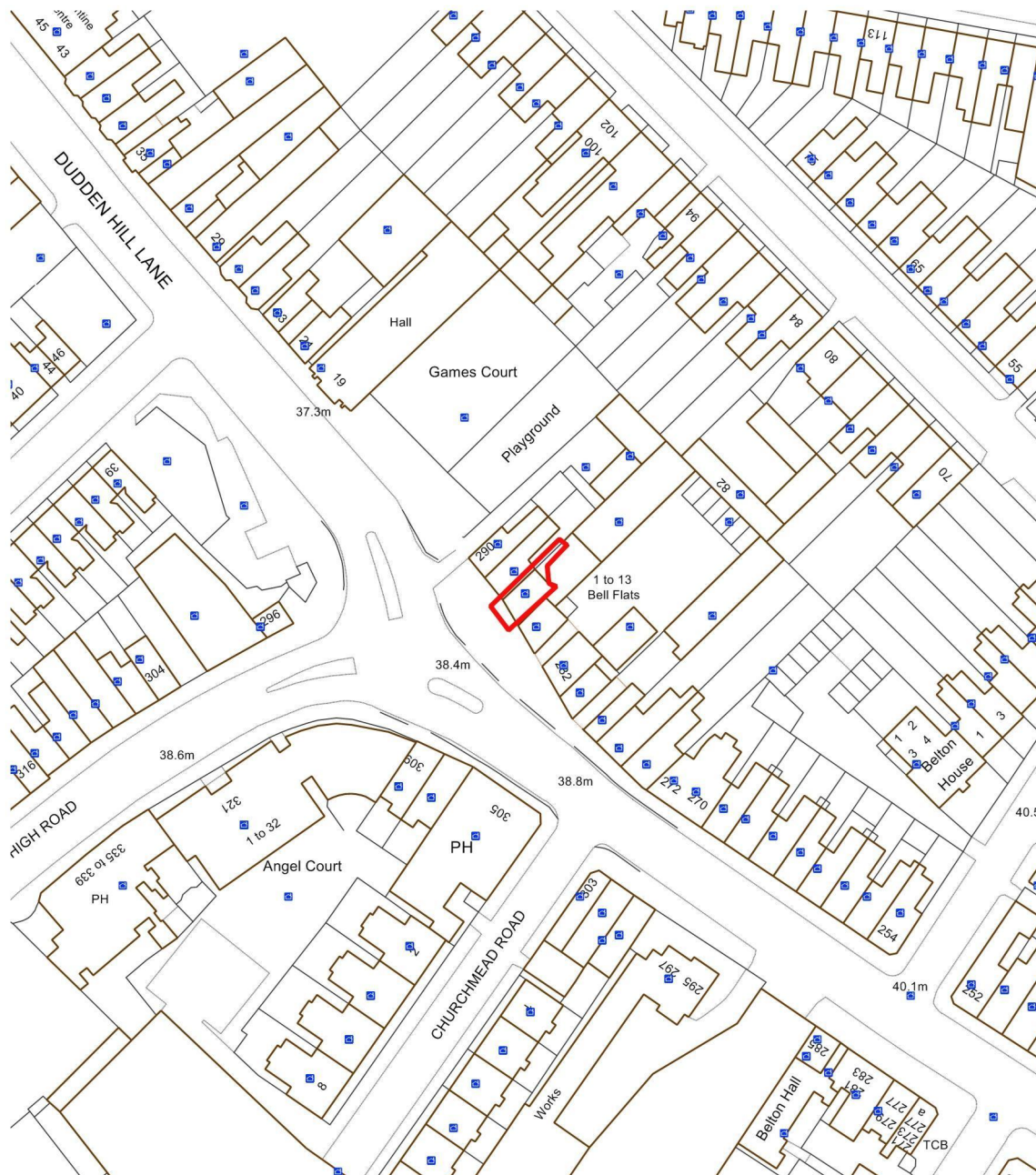




**Planning Committee Map**

Site address: 286 High Road, London, NW10 2EU

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This map is indicative only.

**RECEIVED:** 18 June, 2012

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** 286 High Road, London, NW10 2EU

**PROPOSAL:** Proposed use of area to front of A3 restaurant for seating for customers and erection of low boundary walls

**APPLICANT:** Mr Abdul Basir Ramzi

**CONTACT:** ARCsa

**PLAN NO'S:**  
See condition 2

**RECOMMENDATION**

Grant consent

**EXISTING**

The property is a commercial unit at ground floor in a row of terrace buildings with residential uses above. The site has a private front curtilage defined only by the hardstanding material. The use of the property is A3/A5.

