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Development Management
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London Borough of Camden
Town Hall
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Submission via Planning Portal - PP-13430596

23 September 2024

My Ref: 22039

Dear Sir / Madam

Town and Country Planning Act 1990 (As Amended)
Application for the installation of an awning heater to the front façade
28 Goodge Street, London, W1T 2QQ

This letter is submitted to accompany the application for the installation of an awning heater to the front façade 28 Goodge Street, London, W1T 2QQ.

The application consists of the following documents in addition to this letter which also forms a planning and heritage statement:

- Application Form
- CIL Form
- Site Location Plan
- 577-28GST-002 Existing and Proposed Block Plan
- 577-28GST-200 Existing Front Elevation and Section
- CN-12-00 Proposed Shopfront Elevation and Section
- CN-12-001 Proposed Shopfront Plan

Site Location and Description

The site is located on the northern side of Goodge Street and consists of a retail unit which is currently being converted into a sui generis mixed-use coffee shop/cafe and beauty salon

The retail unit includes a basement and ground floor level with 3 storeys of flats above.

The site is accessible by sustainable forms of transport and is 160m from Goodge Street Underground station. In addition, regular bus routes pass close to the site along Tottenham Court Road.

Planning History

The planning history can be summarised as follows:

- 2019/3528/P Change of use of ground floor and basement retail unit (Class A1) to a cafe restaurant (Class C3) including installation of air extract equipment to the rear | Withdrawn
- 2003/0964/P Change of use of 1st, 2nd and 3rd floors from office use to residential, and conversion to 1 self-contained bedsit flat and 1 2 bed, self-contained maisonette. | Approved
- 9000503 Retention of a new shopfront as shown on drawing number SK1 | Approved
- 17595 Erection of a rear extension on basement and ground floor levels of 28 Godge Street, W1 | Approved

Most recently planning permission was granted on 27th March 2023 for 'change of use from Class E (dry cleaner) to a sui generis mixed-use coffee shop/cafe and beauty salon and associated alterations including replacement rooflight to rear, replacement of shopfront window and door, and extension to glass block pavement lights to front of the unit' (Ref: 2022/3086/P).

Further to this planning permission was granted on 15th November 2023 for installation of 1x ASHP condenser unit on rear roof.

Advertisement consent was granted on 2nd February 2024 for externally illuminated fascia sign (strip light), projecting sign and awning (Ref: 2024/0237/A).

Proposed Development

The proposal seeks the installation of a 'Classic Heater' which is an infrared heater. This will be attached to an adjustable bracket below the existing awning on the frontage of the shop.

For full details of the proposal, please see the accompanying plans and specifications.

Development Plan Context, Designations and Material Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. This represents the starting point for assessing the development prospects for a particular site or property.

The Development Plan context is provided by the London Plan (2021) and the Camden Local Plan (2017) along with the Fitzrovia Area Action Plan (2014).

The Proposals Map confirms that the site is within the Charlotte Street Conservation Area and also within the Godge Street Neighbourhood Area and Central Activities Zone.

The following policies of the London Plan have been identified as relevant:

- GG5 Growing a good economy
- SD6 Town centres and high streets
- D4 Delivering good design
- D12 Fire Safety

- D14 Noise
- HC1 Heritage conservation and growth

The following policies of the Local Plan have been identified as relevant:

- A4 Noise and vibration
- D1 Design
- D2 Heritage
- D3 Shopfronts
- TC1 Quantity and location of retail development
- TC2 Camden's centres and other shopping areas
- TC4 Town centre uses

These are discussed below, where relevant.

The Government's National Planning Policy Framework (2023) is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

The supplementary planning guidance of relevance includes the Camden Planning Guidance on Town Centre and Retail (2021), Amenity (2021) and Design (2021).

Planning Considerations – Principle of Development

The National Planning Policy Framework (NPPF) at paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

In addition, paragraph 86 confirms that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Therefore, in respect of the principle of development, the proposal does not alter the ground floor use of the retail unit and seeks to enhance its viability and therefore does not conflict with the aims of London Plan Policies GG5 and SD6 and Local Plan Policies TC1, TC2 and TC4 both seek to enhance the vitality and viability of town centres.

In this respect, subject to the other issues as discussed below there should be no objections to the principle of providing a more comfortable retail environment for customers and provide an enhancement to an existing commercial use.

Planning Considerations – Design and Heritage

In respect of design considerations NPPF confirms that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

In this respect the NPPF offers support to the proposed development which will have no detrimental impact on the character of the area and does not propose any additional buildings, only high quality advertisements on an already approved shopfront.

London Plan Policy D4 seeks to deliver good design and Local Plan Policy D1 seeks to secure high quality design in development.

In addition, Local Plan Policy D3 states that the Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features.

In this respect, the proposed development seeks only advertisement consent for an already approved shopfront and proposes advertisements, illumination and an awning similar in appearance to others in the local area. This is discussed in more detail below.

