



REGULATORY SERVICES COMMITTEE

REPORT

17 November 2011

Subject Heading:	P1499.11 – 13 Farnham Road, Harold Hill – installation of roller blind and side curtains to shop front (Application received 3 October 2011)
Report Author and contact details:	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
Financial summary:	None

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Valuing and enhancing the lives of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The proposal relates to an application for the installation of a roller blind/canopy and side curtains to the shopfront. The site is Council-owned. Staff consider that the proposal would accord with environmental and designing out crime policy contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That planning permission is granted subject to the following conditions:

1. SC04 time limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. SC09 materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

3. SC32 accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

4. SC27 hours of use: The roller blind/canopy and side curtains shall be fully retracted between 17:00 and the next opening time (the following day) each day.

Reason: To enable the Local Planning Authority to retain control in the interests of public safety and security in accordance with Policy DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP17, DC16, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

REPORT DETAIL

1. Site Description

- 1.1 The site comprises the commercial ground floor unit of a 4-storey mid-terrace property with residential above. The unit has recently been granted permission for a change of use from A1 (retail) to A3 (restaurant/café). The site is situated within the Retail Core of the Minor District Centre.
- 1.2 The site is within a parade of similar commercial/residential uses with mainly A1 uses but also an A2 Use (Betting Office) and an A3 (café restaurant) Use with flats above and community uses including a Library and Church. The area is otherwise mainly residential with 2-storey terraces and 3-storey flats.

2. Description of Proposal

- 2.1 The proposal is for the installation of a roller blind/canopy and side curtains to the shopfront. The canopy would be 2m deep, extending fully over the public highway with side curtains. The canopy would slope forwards/down such that it would extend between 2.4m and 3.2m above ground level.

3. History

- 3.1 There is extensive history, nonetheless the most relevant is:

P1796.10 – change of use to A3 (restaurant/cafe) – Approved
P1093.11 – new shopfront and roller shutter - Approved
A0040.11 – illuminated fascia sign - Approved

4. Consultation/Representations:

- 4.1 52 neighbouring and nearby properties were notified of the application. At the time of drafting the report the consultation period had not yet finished. No replies have so far been received and any comments will be reported directly at the Committee meeting.
- 4.2 The Metropolitan Police Crime Prevention Design Advisor has written to indicate that he has been in contact with the Police Local Neighbourhood

Team. Concerns are raised that local crime and disorder is disproportionately high and that A3 uses act as “honey pots” for anti-social behaviour. He indicates that the provision of a sheltered and relatively concealed canopy with sides is likely to prevent existing CCTV from working properly in a location were a Dispersal Order is currently running for 6 months until early December to control disorder in the area.

5. Staff Comments

- 5.1 The issues in this case are the principle of the development, the impact of the development in the streetscene and on residential amenity, including on crime and fear of crime, and highways/parking. Policies CP17, DC16, DC32, DC34, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant, 4B.6 of The London Plan and PPS6.

Principle of development

- 5.2 The proposal is for a roller blind/canopy with side curtains. There is no “in principle” objection to the proposed development to a shop within an existing shopping centre, subject to detailed consideration below.

Impact in the Street Scene

- 5.3 The proposal follows approvals for a change of use to restaurant and a new shopfront and roller shutter with an illuminated fascia sign. It is considered that the canopy element itself would have an acceptable impact in the streetscene where similar canopies are provided to other shop units. Adjoining units (the Butcher’s both at 9 Farnham Road and 3 Farnham Road) have a similar side curtain arrangement although there are no records of this having received planning permission. Nonetheless, Staff consider that the proposed canopy and curtaining would add interest to this commercial streetscene and would not be out of character in the locality.
- 5.4 The proposal would extend over the public highway and would only be acceptable in highways terms if it is not fixed to the ground and has a clearance of at least 2.4m. The lowest part of the canopy would be 2.4m above ground level and no details of any fixings are shown. A suitable condition can be attached to any grant of consent to ensure that side curtaining is not fixed.
- 5.5 The proposal would not result in any harm to visual amenity in the streetscene such that in Staff’s view, it would have an acceptable impact on visual amenity in the streetscene.

Impact on Residential Amenity

- 5.6 The nearest residential units are located above the ground floor commercial units. Staff therefore consider that the proposed roller blind/canopy and side

curtaining would not of itself result in any adverse impact on residential amenity.

- 5.7 Staff therefore consider that the proposal would have an acceptable impact on these occupiers' residential amenity.

Highways

- 5.8 The proposal would extend over the public highway and would only be acceptable in highways terms if it is not fixed to the ground. No details of any fixings are shown and highways therefore consider the proposal to be acceptable. Staff consider that there would be no parking or highways concerns raised by this proposal.

Secured by Design:

- 5.9 The Crime Prevention Design Advisor has contacted the Police Local Neighbourhood Unit who indicate that crime levels in the Havering Park Ward are disproportionately high for violence against the person, drug offences and burglary than is the average for Havering. The CPDA also advises that due to these concerns, a Dispersal Order (under Section 30 of the Anti-Social Behaviour Act 2003) is currently in effect at Farnham Road for 6 months from 9th May 2011 to control disorder in the area.
- 5.13 The CPDA indicates that previous experience both locally and across the country shows that in areas of high crime and disorder, cafes and restaurants often have a 'honey pot' effect and become a meeting place and focal point for those causing problems. He further indicates that the proposed canopy, if allowed, would be likely to provide a congregating point for youths, particularly during dark nights and inclement weather. With the nature of the business being a restaurant, a canopy would significantly add to the potential 'honey pot' effect and increase the possibility for both the applicant and local residents and businesses to suffer crime and disorder.
- 5.14 The CPDA also indicates that the canopy would also potentially obstruct the view of existing local authority CCTV cameras both of the front of the applicant's premises and those adjacent.
- 5.15 The CPDA advises that planning permission could be granted if the canopy/side curtains are retracted beyond normal shop opening hours which would be more acceptable from a crime prevention point of view. He therefore suggests a condition is attached to any grant of planning permission for any canopy installed to be retracted by 5pm. This would remove the visual obstruction of the CCTV during the most vulnerable evening hours.

6. Conclusions

- 6.1 Staff consider that the proposal would be acceptable in principle and that it would not of itself result in any adverse impact on visual amenity in the

streetscene or any physical impact on residential amenity. The canopy and side curtaining would enable people (other than customers) to gather in a relatively sheltered and concealed place such that it is highly likely that anti-social behaviour could occur, contrary to Policy DC63. It is nonetheless recommended that planning permission is granted subject to a condition controlling the hours of use to avoid the most vulnerable evening hours and Staff therefore recommend that planning permission is granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

7.1 None

8. Legal Implications and risks:

8.1 This application is considered on its merits independently of the Council's interest as owner of the site.

9. Human Resource Implications:

9.1 None

10. Equalities and Social Inclusion Implications:

10.1 None

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.