The footway in front of the subject site has a width of approximately 10m.

**Floorspace Breakdown**

**USE**

Number	Primary Use	Sub Use
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**FLOORSPACE in sqm**

Number	Existing	Retained	Lost	New	Net gain
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**TOTALS in sqm**

Totals	Existing	Retained	Lost	New	Net gain
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Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £0.00.

**PROPOSAL**

See description above

**HISTORY**

No relevant planning history

**POLICY CONSIDERATIONS**

UDP 2004

- BE2** Townscape: Local Context & Character
- BE7** Public Realm: Streetscape
- BE9** Architectural Quality
- SH10** Food and Drink (A3) Uses

**Supplementary Planning Guidance 7: Shopfronts & Shop Signs**  
**Supplementary Planning Guidance 13: Layout Standards of Access Roads**

**National Planning Policy Framework**

The NPPF was published on 27<sup>th</sup> March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

**CONSULTATION**

Neighbouring occupiers were consulted on 3<sup>rd</sup> July 2012, 2 objections and a comments have been received:

- Concern about obstruction caused by proposed wall and impact on visibility of neighbouring business.
- Impact on security and normal visibility from windows above
- Wall could channel fumes to flats above.
- The business produces a lot of smoke and ash which impacts on flats above.

The duct for the cooking is to the rear of the business while the proposed boundary treatment is to the front and will not have any impact on this. It is thought that the duct was erected in 2005 and so would now be lawful. However, officers will advise Environmental Health officers that there is some concern about the quality of the existing extraction system relating to emissions.

**REMARKS**

**Principle**

The application proposes seating to the front forecourt, and a low boundary treatment to the front and sides of this space. The drawings suggest a fence to the front and brick walls to the sides, no structure would exceed 0.7m. The applicant has been asked for more details about the enclosures and Members will be updated with detail of proposed materials in a supplementary report.

This site is within a secondary shopping frontage and the vitality and vibrancy of the area is a key consideration. The provision of seating to the frontage will allow more customers to consume food on the premises, enhancing the activity and vibrancy within the commercial area.

An objection has been submitted with the concern that the wall would result in a physical obstruction to neighbouring commercial premises. A site visit has demonstrated that the forecourts of some of the nearby units are well used for storing stock during the day meaning that these spaces are not necessarily available or used for access between shops. The proposal boundary treatment is very low, no more than 0.7m, so while it will be a small physical barrier it will not be a visual obstruction and should not have any impact on customer's ability to see neighbouring businesses.

**Highways**

The forecourt depth is between 2m and 2.5m and it is suggested that 2 tables could utilise this. The plans show all tables and seating within the forecourt and will therefore not obstruct the free flow of pedestrian traffic, the width of the forecourt is considered reasonable to allow seating without causing an obstruction.

In certain cases the provision of seating to the front of a unit is unacceptable, but here the unusually wide forecourt, as shown by the site plan at the start of this report, means that seating could be provided without resulting in problems for other pedestrians.

**Residential amenity**

Noise is an issue which requires consideration. A condition is recommended that the use of the front seating will not continue past 22:00, if the applicant was minded to seek to extend this time we could consider it

under an application and review whether any disturbance would be likely. A condition is also suggested to ensure that tables and chairs will be removed at this time to prevent night-time disturbance to residential units.

An objection has been raised with the concern that the boundary to the forecourt will impact on outlook in terms of security. Occupants of residential units above the restaurant gain access from the rear via an undercroft between 282 and 284 High Road, as such the proposal has not impact on residential access or security.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 7

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness  
Transport: in terms of sustainability, safety and servicing needs

**CONDITIONS/REASONS:**

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Location Map  
Front elevation  
Proposed Floor Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The hereby approved seating and tables shall be removed from the forecourt of the unit by 22:00 every evening.

Reason: In the interest of residential amenity.

- (4) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

(a) further detail of proposed material for the boundary treatment

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

**INFORMATIVES:**

- (1) The applicant is advised that seating areas must be confined to the forecourt with the applicants ownership and is not to extend beyond this at any time.

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377