Specifically referring to advertisements, Local Plan Policy D4 states that:

The Council will require advertisements to preserve or enhance the character of their setting and host building. Advertisements must respect the form, fabric, design and scale of their setting and host building. The Council will support advertisements that preserve the character and amenity of the area; and preserve or enhance heritage assets and conservation areas.

In addition, the Adverts CPG expands on the aims of Policy D4 and states that illuminated signs will be acceptable where they are sympathetic to the building and the level of illumination is in accordance with Institute of Lighting Engineers (PLG05) 'The Brightness of Illuminated Advertisements' (which would be 600cd/m² in this location). Banner signs will be considered acceptable in some commercial areas where they safeguard the amenity, character and appearance of the area.

In this respect, the proposed development seeks only an externally illuminated fascia with a strip light and will be illuminated by a low energy warm white 3000k LED which will be discrete in the street scene and only provide lighting to the fascia sign.

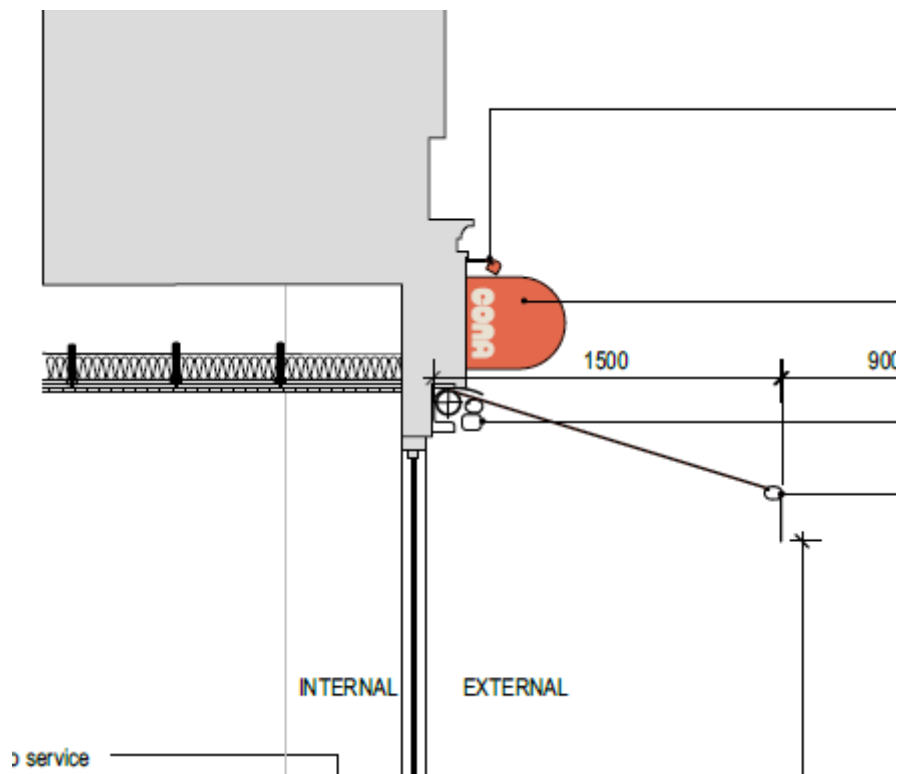
In addition, the Design CPG provides further guidance on advertisements. This requires signs to be sympathetically designed and relate well to the building.

Guidance is provided in relation to fascias and in this respect it is noted that the fascia already has planning consent. This application only seeks approval for the illuminated signage on the approved fascia.

In relation to projecting signs the Design CPG confirms that:

Projecting and hanging signs should normally be level with the fascia rather than below or above it. They should be positioned to the side of the shopfront at fascia level.

In this respect, as shown below, the projecting sign is at fascia level and is located to the right-hand side of the shopfront.



The Design CPG states that confirms that awnings should be retractable, of traditional canvas, have the blind box integrated into the design, be attached between the shopfront and fascia, of a width appropriate to the shop front and be flush with the fascia level.

As shown on the above extract and on the submitted drawings this is the case with the proposed.

The site lies within the Charlotte Street Conservation Area and in this respect Local Plan Policy D2 requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area. In addition, London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

The National Planning Policy Framework (paragraphs 195-214) seeks to ensure that proposals affecting a Heritage Asset first make an assessment of the impact of the proposal on the significance of the asset and should be granted if there is no harm to the significance. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that there are substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In this respect, in accordance with the NPPF it is clear that the approach in determining applications affecting a Heritage Asset is as follows:

- Assess the significance of the Heritage Asset.
- Assess the impact of the proposed development on the significance of the Heritage Asset.

In this respect the Charlotte Street Conservation Area Appraisal and Management Plan confirms that the Georgian townhouses are typically brick built in a yellow stock brick and are four storeys fronting the main streets such as Goodge Street.

