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## **APPEAL BY PREMIER INN (HOTELS) LTD**

### **AGAINST THE DECISION OF CAMDEN COUNCIL TO REFUSE ADVERTISEMENT CONSENT FOR AN INTERNALLY PROJECTING SIGN AT CLIFTON HOUSE, 101 EUSTON ROAD, LONDON, NW1 2BB**

## **APPEAL STATEMENT ON BEHALF OF THE APPELLANTS**

**SEPTEMBER 2013**

**INSPECTORATE REF: APP/X5210/H/13/2204799**

**CAMDEN COUNCIL REF: 2013/3799/A**

**WALSINGHAM PLANNING REF: B0086/13/NJ**

Issue	Date	Status	Issued by	Checked by
1	03/09/2013	First Draft	NJ	MT

**CLIFTON HOUSE, 101 EUSTON ROAD, LONDON, NW1 2BB**  
**APPEAL STATEMENT BY**  
**NATALIE JARMAN BA (HONS) Dip TP MRTPI**

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**APPENDICES**

## APPENDICES

- Appendix 1 - Site location plan
- Appendix 2 - Officer Report relating to signage application (LPA ref: 2007/5698/A) at Travelodge, 72 Euston Square, London, NW1 1DJ.
- Appendix 3 - Policies CS 5 (Managing the impact of growth) and CS 14 (Promoting High Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy.  
  
Policies DP24 (Securing High Quality Design), DP25 (Conserving Camden's Heritage) and DP 26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.  
  
Section 8 of Camden Planning Guidance.
- Appendix 4 - Application Submission: Application Forms, Proposed North Elevation, Entrance Plan, Signage Plan, Sign Schedule and site location plan.
- Appendix 5 - Acknowledgement letter from Camden Council dated 19<sup>th</sup> August 2013.
- Appendix 6 - Email correspondence between applicant and Camden Council during the course of the application.
- Appendix 7 - Revised North Elevation and Sign Schedule.
- Appendix 8 - Decision Notice
- Appendix 9 - Officer Report

## 1.0 INTRODUCTION

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- 1.1 My name is Natalie Jayne Jarman. I hold a Bachelor of Arts degree in Town and Country Planning from Oxford Brookes University. I joined Walsingham Planning, Planning and Development Consultants, based in Bourne End, Buckinghamshire in May 2005. I previously worked at Rapleys LLP.
- 1.2 I started my career at a Local Authority gaining experience of development control planning. I have experience of submitting and negotiating a variety of planning, listed building and advertisement applications and have advised clients on a wide variety of planning related issues. I have advised private and public sector clients on redevelopment schemes throughout the UK.
- 1.3 Our practice received written instructions in May 2013 to submit an application for advertisement consent for an internally illuminated projecting sign at Clifton House.
- 1.4 The upper floors of Clifton House are currently being converted to hotel accommodation; the hotel is due to open in mid-October.
- 1.5 The appeal site was visited prior to the application for Advertisement Consent being submitted.

## 2.0 SITE AND SURROUNDINGS

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- 2.1 Clifton House is a nine storey 20th century building, which is over 37 metres tall. The building is located on the eastern side of Euston Road (A501), on the junction with Mabledon Place (to the south-west) and close to the junction with Judd Street (to the north-west). The building has over 64 metres of frontage with Euston Road. A site location plan is attached at Appendix 1.
- 2.2 The first, second, third, fourth, fifth and sixth floors of Clifton House are currently being converted to a 270 bedroom hotel, which is due to open as a Premier Inn in October 2013. The appeal relates to this part of Clifton House.
- 2.3 On the first floor there will be a reception area, restaurant, bar, lounge and hotel bedrooms and on floors two to six will be hotel bedrooms.

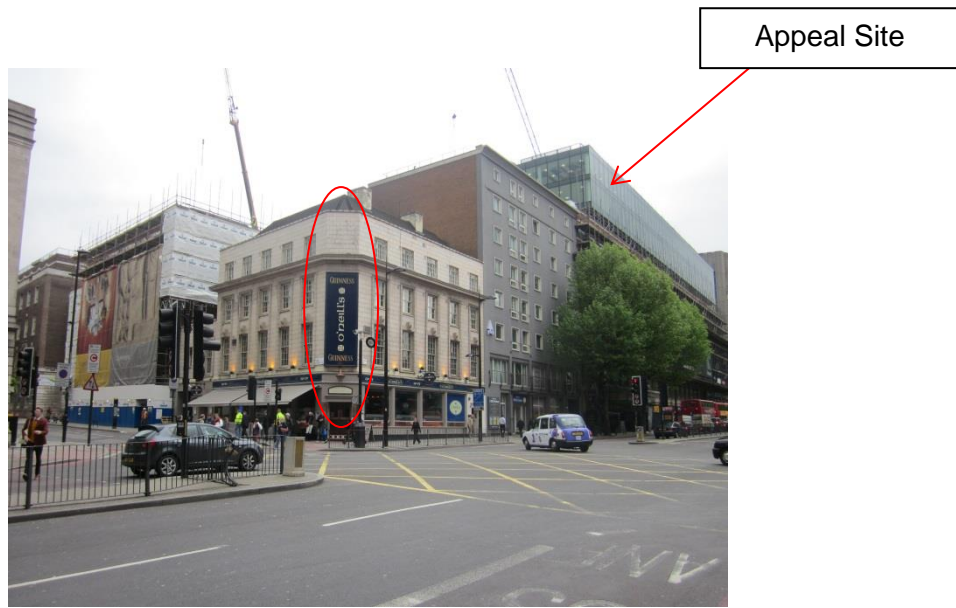


Clifton House, 101 Euston Road, London

- 2.4 Access to the hotel will be via an existing entrance on Euston Road, which is only two metres wide.

