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Planning Dept
LB Camden
2nd Floor, 5 St Pancras Square
c/o Town Hall, Judd Street
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14th August 2020

Dear Sir/Madam,

Re: Planning Application for minor development at Fayrouse Lounge Restaurant, 366 Kilburn High Road, NW6 2QH

On behalf of Mr Shaikh, proprietor of the Fayrouse Lounge restaurant, we are pleased to enclose a full planning application for the proposed development:

"Installation of decking and fencing at street level and window security grilles to first floor windows."

The application has been submitted via the Planning Portal (ref: PP-08983496) and the requisite fee of £462.00 will be paid upon submission.

The application is also accompanied by:

- Site Location Plan (1:1250);
- Proposed Site Plan (1:50);
- Proposed elevation drawings (1:100);
- Proposed window security grille details (1:25); and
- Photographs.

Background

The planning application is submitted retrospectively to regularise the development that was implemented last year. The development has been the subject of enforcement action (ref: EN18/0878), which has been affected by COVID-19 and thus is ongoing but intended to be resolved by submission of this application.

It should be noted that the Applicant is also proposing to complete the painting of the fascia, replacing the existing red colour finish with dark green (see window frames in submitted photograph) to give a more subtle and elegant appearance. This does not constitute *development* and therefore does not form part of the planning application.

The Site

The site is located at 366 Kilburn High Road in the London Borough of Camden (LB Camden). It is uniquely situated under a railway bridge, opposite Kilburn Underground Station.

The site is found within the Kilburn High Road Town Centre and Secondary Frontage designations of the Camden Local Plan 2017.



Planning Policy

The Development Plan comprises the following adopted plans:

- The London Plan (2016);
- The Camden Local Plan (2017)

Other material planning considerations comprise:

- The National Planning Policy Framework (NPPF) (2019)
- The Draft New London Plan (Intend to Publish (December 2019) & SoS Directions (DNLP) (March 2020);
- Draft Camden Planning Guidance: Design (2020)

Section 38(6) of the Planning and Compulsory Purchase Act (2004) as amended requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise. Policies within the documents listed above and relevant to the development are as below.

The DNLP has passed through Examination in Public. The Mayor of London responded to the Inspectors' Report by publishing his Intend to Publish version of the Plan. Since then the Secretary of State has issued directions. Whilst we await confirmation as to the incorporation of the directed changes, the DNLP is at a stage where a good amount of weight can be applied.

London Plan:

- Policy 4.1: Developing London's economy.

Camden Local Plan:

- Policy CS5: Safety & security;
- Policy A1: Managing the impact of development;
- Policy D1: Design;
- Policy D3: Shopfronts;
- Policy TC4: Town centre uses.

The NPPF:

- Section 7: Ensuring the vitality of town centres;
- Section 8: Promoting healthy communities.

Draft New London Plan:

- Policy SD6: Town centres and high street.



Planning Assessment

The development concerns the installation of decking and fencing to the front of the restaurant premises on Kilburn High Road to provide a defined space for outdoor dining. The window security is proposed to be of a grille specification. This feature will replace the existing roller shutters to windows at first floor level, opposite Maygrove Road, and located beneath a railway bridge.

Principle of Development

The decking and fencing and window security grilles are much needed features in helping to sustain and enhance an important restaurant business to Kilburn High Road Town Centre. Located under the railway bridge, opposite Kilburn Underground Station, the restaurant contributes to the street scene and public space by its unique spatial presence and activity generation. The business, like almost all others in the hospitality sector across the UK, has been severely hit by the COVID-19 pandemic. Now, more than ever, businesses like Fayrouse Lounge need to adapt and adjust to ensure their longer-term future as well as at of the high streets and town centres that they serve.

The development and proposed development are supported by the Development Plan. Policy SD6: Town centres and high streets of the DNLP recognises the need for adaptation and diversification to enhance the commercial role of these areas by increasing footfall, particularly to support convenience retail, leisure uses and the evening and night-time economy. Likewise, Policy TC4: Town centre uses, recognises the role of food and drink uses in adding vitality and vibrancy to Camden's centres and local areas. Although the development is perhaps minor against the wider purposes of these policies, the contribution that they can make is exponentially greater, particularly in the context of the difficult times that Camden's centres face.

The principle of the development should therefore be supported.

Decking and Fencing

The installed decking and fencing are not offensive to the street scene. They provide a secure and controlled area for diners to enjoy food and drink, al fresco. It is of an area and size that is proportionate in scale to the restaurant use and premises. Its timber construction is sustainable whilst its black painted finish makes it a neutral addition to the vicinity, which is dominated by the heavy railway bridge structures above and busy high road. The delineation of the decking defines the public footpath in front by assisting with the adjacent pedestrian crossing's legibility without cluttering the public space.

Paragraph 4.89 of the Camden Local Plan, in support of Policy C5: Safety & security specifically seeks:

The design of streets, public areas and the spaces between buildings needs to be accessible, safe and uncluttered. Careful consideration needs to be given to the design and location of any street furniture or equipment in order to ensure that they do not obscure public views or create spaces that would encourage antisocial behaviour.

In essence, the development respects the design, character and proportions of the building within which it's situated and respects the character of the street.

The provision of outside dining not only maximises activity to the front of the restaurant but gives natural surveillance to this part of Kilburn High Road Town Centre. This not only gives a more friendly and welcoming appearance to the restaurant but enables overlooking of the public space thus contributing to it safety and security.

The design and provision of the decking and fencing is therefore in accordance with Policies C5, A1, D1 and D3 of the Camden Local Plan and the Draft Camden Planning Guidance: Design.



Window Security Grilles

The proposed window grilles will replace the existing roller shutters. The installation of these security features is required to make the premises secure. Although at first floor level, the location of the windows below a railway bridge and being not especially visible from street level make them exposed to the potential for criminal activity. The flat roof of the neighbouring Maygrove Estate Agents makes the windows easily accessible.

Para 4.88 of the Camden Local Plan strongly encourages security features to be incorporated into a scheme and complement other key design considerations. It goes on to say that internal security measures are preferred. Other parts of the Plan and design guidance imply that external security features are less favourable owing to their adverse appearance and the desire to maintain attractive streets.

The location of the windows makes them almost hidden away from being visible at street level. It is for this reason that it is considered that the proposed grilles are suitable in this instance.

The proposed development is therefore in accordance with Policies C5, A1, D1 and D3 of the Camden Local Plan and the Draft Camden Planning Guidance: Design.

Conclusion

The decking and fencing and window security grilles are found to be acceptable against the Development Plan and other material planning consideration. They should therefore be supported, and planning permission be granted.

We trust you have sufficient information to validate and determine the application and shall contact you shortly to confirm. If you have any queries, please do not hesitate to contact me.

Yours faithfully,

Mark J Westcott MRTPI
Associate Director