

Delegated Report		Analysis sheet		Expiry Date:		20/06/2022			
		N/A		Consultation Expiry Date:		10/07/2022			
Officer				Application Number					
Edward Hodgson				2022/1770/P					
Application Address				Drawing Numbers					
94 Camden Road London NW1 9EA				See draft decision notice					
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature			
Proposal(s)									
Installation of retractable awning, erection of a timber enclosure and planters to forecourt and introduction of a ramped access to the front entrance (retrospective)									
Recommendations:		Refuse planning permission and warning of enforcement action to be taken							
Application Type:		Full Planning Application							
Informatives:									
Consultations									
Adjoining Occupiers:		No. of responses		00		No. of objections		00	
Summary of consultation responses:		<p>A site notice was displayed 15/06/2022 which expired 09/07/2022. A press notice was published 16/06/2022 which expired 10/07/2022.</p> <p>No responses were received.</p> <p>The Camden Broadway CAAC were invited for consultation; however no responses were received.</p>							

Site Description

The application site is located on the eastern side of Camden Road and is a four-storey terraced property constructed with brick. The ground floor is in use as a café.

The site lies within the Camden Broadway Conservation Area and the building is not listed.

Relevant History

2011/3063/P - Use of ground floor and part basement as a restaurant (Class A3). **Granted - 30/09/2011**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

D1 - Design

D2 – Heritage

A1 – Amenity

T1 – Prioritising walking, cycling, and public transport

Camden Planning Guidance

CPG Design (2021)

CPG Transport (2021)

Camden Broadway Conservation Area Appraisal and Management Strategy 2009

Assessment

1.0. Proposal

- 1.1 Retrospective planning permission is sought for the retention of a canopy awning plus planters and timber seating enclosure on the front forecourt of the property. An enforcement enquiry was submitted on 12/12/2021 under ref. EN21/1164. The proposals seek to not only retain the structures but also reduce the height of the enclosure by 0.24m and to reduce its depth on forecourt by 0.5m, while maintaining the same materiality and design plus the planters.



applicant's photo of structures as installed

2.0 Design and Heritage

- 2.1 Local Plan policy D1 (Design) states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).
- 2.2 Local Plan policy D2 states that The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings.
- 2.3 CPG Design 2021 notes that blinds, canopies and awnings should not dominate a shopfront or shop parade. They should have a minimum of 2.3m between the bottom of the blind to the pavement.
- 2.4 The Camden Broadway Conservation Area Appraisal and Management Strategy states that shopfronts are an important element in the character of the commercial part of the Camden Broadway Conservation Area and poorly design shopfronts, including canopies and shutters, detract from the character and appearance of the conservation area.
- 2.5 The existing enclosure measures 4.4m wide, 3.7m deep and 1.24m high and is constructed with timber slats with planters in front. The enclosure is located on the forecourt of the premises and is adjacent to a tree. The application site forms a parade of shops; none of the neighbouring properties have any permanent enclosures on the forecourts and the parade has a consistent building line with a wide pavement in front. The enclosure takes up a significant amount of space in front of the forecourt and extends significantly beyond the principal building line. This results in an incongruous and unsympathetic addition that is uncharacteristic as it does not follow or respect local the local character and context. It does not read as subordinate to the host property and dominates and detracts from the appearance of the shopfront. The enclosure creates a defensive appearance and reads as a physical barrier between the host building and public realm. The unfinished timber slats are poorly designed and appear inappropriate in the conservation area. The enclosure is highly visible in long views down Camden Road. The planters add increased bulk and further reduce the amount of usable pavement space, as discussed further below.
- 2.6 It is considered that the revisions to reduce the height and depth of the enclosure as proposed would not significantly improve its design and appearance as these would represent minimal alterations.
- 2.7 The canopy, when fully opened, measures approx. 2.1m from the bottom to the pavement which is contrary to above-mentioned Camden Planning Guidance. There are examples of other canopies along the parade including at nos. 90 and 104; however the canopy here appears as a dominant feature that further contributes to a defensive appearance in conjunction with the enclosure.
- 2.8 The timber enclosure, planters and canopy are not considered to preserve or enhance the character and appearance of the Camden Broadway Conservation Area and constitute 'less than substantial harm'. The works do not provide any demonstrable public benefits that would outweigh this harm and refusal is therefore warranted on this basis.
- 2.9 The canopy, enclosure and planters, by virtue of their siting, size and design, appear as bulky, incongruous and unsympathetic additions that harm the character and appearance of the host

