

# Report

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Report to:	<b>Cambuslang/Rutherglen Area Committee</b>
Date of Meeting:	<b>28 April 2009</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CR/08/0202
Planning Proposal:	Installation of New Shopfront (In Retrospect)

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : G101 Off Sales Ltd
- Location : 70 Main Street  
Rutherglen

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (Subject to conditions based on the conditions listed).

### 2.2 Other Actions/Notes

The Area Committee has delegated powers to determine this application

## 3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan Adopted 2009**  
Policy COM 1- Town Centre Land Use  
Policy ENV 4 - Protection of the Natural and Built Environment  
Policy ENV11 - Design Quality Policy  
Policy ENV 25 - Conservation Areas  
Policy DM 1 - Development Management General  
**Shopfront Design Guide**

- ◆ Representation(s):

- ▶ 6 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

- ◆ Consultation(s):

- ◆ Planning and Building Standards HQ – Conservation Officer

## **Planning Application Report**

### **1 Application Site**

- 1.1 The shopfront in question is at 70 Main Street, Rutherglen which is within Rutherglen Conservation Area. It is situated on the ground floor of a red sandstone tenement, which was built in 1910. The adjoining shops to the east and west respectively are 'Greggs' at no. 72 and 'Apollo Blinds' at no. 64 Main Street.
- 1.2 Rutherglen Town Centre was designated a Conservation Area in February 2008. There is a mix of modern and traditional shopfronts throughout the town. In this location the shopfronts are mainly modern and there is a wide range of shopfront designs in terms of materials, colours and signage.

### **2 Proposal(s)**

- 2.1 The applicant requests retrospective planning permission for the installation of a new shopfront, which was completed in August 2008.
- 2.2 The new shopfront is different from the one that previously was in use. The alteration has included the installation of a central doorway and two large display windows within a blue aluminium frame. The facing material has been changed to off white, stone effect tiles which are vertically aligned.
- 2.3 It is a contemporary shop front but it has adopted some of the key principles within the Council's Shopfront Design Guide.

### **3 Background**

#### **3.1 Local Plan Status**

Within the adopted South Lanarkshire Local Plan 2009 the site is identified as Town Centre Land where Policy COM1 applies. Other related policies are ENV4 - Protection of the Natural and Built Environment, ENV 11 – Design Quality, ENV 25 – Conservation Areas and DM1 – Development Management.

#### **3.2 Relevant Government Advice /Policy**

None relevant.

#### **3.3 Planning History**

The new shopfront has been installed on a shop which had previously been an off license (Victoria Wine) but is being changed into a licensed grocers. The actual use class of the premises will remain within Class 1: Retail. Therefore a planning application for a change of use is not required in this instance.

- 3.4 However as the applicant was unaware that planning permission was required for the alterations to the shopfront work began on replacing the existing shopfront before residents adjacent to the site brought the matter to the attention of the Planning Service.

- 3.5 A license for the sale of off-sales is required to allow the proposed shop to open, therefore although the shopfront is practically complete the shop is not operational at present.

### **4 Consultation(s)**

- 4.1 **Planning and Building Standards HQ, Conservation Officer:** The proposed shopfront does not follow the general design principles contained in the approved shopfront design guidance. For example, the fascia is not a distinct element within the shopfront design and merges with the pilasters. The fascia, although an improvement on the previous design, is still too deep and is finished in a material which is inappropriate.

**Response:** After discussions with the applicant revised plans were submitted which have added a new timber fascia board, to the proportions recommended within the Council's Shopfront Design Guide. This will ensure that the fascia is a distinct element within the shopfront. Having regard to the location of the shopfront and the previous history of the site I am satisfied that this and the other elements incorporated into the scheme, including stallrisers, represent a satisfactory design solution and an improvement on the previous shopfront.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was carried out and the proposed development was advertised as development affecting the character or appearance of a Conservation Area. Six letters of objection were received. The points raised are summarised below:-

**a) The design of the shopfront is inconsistent with good practice where a retail unit is on the ground floor of a residential tenement block. A traditional margin should be retained/ installed under the stone banding course, with the signage area being installed below that margin. In the fullness of time this would allow the planning authority to 'link' the retail units along a length of street.**

**Response:** After discussions, the applicant has submitted revised plans which incorporate a fascia board, which was not shown on the original plans. This will ensure that a margin will be apparent beneath the cornice of the upper floor. At present the shopfront has no signage, and this may require a further planning application for advertisement consent.

