

Delegated Report		Analysis sheet	Expiry Date:	31/10/2024
		N/A	Consultation Expiry Date:	15/10/2024
Officer			Application Numbers	
Fast Track GG			2024/3616/L & 2024/3779/A	
Application Address			Drawing Numbers	
The Dominion Theatre 268 – 269 Tottenham Court Road London W1T 7AQ			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Display of two temporary banner signs until 30th September 2027.				
Recommendation:	Refuse			
Application Type:	Listed Building & Advertisement Consents			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	00
Summary of consultation responses:	No objection was received.					
CAAC/Local groups* comments: *Please Specify	<p>One support letter was received from the Theatres Trust as follows:</p> <p><i>“These banners will add additional signage for the forthcoming production of ‘The Devil Wears Prada’ alongside that already consented, for which we submitted comments of support earlier in 2024. They will extend down both flanks of the theatre’s front elevation. As noted in our previous comments there has been signage in this location covering the front elevation historically. This proposal is reversible and its time-limited nature means there would be no permanent harm to the building’s setting. Nevertheless prominent show signage is a recognisable feature of the character and distinctiveness of theatre buildings and other places of live performance and entertainment.”</i></p>					

Site Description

The Dominion Theatre is a grade II listed theatre designed by W and TR Milburn and constructed in 1928-29. It is located in the Bloomsbury Conservation Area.

Relevant History

Application Site

CA/802/08/04/57 - "Ambassador" type signs to read "Dominion". **Permission 15/05/1957.**

CA/842/29/07/57 - Interchangeable neon sign on canopy. **Permission 26/08/1957.**

CA/934 - To the erection of an illuminated panel sign. **Permission 16/04/1958.**

CA/842/25/08/60 - To the continued display of interchangeable sign on Canopy. **Permission 28/09/1960.**

CA/1811 – To a display of lettering with intermittent neon illumination forming part of the front of house advertisement. **Permission 11/09/1963.**

CA/2076 - To a display of lettering with intermittent neon illumination forming part of the front of house advertisement. **Permission 12/03/1965.**

CA2684/AD1268 - An illuminated box sign, measuring 6 m x 9.6 m x 0.9 m, fixed above the theatre entrance. **Permission 09/11/1979.**

CA2684/AD1768 - The display of an illuminated box sign measuring 7.2m x 9.6m x 0.9m fixed above the theatre entrance. **Permission 11/09/1981.**

8680018 - The display of an illuminated sign measuring 9.6 metres by 9.6 metres positioned above the theatre entrance. **Granted 05/03/1986.**

9470304 - Alterations to stage door entrance comprising of a new door and signage together with internal alterations on the ground floor and fifth floor. **Granted 06/01/1995.**

9480153 - The display of internally illuminated lettering measuring 200mm high and reading 'STAGE DOOR' over a canopy positioned over the stage door entrance at the rear. **Granted 06/01/1995.**

AS9704057 & LS9704058 - Retention of an externally illuminated 3D figure mounted over the front canopy. **Granted 06/03/1997.**

2007/2869/A - Application of vinyl to existing kiosk (Class A1) roller shutter for non-illuminated advertisement. **Granted 28/08/2007.**

2007/4086/A & 2007/4088/L - Replacement of existing cold cathode lettering with LED lettering at high level above main entrance to theatre. **Granted 03/01/2008.**

2014/2687/A - Installation of temporary scaffold shroud, incorporating image of front elevation and 3D display, on facade of theatre. **Granted 26/06/2014.**

2014/3063/L - Display of 2 x signs to the rear of the theatre. **Granted 25/07/2014.**

2014/3064/A - Display of 1 x fascia and 1 x projecting signs to the rear of the theatre. **Granted 25/07/2014.**

2014/3473/A - Replacement of existing lettering detailing the theatre, installation of lighting to topside of canopy and underside of canopy, and display of a new static illuminated LED sign to front elevation following removal of existing signs and structures. **Refused 01/08/2014.**

2014/3489/P & 2014/3638/A - Display of 1 x fascia sign and 1 x projecting sign to theatre stage door. **Granted 01/08/2014.**

2014/3490/L - Installation of 1 x fascia sign and 1 x projecting sign to theatre stage door to theatre. **Granted 01/08/2014.**

2014/3352/P & 2014/3436/L - Replacement of existing lettering detailing the theatre, installation of lighting to topside of canopy and underside of canopy, and display of a new static illuminated LED sign to front elevation following removal of existing signs and structures. **Refused 01/08/2014.**

