



**Canopies and Glazed Extensions
On Commercial Forecourts
– A Design Note**

August 2018

Background

The council has recently seen an increase in proposals to reuse premises as town centre eating and drinking establishments. A number of these proposals include external covered or glazed areas to increase the useable floorspace of the premises and to extend the use of these areas during the winter and/or inclement weather.

In certain situations it is considered that bringing an active use onto an otherwise “dead” street frontage may have a beneficial impact on the vitality and vibrancy of an area. However, in other situations such extensions may introduce a level of harm to the character of the area.

Where it is considered appropriate to allow such extensions, it is important that these are developed in a consistent manner in order to ensure the harmony of the area. The guidelines set out in this document seek to establish a number of principles that will assist in the determination of planning applications for this form of development, and so should assist those preparing those applications in the design of the canopy proposal. It is not the intention of the council to stifle innovative design. Accordingly, a design of the highest standards in architecture that is sensitive to the defining characteristics of the local area and that reflects the overall objectives of this design note may be appropriate in certain circumstances.

This document should be read in conjunction with the Council’s adopted Shopfront Design Guide, which provides guidance on wider issues relating to commercial frontages and the erection of verandahs.

Where canopies or extensions are proposed in conservation areas or to listed buildings, additional legislative requirements to preserve the setting of the listed building or preserve or enhance the character of the conservation area will also apply.

Many premises, especially those with traditional shop fronts, will have previously been fitted with a retracting canvas canopy. On appropriate premises, the reinstatement or provision of a retractable canopy of this style will be the most appropriate solution to provide a covered area.

In most situations the use of umbrellas or free standing/temporary retracting canopies will be preferred as these can be stored out of site when not in use and will allow the building to return to its original form if the use of the premises ceases to require the covered area.

Planning Implications

A permanently fixed canopy, glazed extension or decking area will always require planning permission. Temporary siting of tables / chairs / umbrellas on the forecourt to a premise will not require permission, although could have implications for other legislation such as Premises Licencing.

Where works are proposed that do require planning permission, that application will be assessed against the policies of the development plan and other material considerations. The development plan is currently the Fylde Borough Local Plan, but this is due to be replaced with the Fylde Local Plan to 2032 in autumn 2018.

Key policy tests in the Fylde Borough Local Plan will be

- Policy SH16 - Restaurants
- Policy SH6 – Wood Street
- Policy EP3 – Conservation Areas
- Policy EP4 – Listed Buildings

Key policy tests in the Fylde Local Plan to 2032 will be:

- Policy EC5 – Vibrant Town, District and Local Centres
- Policy GD7 – Achieving Good Design in Development
- Policy ENV5 –Historic Environment

Principle of Canopies and forward extensions

Canopies and forward extensions, including areas of raised decking, will not be permitted where any of the following apply:

- They would obstruct a public highway or pavement;
- They would significantly obstruct the free circulation of pedestrians within and between “private” forecourts of premises;
- Their construction and / or location will have an unduly harmful impact upon important street trees and public realm features either through its visual impact on those trees, the potential for damage to their roots / canopy, or through the tree litter leading to increased maintenance commitments;
- The design, scale or location of the structure will have an unduly harmful impact on the integrity of the host building, especially where the host building possesses important architectural features;
- The proposed materials do not reflect the character of the host building;
- They have a design, scale or location that will conflict with an existing coherent pattern of such features in the vicinity of the application property;
- The proposal would have an unacceptable impact on a grouping of buildings or would inappropriately stand in isolation, thus creating a visual intrusion;
- The development would have an adverse impact on the character and appearance of a building which is either listed or locally listed or might be detrimental to its setting; or where the development would fail to preserve or enhance the character of a Conservation Area.

Design criteria

In circumstances where it is considered acceptable in principle to provide a canopy or forward extension:

- The structure shall retain the open character of the frontage and not result in a closed space, such that it assumes the form of a projecting conservatory;
- The structure shall be of a size, in particular with respect to its projection that is proportionate to the size and scale of the host building;
- The height of the structure should respect the fascia height of the host building and should not obscure this fascia or any element of it where this is a key historic design feature to the building;
- The structure shall not obscure or detract from any key design or architectural features to the host building;
- The structure should be designed to reflect the character of the host building, as well as the character of the area and any other canopies of appropriate design in the immediate vicinity;
- The design of the structure should incorporate appropriate architectural details and features that serve to enhance the host building and to provide a link between the canopy and the host building;

- The structure shall be constructed of appropriate materials reflecting the character of the host building, the character of the area and any other canopies of appropriate design in the immediate vicinity; and
- The structure should be designed so that its floor level reflects those of the existing ground wherever possible, with the use of elevated terraces avoided in a street context.

Other Considerations

Where covered areas or external dining areas are provided, their hours of operation may be restricted through premises licence and / or planning conditions in order to reduce the level of disturbance to nearby residents from the external use of such outside spaces.

There are likely to be implications for the Premises Licence that applies to a property as it would need to include the area of any front extension, canopy or external terrace area.

If an external dining area is proposed for an area of adopted highway or pavement then there will be additional implications that need to be explored with Lancashire County Council as the local highway authority. Where a canopy extends over an existing highway, a licence under Section 178 of the Highways Act 1980 is required. Where the applicant seeks to trade as a street café on the highway, a licence from Fylde Council under Section 115 of the Highways Act 1980 is required. Whether a forecourt forms part of the highway is a matter determined by highways legislation.

Proposals may also require Building Regulations consent. Applicants should contact the Council's Building Control department to discuss proposals: www.fylde.gov.uk/buildingcontrol Email buildingcontrol@fylde.gov.uk Direct Dial 01253 658674

Proposals should consider the following matters in relation to Building regulations compliance:

- The canopy should be designed to be safe structurally, considering materials, wind loadings, fixings and safety glazing;
- The fire safety of areas of seating under a canopy should be considered through a Fire Risk Assessment, in particular addressing the need for a means of escape;
- The existence of any fire hazards, such as gas heaters, features using flames, radiating heaters and proximity to combustible materials, should be considered through a Fire Risk Assessment;
- Appropriate drainage will be required.

Glossary

Canopy

Within the Guidance Document the term 'Canopy' relates to an outward projection from the building frontage usually attached, which takes the form of a cantilevered structure without the vertical supports associated with the verandah. It might therefore, be described as free standing and can take the form of the traditional canopy design or using later construction methods.

Forward Extension

Within the Guidance Document the term 'Forward Extension' relates to a forward projection from the face of a building that in effect extends the internal space of the main building into the extension, through wide openings in the front face of the main building. Such an extension may be partially or fully enclosed by glazing and its associated framing. The extension would typically extend the footprint of the main building to provide space that can be utilised in conjunction with the principal building.

Host Building

Within the Guidance Document the term "Host Building" refers to the building to which the canopy is or would be attached or the building which forms the street frontage directly behind the proposed canopy when viewed from in front of the canopy (i.e. from the adjacent street). This will normally be the building which forms the built element of the premises used for the same land use and for the same establishment as that which would take place in the area covered by the canopy.

Verandah

Within the Guidance Document the term 'Verandah' generally relates to the traditional form of feature which extends from the frontage of a building at ground floor level, often over a forecourt. The structure would typically be supported from the building above or below fascial level, have a sloping glazed roof extending from the building to the frontage. It would be supported on stanchions to the front face at the corners of the structure and would be completely open fronted and sided. More often than not the structural posts would contain decorative capitals and ornamental brackets. In exceptional circumstances the verandah could be set off from the building supported on four columns. The Council's approved Shopfront Design Guide provides further information on the traditional verandah.