**b) Further to point 1 above some form of 'generic' stall riser and column arrangement would also be favourable. Once again, to allow some 'link' between the various retail units along a length of street.**

**Response:** The stall riser which has been provided is comparable in size with that of the two shop fronts to the east: 'Greggs' and 'Pinkz Console Suncentre'. The use of blue metal window and door surrounds fits with that used for 'Greggs' and does create a degree of uniformity. The size of, the modern Pilasters are similar in width and height to that of the 'Greggs' shopfront.

**c) Point 1 & 2 above should be of particular importance in a Conservation Area. Clearly, where new works are being undertaken in a Conservation Area the Planning Authority should endeavor to ensure a design consistent with the principles of Conservation.**

**Response:** As the application is retrospective there were no discussions with the Planning Authority prior to its installation. However, the design which has been installed is a significant improvement over what was previously there and does incorporate features that are more appropriate to this location. The applicant has ensured that the original cornice of the upper floor is visible and clearly defined. The shopfront also has a clerestory, a stall riser and a timber fascia board which are features of a traditional shopfront. The shopfront therefore has incorporated several of the elements recommended in the Council's Shopfront Design Guide.

**d) The design is not 'inclusive'. In fact it destroys the inclusive design benefits of the previous shopfront. The previous shopfront had a ramp up to the door, there was no threshold and there was a double door arrangement. The new shopfront has a single door access arrangement, does not have an automatic operation facility, does not have a ramp from the pavement and has a sizeable 100mm deep threshold.**

**Response:** This matter is an issue for Building Standards to assess under the Building Regulations. It is a requirement that every building must be designed and constructed in such a way that all occupants and visitors are provided with safe, convenient and unassisted means of access to the building. The approved building warrant has ensured that this requirement has been met.

**e) Whilst some elements of the considerations noted above may be 'building standards' matters, they are also planning matters – especially when the work has been carried out already and did not form part of the building warrant application.**

**Response:** Point addressed above in response to (d).

**f) There is no provision for shutters to the window or door areas of the shop unit. The premises are proposed for the sale and display of alcohol and tobacco products. As such, albeit unfortunately, the premises are a natural target for both vandalism and burglary. There is a solution to this problem which goes some way to achieving both the desired aesthetics of the streetscape and security from any negative impact on the streetscape resulting from vandalism and crime – install 'open' type shutters.**

**Response:** An internal 'brick bond' style shutter will be installed behind the main door. This is in accordance with the Council's Shopfront Design Guide and is encouraged within Conservation Areas. It is the prerogative of the applicant to decide what measures are necessary for the shop's protection.

These letters have been copied and made available for inspection in the usual manner.

## **6 Assessment and Conclusions**

6.1 The applicant seeks retrospective consent for the installation of a new shop front. The determining considerations for the proposed development relate to whether the application is in accordance with the Local Plan and the impact of the proposal on the character and amenity of the Conservation Area.

6.2 It is important when new applications for shopfront alterations are submitted that the principles of shopfront design are considered and the new installation makes a positive contribution to the built environment. In the context of a recently designated Conservation Area, regard has to be had to the modern shopfront designs that exist and that are less prevalent in an established Conservation Area where traditional shopfronts are the norm. The majority of the shopfronts in this area are modern or have elements of contemporary design. Very few shops reflect all the recommendations in the Council's Shopfront Design Guide. Many of which would have been designed prior to the approval of this document.

6.3 The previous shop front did not properly reflect the guidance set out in the Council's Shopfront Design Guide. It was a modern shopfront which did not bare any relation to the building of which it was a part. The fascia, which held the shop sign was too large and out of proportion with the shopfront. The doorway was not central to the shopfront and there were no stallrisers present. The overall design was not

acceptable for the Conservation Area. The proposed shopfront, however, has certain significant elements which are now in accordance with the adopted Council's Shopfront Design Guide.

