are as follows:
- Monday - Friday: 9am - 8pm.
 - Saturday-Sunday: 9am - 9pm.
- 6.43 These opening times are considered to be acceptable and are similar to the opening times of the other commercial units in the parade. It is acknowledged that the proposed

use as a cooking studio may generate some noise however this is not considered to be significant enough to cause a harm to neighbouring residential amenity. The opening times would also ensure that any activity taking place would occur during normal acceptable working hours.

- 6.44 The proposed open glazed canopy would abut the side boundary of the neighbouring property at No. 130 however would not address any neighbouring windows. The proposed glazed canopy in addition to this would be largely be obscured by the presence of a boundary wall and is therefore not considered to cause a significant impact on neighbouring residential amenity.
- 6.45 The proposed development is therefore is not considered to result in any significant harm to neighbouring residential amenity and is acceptable.

7.0 Conclusion

- 7.1 Historic England and the Councils Conservation Officers have raised no objection to the proposed development and consider the internal alterations and alterations to the front and rear to be acceptable.
- 7.2 The applicant has in all circumstances complied with the Councils recommendations and to this end a number of historic features including the mosaic tiling, glazed stallrisers to the front and redbone herring floor will be restored. The proposed development is therefore considered to enhance the character of the subject property whilst also making a positive contribution to the streetscape and heritage.
- 7.3 The change of use from an A1 shop unit to a D1 cooking studio is also considered to enhance the local character of the area, providing a rather unique addition to the shopping parade and offering a service to the benefit the local community. In addition to this the proposed development would bring a vacant building of local and historic importance back into use, ensuring that the subject property would not fall into further decline.
- 7.4 It is therefore recommend that the proposed development be recommended for approval.

RECOMMENDATION

(A) GRANT PLANNING PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

14051-001, 14051-002 Rev B, 14051-007 (Received 1 January 2015). 14051-003 Rev D, 14051-005 Rev A, 14051-008 Rev A (Received 10 June 2015). Design and Access Statement, Heritage Statement (Received 27 July 2015).

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) The premises shall only be open for customer business between the hours of 9am - 8pm Monday - Friday and 9am - 9pm Saturday – Sunday.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards, DM Policy 16 Local shopping parades and corner shops, of the Development Management Local Plan (November 2014).

- (4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for a cooking studio and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To protect the vitality of the local shopping parade and to ensure the use of the premises as a D1 Cooking Studio, in compliance with DM Policy 16 Local shopping parades and corner shops of the Development Management Local Plan (November 2014).

(B) GRANT LISTED BUILDING CONSENT subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

14051-001, 14051-002 Rev B, 14051-007 (Received 1 January 2015). 14051-003 Rev D, 14051-005 Rev A, 14051-008 Rev A (Received 10 June 2015). Design and Access Statement, Heritage Statement (Received 27 July 2015).

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) (a) Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of at least 1:20 showing details of the retention and restoration of the redbone herring floor have been submitted to and approved in writing by the local planning authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens.

- (4) (a) Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of at least 1:5 showing the restoration of the mosaic tiling have been submitted to and approved in writing by the local planning authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens.

- (5) (a) Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of at 1:5 showing the restoration of the glazed tiled stall risers have been submitted to and approved in writing by the local planning authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens.

- (6) No new external finishes, including works of making good, shall be carried out other than in materials to match the existing.

Reason: To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (7) (a) Detailed plans and a specification of the appearance of the ventilation equipment/cooker hoods which shall include measures to alleviate noise, fumes and odours shall be submitted to and approved in writing by the local planning authority.

(b) The ventilation equipment shall be installed in accordance with the approved plans and specification before use of the development hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 16 Local shopping parades and corner shops of the Development Management Local Plan (November 2014).

INFORMATIVES

- (1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.