2014/5217/P & 2014/5544/L - Installation of lighting to underside of canopy, installation of LED lighting to topside of canopy and high level (fourth floor) of front facade. **Granted 08/12/2014.**

2014/5531/A & 2014/5218/P - Installation of new high level internally illuminated lettering detailing theatre name "Dominion" to front facade. **Granted 19/12/2014.**

2014/5529/L - Installation of high level lettering detailing theatre name "Dominion" to front elevation. **Granted 19/12/2014.**

2014/5532/L & 2014/5533/A - Installation of double sided static LED screen to front facade of theatre. **Granted Subject to a Section 106 Legal Agreement 19/05/2017.**

2014/5219/P - Installation of (projecting) double sided static LED screen to front facade of theatre. **Granted Subject to a Section 106 Legal Agreement 19/05/2017.**

2018/0146/A - Display of show signage on the canopy of the Dominion Theatre consisting of 2no non-illuminated 'flame motorbike' cut outs, internally illuminated 'Bat Out Of Hell' letters with accompanied full width non-illuminated flames cut out. **Granted 04/04/2018.**

2018/0147/L - Erection of show signage on the canopy of the Dominion Theatre consisting of 2no 'flame motorbike' cut outs, 'Bat Out Of Hell' letters with accompanied full width flames cut out. **Granted 04/04/2018.**

2023/2559/A - Use of LED screen to display moving images on the existing illuminated projecting sign to front facade of theatre. **Withdrawn 19/04/2024.**

2023/4681/P - Application under Section 106A to modify a legal agreement and amend clauses 4.2.2 (a) and 4.2.2 (c) of the S106 to change the wording from static to non static images, in relation to advertisement, planning and listed building consent refs 2014/5533/A, 2014/5219/P and 2014/5532/L dated 19/05/2017 (for Installation of double sided static LED screen to front facade of theatre). **Withdrawn 19/04/2024.**

2024/1435/L - Removal of existing LED sign and installation of replacement LED sign on facade of the theatre and show icon on the entrance canopy. **Granted 06/06/2024.**

2024/1501/A - LED sign on facade of the theatre and show icon on the entrance canopy. **Granted 06/06/2024.**

2024/3270/A - Temporary display of non-illuminated hoarding advertisements (printed panelling fixed to the hoardings) on scaffold towers to front elevation. **Granted 10/09/2024.**

Relevant policies

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

D4 Advertisements

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG Design 2021 – chapters 2 (Design Excellence), 3 (Heritage) and 7 (Designing safer environments)

CPG Transport 2021 – chapters 7 (Vehicular access and crossovers) and 9 (Pedestrian and cycle movement)

CPG Amenity 2021 – chapter 4 (Artificial light)

CPG Advertisements 2018 – paragraphs 1.1 to 1.15 (General advertising guidance)

Guidance for Digital Roadside Advertising and Proposed Best Practice (commissioned by Transport for London) March 2013

Fitzrovia Area Action Plan – Part 3: Vision and objectives (adopted March 2014)

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Bloomsbury Conservation Area Appraisal and Management Strategy April 2011

