

3. COMMERCIAL PREMISES

Commercial Uses in Residential Properties

- 3.1 The aim of this guidance is to ensure residential amenity is not adversely affected by the introduction of commercial uses or operators.
- 3.2 There is a presumption against granting planning permission for commercial uses of dwelling houses, including flats. In following this guidance, particular scrutiny will be given to conservation areas and any residential area where other considerations, including townscape, alterations to property, traffic, access and servicing, parking, noise or other environmental considerations could adversely affect local amenity or safety, see also SG1 - Placemaking, Part 1, Qualities of Place - Legibility and Safety. The test will be the preservation or enhancement of residential amenity and the environment.
- 3.3 Exceptions against this presumption may be considered where the:
- a) applicant can demonstrate, to the satisfaction of the Council, that the proposed use will provide a beneficial service to the community;
 - b) quality of the residential character of the area and the amenity of neighbouring properties will not be prejudiced;
 - c) property (where a flat) has a private direct access to the street; and
 - d) use will not give rise to parking/servicing problems in the street/building.
- 3.4 Some businesses can operate within residential property, where the primary use remains residential and the subordinate commercial use

has little impact on the residential amenity of the building. In considering whether a part change of use would occur, the Council will have regard to:

- a) the number of rooms which will be used for commercial use;
- b) whether any staff will be employed to work in the dwelling;
- c) the type of equipment which will be used;
- d) the hours of operation;
- e) whether the development will attract visitors and the frequency of visits, including deliveries; and
- f) whether there will be a need for increased parking/servicing.

Note: This policy deals with all proposals for changes of use of a dwelling (including a flat), however, additional guidance can be found specifically relating to multiple occupancy and short stay accommodation in SG10 Meeting Housing Needs and in relation to Section 4 detailed guidance on Day Care Nurseries and Childminding.

Alterations to Shops and Other Commercial Buildings

- 3.5 This guidance seeks to ensure that alterations to shops and other commercial buildings enhance the appearance of buildings and the street scene generally, and cause no dis-amenity to neighbours, see also SG1 - Placemaking, Part 1. Small alterations are often made to commercial property, for example, to install a new frontage or canopy, fit a security feature or an air-conditioning system. All of these changes can affect the appearance and visual amenity of both the property and the street scene. When changes are made to properties within residential buildings, they can also have an adverse effect on residential amenity, for example as a result of noise.
- 3.6 Proposals for alterations to shops and other commercial buildings should:
- a) respect the period, style and architectural character of the building;
 - b) not detract from the historic character of a listed building or property within a conservation area, see also SG9 - Historic Environment; and
 - c) not adversely affect residential amenity as a result of noise, vibration, etc.
- 3.7 All additional fittings to commercial units and shopfronts should not detract from the visual appearance of the building by obscuring the active shop window or adding clutter to the building.
- 3.8 **Frontage Alterations** - The following guidance applies:
- a) alterations to frontages should always be designed to take account of the age and style of the buildings in which they are located;
 - b) on older properties (e.g. tenements), the original fascia should be retained or, if it is concealed by a dropped fascia (see Definition), this should be removed and the original fascia

reinstated. If a sub-fascia is fitted, this should be glazed (the glazing could be reflective, coloured or etched if it is hiding fittings or existing lowered ceilings). Glazing should run from the bottom of the fascia down to the pavement. A stall-riser may be used;

- c) lowered ceilings in older buildings can hide original features. In listed buildings, lowered ceilings should be removed to expose the original ceiling. Where lowered ceilings are proposed, they will only be acceptable where they are set back 1 metre behind the glass, or raked back at an angle, to avoid interruption of the glazed shopfront with an incongruous feature;
- d) in buildings where timber-framed shopfronts are still the established pattern, then timber should be used for the framing;
- e) if a unit extends across two adjacent buildings at different levels, then the fascia should be stepped, rather than carried through at the lower level; and
- f) extensive use of tiles or render is discouraged.

3.9 **Awnings and Canopies** -The following guidance applies:

- a) canopies should spring from below the original fascia and not extend across pilasters or residential tenement close entrances (see Definition). Canopies should not be fitted on shopfronts with dropped fascias;
- b) canopies should only be fitted on ground floor level properties;
- c) materials of the canopy should be in keeping with the design and character of the building;
- d) awning boxes should generally be concealed behind the shopfront; and
- e) canopies should be of an appropriate height to ensure the safety of pedestrians and cyclists.

3.10 **Security Features and Fittings** - All fittings to commercial units should be located so as to minimise visual intrusion and should not detract from the appearance of the building as a whole. The following guidance applies:

- a) security over doors and windows should be demountable mesh grilles or externally mounted brick-bond shutters;
- b) roller shutters should have the shutter boxes fully recessed, flush with the frontage; and
- c) alarms and other security fittings should be mounted on the door return, rather than on the frontage itself.

3.11 **Chiller/Air Conditioning Units/Flues** - The following guidance applies:

- a) external fittings such as air conditioning units should be located out of sight of public view, on rear/side elevations, concealed on a roof, or in back yards;
- b) within residential buildings, units should be located to minimise noise and vibration. In general units should be located away from any residential window; and
- c) the title deeds of a tenemental property, or other building, may require that the agreement of other owners be obtained before any structure is fitted to a wall in common ownership. Any grant of planning permission does not remove this obligation, which is a separate legal matter.

3.12 **Access Ramps** - The following guidance applies:

- a) the base walls of a ramp on the public face of a building should match the colour and materials of the wall to which the ramp is attached, in order to minimize the visual impact of the ramp; and
- b) the access ramp should not narrow a footway to the detriment of pedestrian movement and safety.

3.13 **Rear Alterations or Extensions** - The following guidance applies:

- a) commercial premises should not extend into existing backcourts (see Definition), where this would lead to an unacceptable reduction in the area of the backcourt and a consequent reduction of residential amenity;
- b) there should be no door access from a commercial unit into a backcourt or communal garden, where this would allow noise and commercial activity into the exclusively residential part of the tenement; and
- c) the introduction of outdoor seating areas to the rear of food and drink premises can also have adverse impacts on the amenity of neighbouring residents. This issue is addressed in policy relating to food and drink uses.

3.14 **ATMs in Commercial Premises** - ATMs (see Definition) are increasingly being introduced to the exterior of commercial buildings other than banks or financial services shopfronts. It is important to ensure that ATMs, like other alterations to shopfronts, do not obstruct the active frontage of the shop window or alter the proportions of the original shopfront, where this would have an adverse impact on the overall appearance of the building or surrounding area. The following guidance applies:

- a) ATMs should be installed through clear glass, to maintain a predominantly glazed shopfront, contributing to the amenity of the streetscene;
- b) any receptacle for receipts should be provided within the structure of the ATM rather than an additional fitting on the shopfront or building; and
- c) additional illumination of the ATM will not usually be permitted in addition to illuminated signage, particularly in residential areas.

3.15 **Further Guidance** - Further guidance on the public realm (including street furniture) is available in SG1 - Placemaking, Part 2 Detailed Guidance - Public Realm.' Proposals for alterations to shops and

other commercial buildings in listed buildings and/or buildings in conservation areas will have to meet the standards set out in SG9 - Historic Environment Supplementary Guidance.