- 6.4 After discussions with the applicant cognizance has been given to advice from the Council's Conservation Officer and the elements which have been installed include: a timber fascia board, stall risers, a clerestory, a central entrance into the shop and well proportioned door/windows. The proportion of the shopfront relates to the residential units above through positioning of windows, the entrance door and pilasters. The display area and entrance of the shop are well framed within the new shopfront. The original cornice of the upper floor has been retained and is visible from the ground floor. Any forthcoming signage will be well positioned to enhance this design further. The applicant has intimated that pre-application discussions will take place with Planning Officers prior to any application for advertisement consent being submitted.
- 6.5 The shop front is also separate from those adjoining, while retaining an element of uniformity, especially with that of 'Greggs' next door.
- 6.6 The applicant has installed off white, vertically aligned wall tiles across the entire shopfront. The tiles have a satin, non-glossy finish which gives the tiles more of a stone effect. I am of the opinion that this finish is not significantly out of keeping with the surrounding area, especially given the condition of the previous shop front. In this instance I consider the proposal has enhanced the Conservation Area and is in accordance with Policy ENV4 – Protection of the Natural and Built Environment and Policy ENV25 – Conservation Areas.
- 6.7 In accordance with Policy COM1 – Town Centre Land Use, each application within the town centre must comply with both Policies ENV11 – Design Quality and DM1 – Development Management. The proposal accords with Policies ENV11 and DM1 as it is clear that the proposal has made a positive contribution to the character and appearance of the urban environment. It is also apparent that the proposal respects the local context and is of a layout and design which makes a positive contribution to the area. It has also taken account of supplementary guidance in the form of the Council's Shopfront Design Guide. It is therefore recommended that planning permission is granted.

## **7 Reasons for Decision**

- 7.1 The proposal is in accordance with Policies COM1, ENV4, ENV11, ENV25 and DM1 of the adopted South Lanarkshire Local Plan and has taken cognizance of the Council's Shopfront Design Guide. I consider the proposal to be an improvement from the previous shopfront, and therefore an enhancement to Rutherglen Conservation Area.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**15 April 2009**

## **List of Background Papers**

- ▶ Application Form

- ▶ Application Plans
- ▶ South Lanarkshire Local Plan Adopted 2009
- ▶ Shopfront Design Guide
- ▶ Neighbour Notification Certificate dated 1/09/2008
- ▶ Notice under Section 65 – Publicity for applications affecting the character or appearance of a Conservation Area (as displayed on site) dated 02/09/2008

▶ Consultations

Planning and Building Standards HQ, Conservation  
Officer

25 September 2009

▶ Representations

Representation from : B McCutcheon, 120 Fernhill Road  
Fernhill  
G73 4BS, DATED 23/09/2008

Representation from : J McCutcheon, 4 Abbydale Way  
Fernhill, DATED 23/09/2008

Representation from : Mr. and Mrs. Fleming, 70 Avonbank Road  
Bankhead  
Rutherglen G73 2PA, DATED 23/09/2008

Representation from : Steven Roberts, 58 Overton Road  
Rutherglen, DATED 23/09/2008

Representation from : Mrs. T Mitchell, 26 Queen Street  
Rutherglen G73 1JP, DATED 23/09/2008

Representation from : Jim McFaden, The Beer and Wine Company  
65 Main Street  
Rutherglen G73 2JH, DATED 23/09/2008

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Ryan McAlindin, Planning Officer, Royal Burgh House, 380 King Street, Rutherglen G73 1DQ

Ext 5138 (Tel :0141 613 5138 )

E-mail: [Enterprise.cam-ruth@southlanarkshire.gov.uk](mailto:Enterprise.cam-ruth@southlanarkshire.gov.uk)

## Detailed Planning Application

PAPER APART – APPLICATION NUMBER : CR/08/0202

### **CONDITIONS**

1. That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

### **REASONS**

- 1 In the interests of amenity and in order to retain effective planning control.

For information only

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