Assessment

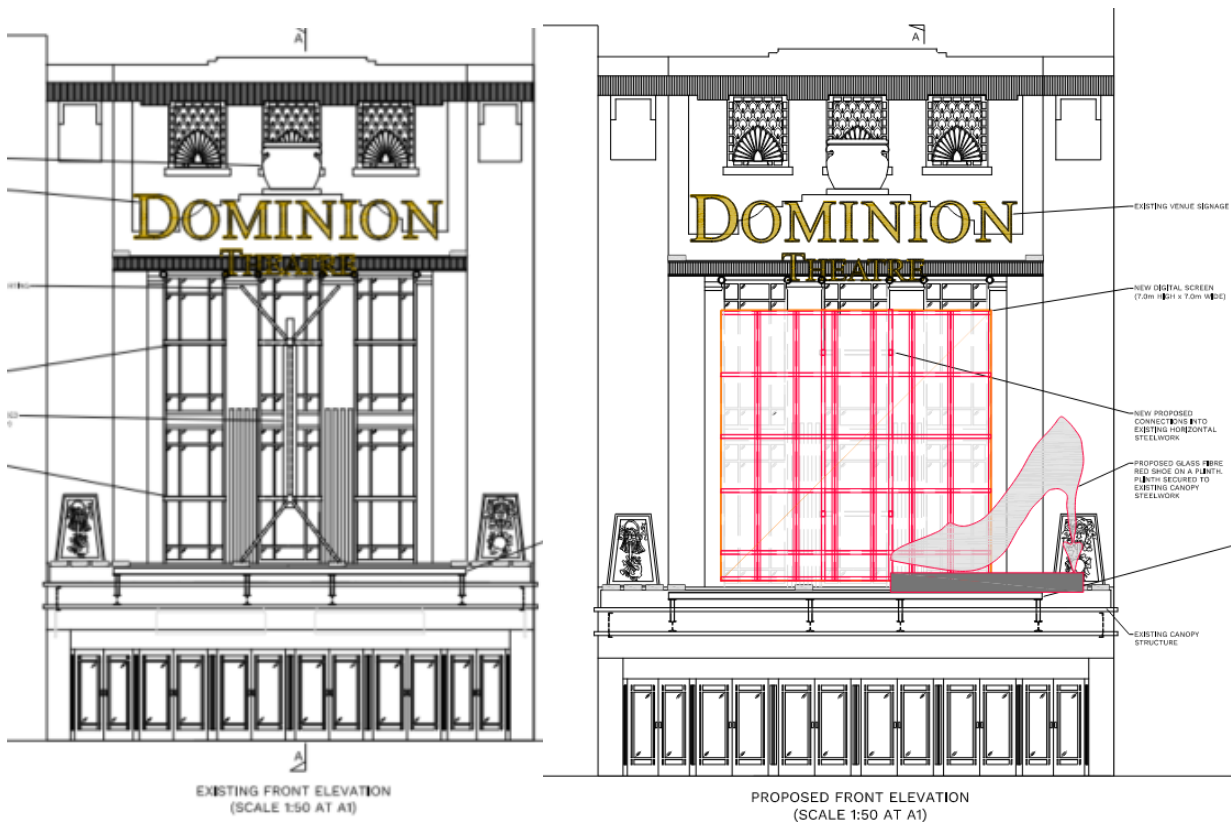
1. Proposal

The proposal involves the display of two temporary banner signs until 30th September 2027.

2. Assessment

Background information

2.1. Listed building (2024/1435/L) and Advertisement Consents (2024/1501/A) were granted on 6th June 2024 for the 'removal of existing LED sign and installation of replacement LED sign on facade of the theatre and show icon on the entrance canopy' and for the 'LED sign on facade of the theatre and show icon on the entrance canopy' (please see below existing and proposed elevation drawings).



2.2 As demonstrated in the above drawing, the approved consents included a large digital screen (7m high x 7m wide) covering the majority of the front façade and a large stiletto sitting atop the canopy.

3. Principle considerations

3.1 The principle considerations in the assessment and determination of the advertisement consent application are:

- The impact of the proposal on visual amenity (including neighbouring amenity in so far as the Control of Advertisement Regulations 2007 allow); and
- The impact of the proposal on highway, pedestrian and cyclist's safety.

3.2 Listed Building and Advertisement consents are sought for the display of two temporary banner signs until 30th September 2027.

3.3 The Dominion Theatre is a steel framed building with a Portland stone façade. Internally there is a grand two storey foyer. The building embodies a transitional phase in the history of theatre design as much of the detailing references cinemas of the period, although the intention was always for it to be used as a theatre.

3.4 The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to consider the amenity and public safety matters in determining advertisement consent applications.

4. Amenity: Visual impact and impact on residential amenity

4.1 The Bloomsbury Conservation Area Appraisal states that “*the installation of signage in many cases requires advertisement consent; this is particularly the case for illuminated signage which can have a major impact in conservation areas. A proliferation of signage, even of an appropriate design, could harm the character of the Conservation Area.*” (Paragraph 5.49). It goes on saying that “*new development may increase pressure for more intensive advertising. This will be resisted where it is considered to detract from the character and appearance of the area.*” (Paragraph 5.51).