property, streetscene and conservation area, contrary to policies D1 and D2 of the London Borough of Camden Local Plan 2017.

3.0 Transport

3.1 Policy T1 of the Camden Local Plan states that development should provide high quality footpaths and pavements that are wide enough for the number of people expected to use them.

3.2 The timber enclosure is located directly behind a tree located within a gravel treepit. The actual pavement width between the enclosure and the gravel pit is approx. 1.5m. The section of pavement serves the parade of shops and is close to transport infrastructure including Camden Road Overground Station. The narrow pavement is likely to cause a bottleneck when the pavement is used at peak times and is especially problematic for wheelchair and pushchair users. It is considered that further reducing the depth of the enclosure and increasing the useable pavement width by 0.5m to a total of 2m would not significantly improve the width of the pavement needed for the number of people who use it, contrary to policy T1 of the Camden Local Plan which seeks to ensure that the pedestrian environment promotes walking.

3.3 Camden's Streetscape Design manual – section 3.01 footway width states: “Clear footway’ is not the distance from kerb to boundary wall, but the unobstructed pathway width within the footway: 1.8 metres – minimum width needed for two adults passing; 3 metres – minimum width for busy pedestrian street. Neither the current width of 1.5m nor the proposed width of 2m would comply with these requirements and it is considered that there would be insufficient space for pedestrians on this busy footway to safely pass by without hindrance due to the restriction caused by the tree opposite the enclosure. The width would also be insufficient for the needs of vulnerable or disabled users and therefore be contrary to policy C6 which encourages inclusive access.

3.4 The timber enclosure, by virtue of its siting and size, results in a pavement width that is not wide enough for the number of people expected to use it, which is detrimental to the quality of the public realm and hinders pedestrian movement and accessibility by vulnerable or disabled users, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

4.0 Amenity

4.1 Policy A1 of the Camden Local Plan seeks to ensure the amenity of neighbouring occupiers is not significantly impacted regarding light, noise, odours, privacy and outlook. It is considered that the development does not adversely impact upon the amenity of neighbouring occupiers.

5.0 Refuse and Warning of Enforcement Notice to be Issued

5.1 That the Borough Solicitor be instructed to issue an **Enforcement Notice** under Section 172 of the Town and

Country Planning Act 1990 as amended to remove the canopy, enclosure and planters and restore the forecourt to the design prior to the breach taking place and officers be authorised in the event of non-compliance, to commence legal proceedings under Section 179 or other appropriate power and/or take direct action under Section 178 in order to secure the cessation of the breach of planning control.

5.2 The notice shall allege the following breaches of planning control:

Installation of retractable awning, erection of a timber enclosure and planters to forecourt and introduction of a ramped access to the front entrance (retrospective)

5.3 What are you required to do

1. Remove the canopy, seating enclosure and planters
2. Make good any resulting damage

5.4 Period of Compliance: 3 Months

5.5 REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

1. The canopy, enclosure and planters, by virtue of their siting, size and design, appear as bulky, incongruous and unsympathetic additions that harm the character and appearance of the host property, streetscene and conservation area, contrary to policies D1 (design) and D2 (heritage) of the London Borough of Camden Local Plan 2017.
2. The timber enclosure, by virtue of its siting and size, results in a pavement width that is not wide enough for the number of people expected to use it, which is detrimental to the quality of the public realm and hinders pedestrian movement and accessibility by vulnerable or disabled users, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.