The Appraisal considers the application property to be a positive contributor to the Conservation Area. However, the building is not a shopfront of merit with all of the positive shopfronts being on the opposite side of the street. Furthermore, the shopfront is in the process of being replaced in accordance with the approved permission 2022/3086/P.

In this respect, the approved shopfront will enhance the significance of the Conservation Area.

The application site is located on a commercial street with active frontages at ground floor level, with many including illuminated signage and awnings, as well as projecting signs.

This is shown in the below photographs.







The proposed fascia sign is proportionate to the scale of the shopfront. The lettering is modest and in keeping with that found elsewhere on the street.

The projecting sign is modest in size, simple in design and is in line with the fascia.

The awning is discreetly located between the fascia and the shopfront, and its housing is in line with the fascia above.

Only the fascia is to be externally illuminated, as discussed above.

The site is in a commercial location whereby illumination of advertisements is prevalent and therefore the proposed internally illuminated signage would not have a negative impact on the character and appearance of the area or on the public realm and respects the character and appearance of the building and the surrounding area. Consequently, the proposals will have no demonstrable impact on the significance of heritage assets in this location.

In respect of design considerations Paragraph 131 of the NPPF confirms that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; are sympathetic to local character and history and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Paragraph 139 advises that significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

In this respect the NPPF offers support to the proposed development which will have no detrimental impact on the character of the area and does not propose any additional buildings, only a small additional to an existing shopfront.

London Plan Policy D4 seeks to deliver good design and Local Plan Policy D1 seeks to secure high quality design in development.

In addition, Local Plan Policy D1 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;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;

- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

In addition, the policy states that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed heater will be set below the existing awning and therefore will largely not be visible when the retail unit is operating. When the awning is retracted the heater will be adjustable to make it less visible.

Local Plan Policy states that the Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features.

In respect of heritage issues Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

In addition, Local Plan Policy D2 states that the Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

The Policy also states that the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Furthermore, the policy states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

The National Planning Policy Framework confirms at paragraph 190 that local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 200 confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 203 states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 207 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 208).

In summary, the Framework seeks to ensure that proposals affecting a Heritage Asset first make an assessment of the impact of the proposal on the significance of the asset and should be granted if there is no harm to the significance. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that there are substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In this respect, in accordance with the NPPF it is clear that the approach in determining applications affecting a Heritage Asset is as follows:

- Assess the significance of the Heritage Asset.
- Assess the impact of the proposed development on the significance of the Heritage Asset.

In this respect the Charlotte Street Conservation Area Appraisal and Management Plan confirms that the Georgian townhouses are typically brick built in a yellow stock brick and are four storeys fronting the main streets such as Goodge Street.

The Appraisal considers the application property to be a positive contributor to the Conservation Area. However, the building is not a shopfront of merit with all of the positive shopfronts being on the opposite side of the street. However, the shopfront has been replaced in accordance with the approved permission 2022/3086/P and is now considered to enhance the significance of the Conservation Area.

The application site is located on a commercial street with active frontages at ground floor level, with many including illuminated signage, awnings, projecting signs. Heaters are also prevalent, as shown below:



Heaters on The Fitzrovia Public House



Heaters on The Queen Charlotte Public House



Heaters on Al Dente Restaurant



Heater on HiBox Café



Heaters on Barrica Restaurant

In this regard, the proposed development will seek a feature which already exists on many shopfronts in Goodge Street and therefore will be no harm to the significance of the Conservation Area.

Planning Considerations – Amenity

The proposed heater will provide infra-red heat and not create any additional light spill.

Therefore, the proposed would not have a material impact on the amenity of any neighbouring occupiers.

For the reasons outlined above the proposed works will have an acceptable impact on amenity of the area and neighbours and complies with Policy D4 of the Camden Local Plan.

Other Matters

London Plan Policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

1. identify suitably positioned unobstructed outside space:
 - a. for fire appliances to be positioned on

- b. appropriate for use as an evacuation assembly point
2. are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
3. are constructed in an appropriate way to minimise the risk of fire spread
4. provide suitable and convenient means of escape, and associated evacuation strategy for all building users
5. develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
6. provide suitable access and equipment for firefighting which is appropriate for the size and use of the development

In this respect, the proposed development does not seek to create any new building and no additional access points are created. Therefore, the proposed development will have no impact on the fire strategy as fire appliances will still be capable of being positioned on Goodge Street and there are surrounding public spaces for evacuation points.

The proposed machinery will not increase the fire risk.

Summary and Conclusion

The above confirms that there is no detrimental impact on any heritage assets. The proposed development will not result in any amenity impacts and there are no technical impediments to the granting of planning permission.

In conclusion, the proposed development is considered compliant with the relevant provisions of the development plan. Planning law dictates that this justifies a grant of planning permission. Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.

The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission.

If there are any queries or further information is required, please do not hesitate to contact me.

Yours sincerely



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