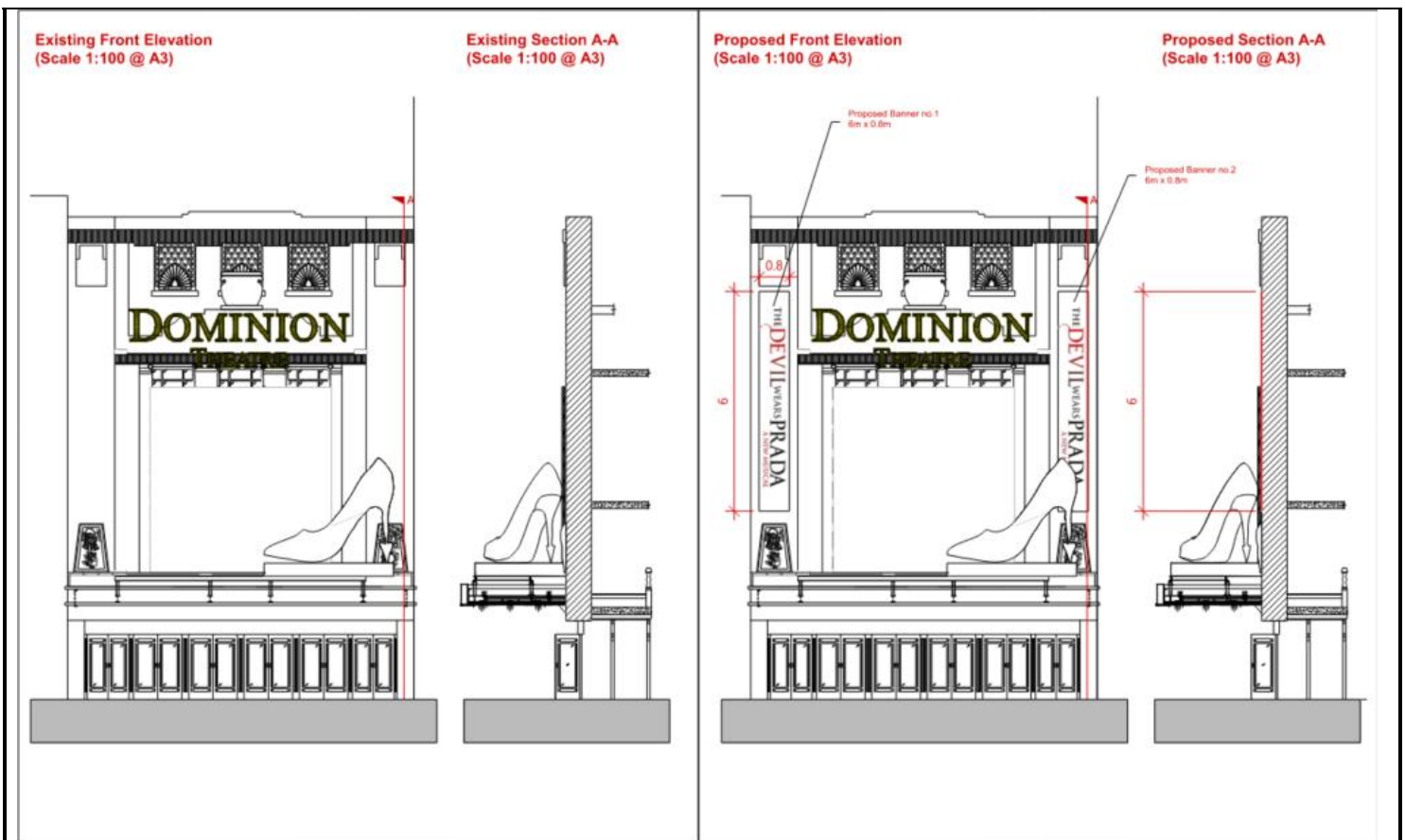
4.2 Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) states in Paragraph 136 that “*The quality and character of places can suffer when advertisements are poorly sited and designed*”.

4.3 Local Plan Policy D4 (Advertisements) confirms that the “*Council will resist advertisements where they contribute to or constitute clutter or an unsightly proliferation of signage in the area.*” (Paragraph 7.82).

4.4 Camden Planning Guidance (CPG) Design advises that good quality advertisements should respect the architectural features of the host building and the character and appearance of the surrounding area. CPG Amenity advises that artificial lighting can cause light spillage and glare, as well as, be damaging to the environment through having a detrimental impact on the quality of life of neighbouring residents and by changing the character of a locality.

4.5 Camden Planning Guidance (CPG) Advertisements advises that “*advertisements will only be acceptable at fascia level or below. Advertisements above fascia level can appear visually obtrusive and unattractive and, where illuminated, they can cause light pollution to neighbouring residential properties. If an advertisement is required at high level for a specific business use then this will usually be restricted to non-illuminated images on windows.*” (Paragraph 1.9). It goes on saying that digital advertisements are “*by design visual prominent and attention grabbing with their illuminated images, especially when they are large in size. They are not suitable for locating in some areas.*” Factors which make a location less suitable for digital billboards include locations “*where the advertisement could become the most prominent feature of the street scene.*” (Paragraph 1.38).

4.6 It is recognised that the building is listed and located in a conservation area. The proposed digitally printed canvas banners (6m high x 0.8m width) would be situated on both sides of the front façade (please see below existing and proposed elevation and section drawings).



4.7 As stated in paragraphs 2.1 and 2.2 above, Listed Building (2024/1435/L) and Advertisement Consents (2024/1501/A) were granted on 6th June 2024 for a large digital screen (7m high x 7m wide) covering the majority of the front façade and a large stiletto sitting atop the canopy.

4.8 It was accepted that whilst the sign was large and obscured a large amount of the front elevation of the building, it was consistent with signage covering the front elevation that had been in place historically.

4.9 The proposal, by reason of the hanging of two vertical banner signs measuring 6m high x 0.8m width, would increase the level of advertising on the front façade. Its cumulative effect would result in visual clutter and would conceal the listed elevation such that very little of the historic façade would be visible. This would detract from the building's architectural and historic significance as well as decreasing the amount the building contributes to the character and appearance of the Bloomsbury conservation area.

4.10 Moreover, the building's special interest is partly a result of its Portland stone façade, which embodies a transitional phase in the history of theatre design as much of the detailing references cinemas, which were rapidly becoming popular during the period of design and construction. Obscuring the façade to the degree proposed detracts from the building's architecture, reducing the ability to appreciate its special interest as grade II listed theatre. The building's contribution to the street scene and the wider conservation area becomes a collection of banners and advertisements rather than a well designed, considerably composed elevation constructed from high quality materials. This would result in harm to the listed building and the wider conservation area.

5. Public Safety

5.1 Policy D4 (Advertisements) of the Camden Local Plan 2017 states that the Highway safety with focus on vulnerable road users should be considered. "Advertisements will not be considered acceptable where they impact upon public safety, including when they: [...] result in glare and dazzle or distract road users; distract road users because of their unusual nature; disrupt the

free flow of pedestrian movement; or endanger pedestrians”.

5.2 The proposed non illuminated banners are not considered to pose any potential hazards to vehicular or pedestrian safety.

5.3 As such, the proposal is considered to accord with Local Plan Policies A1 (Managing the impact of development) and T1 (Prioritising walking, cycling and public transport).

Planning balance

5.4 Policy A1 (Managing the impact of development) states that the Council will seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities.

5.5 Local Plan Policies D1 and D2, consistent with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF which seeks to preserve and enhance heritage assets, state 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 the harm.

5.6 Given the assessment as outlined above, it is considered that the proposals would result in less than substantial harm to the significance of designated heritage assets within the settings of the Grade II listed, The Dominion Theatre and the Bloomsbury Conservation Area in which it is located.

5.7 Paragraph 208 of the NPPF states in this regard that *‘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, where appropriate, securing its optimum viable use’.*

5.8 It is mentioned in the Heritage Statement submitted from the applicant with the application that *‘the sheer size of the Dominion means that this is a fundamental commercial requirement but equally important for safeguarding the listed building as there is no more secure way of doing that than having the theatre operating successfully at full capacity in a fully refurbished condition.’* As mentioned above, Listed Building (2024/1435/L) and Advertisement Consents (2024/1501/A) were granted on 6th June 2024 for a large digital screen covering the majority of the façade and a large stiletto sitting across the canopy. This proposal would essentially leave very little of its front façade. There is clearly a public benefit in keeping this listed building in a viable use. Advertisement is importation for the commercial success of the theatre. However, the applicant has not demonstrated that the approved digital screen and stiletto on the canopy are not sufficient to advertise the theatre to keep in a viable use. Therefore, the public benefit of the banners subject to this application has not been demonstrated.

5.9 Overall, therefore, weighing the less than substantial harm caused as a result of the proposed development against any public benefit arising from the two banners, it is considered on balance that any benefit to the public would be limited and would not outweigh the harm caused to the significance of the designated heritage asset identified in this report.

5.10 While due consideration has been given to any potential public benefit arising from the proposals, the proposed development would not accord with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF which seeks to preserve and enhance heritage assets, and would also be contrary in this regard to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan, and as such, unacceptable in design terms.

6. Recommendation

1) Refuse listed building consent:

Reason for refusal:

- a) The proposed banners, in combination with the existing advertisement at the site, would result in visual clutter and detract from the architectural and historic significance of the grade II listed building, contrary to Policy D2 (Heritage) of the Camden Local Plan 2017.

2) Refuse advertisement consent:

Reason for refusal:

- a) The proposed banners, in combination with the existing advertisement at the site, would result in visual clutter, detract from the architectural and historic significance of the grade II listed building and the character and appearance of Bloomsbury conservation area, contrary to Policies D1 (Design), D2 (Heritage) and D4 (Advertisements) of the Camden Local Plan 2017 and Part 3 (Vision and objectives) of the Fitzrovia Area Action Plan 2014.