- 2.5 A modern glazed extension has been constructed, to provide three storeys of accommodation. The upper floors of Clifton House, seven upwards, will be used for office accommodation.
- 2.6 A parade of shops run along the ground floor of the building, which includes Pret a Manger, Pizza Express, Starbucks, Flight Centre, Bargain Books and The Euston Flyer Pub.
- 2.7 As the building is in mixed use, and particularly as the ground floor units are occupied by retail shops, it will not be clear that the upper floors are occupied by a hotel.
- 2.8 The application site is not listed nor is it located within a Conservation Area.
- 2.9 A number of train stations are within walking distance of the appeal site, Kings Cross, St Pancras, Euston, Euston Square and Russell Square.
- 2.10 The immediate surroundings of the imminent Premier Inn hotel consist of the Pullman Hotel (formerly Novotel Hotel), The British Library, St. Pancras Renaissance Hotel and some offices. Many of the buildings on Euston Road are tall, including the Pullman Hotel on the opposite side of the street, which is part 16 storey, part five storey.

2.11 There is an array of signage above fascia level in the surrounding area:



O'Neill's Pub



Northern Hotel and St Pancras Station



Kings Cross Inn Hotel and Access Storage

### Summary

- 2.12 This appeal relates to a nine storey, 37m tall building, which has a modern three storey glazed roof extension on Euston Road. The appeal site has over 64 metres of frontage to Euston Road and is located between numerous train stations. The appeal site has limited ground floor frontage and the mixed use of the building makes will make it difficult to identify the location of the Premier Inn. The appeal site is not listed and not within a Conservation Area. There are a number of tall buildings surrounding the appeal site and array of signage in the vicinity of the appeal site.



### 3.0 RELEVANT PLANNING HISTORY

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#### *Appeal Site*

- 3.1 Planning permission (LPA ref: 2010/1840/P) was granted in June 2010 for change of use of the first, second, third, fourth, fifth and sixth floors of Clifton House from office accommodation (Class B1a) to hotel accommodation (Class C1).
- 3.2 Advertisement Consent (LPA ref: 2012/1755/A) was granted in May 2012 for a fascia sign and two externally illuminated projecting signs at ground floor level. The application was revised, removing two projecting signs, which were proposed between the 2<sup>nd</sup> and 4<sup>th</sup> floors. The Officer dealing with the application felt that the signs "...would add visual clutter, have a negative impact on the building and would not comply with our (the Council's) policy and guidance which discourages signs above fascia level."



Approved fascia and projecting signs

### *Surrounding Area*

- 3.3 Opposite the appeal site is Pullmans Hotel, Advertisement Consent (LPA ref: 2012/0851/A) was granted in March 2012 for three internally illuminated fascia signs, an internally illuminated projecting sign, an internally illuminated canopy sign and non-illuminated entrance plaque. The projecting sign replaced an existing sign, but is larger than the original and is 7 metres above ground level. The fascia signs, which are 19 metres above ground level, were granted consent in 1999 (LPA ref: AS9904719).



Pullman Hotel, 100-110 Euston Road

- 3.4 On Upper Woburn Place, a street that adjoins Euston Road is Ambassadors Hotel. Advertisement Consent (LPA ref: 2005/5315/A) was granted in 2006 for two projecting signs from 2<sup>nd</sup> to 4<sup>th</sup> floor.



Ambassadors Hotel, Upper Woburn Place

- 3.5 Advertisement consent (LPA ref: 2007/5698/A) was granted in February 2008 for internally illuminated letters and a logo to the upper floors on the corner of the Travelodge on Euston Square. The letters on the corner of the building are 6 metres above ground level and 4.6 metres high. The officer report (copy attached at Appendix 2) acknowledges that there are examples of similar signage in the immediate area. The property lies within the setting of the Bloomsbury Conservation Area and there is a grade II listed building close to the property. The officer's assessment was that "for larger buildings and certain commercial buildings the need for often larger and more than one sign may be acceptable. The cumulative impact of the proposed high level, individual lettering and lower level, fascia sign at the entrance is not considered to have a cluttered appearance within the street scene or adjacent Conservation Area". The internal illumination was considered to be acceptable. The signs were assessed against an earlier version of the Camden Planning Guidance.



Travelodge, 72 Euston Square

### Summary

- 3.6 At the appeal site planning permission was granted in June 2010 for change of use of the upper floors of Clifton House to hotel accommodation. Advertisement Consent was granted in May 2012 for two projecting signs and a fascia sign at fascia level.
- 3.7 In the surrounding area, Advertisement Consent has been granted for projecting, above fascia and internally illuminated signs. At Ambassadors Hotel there are banners above fascia level. The Travelodge has a 4.6m tall internally illuminated sign, which is 6m above ground level. Opposite the appeal site, at Pullmans Hotel is a projecting sign above fascia level.

## 4.0 PLANNING POLICY AND GOVERNMENT GUIDANCE

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- 4.1 The Advertisement Regulations make it clear that applications for express consent are to be determined in accordance with considerations of amenity and public safety. Planning policy is not strictly applicable, as it would be in the case of planning applications, except in respect of these two matters.

### **National Planning Policy Framework (NPPF) (March 2012)**

- 4.2 Paragraph 60 of the NPPF states that planning decisions should not stifle innovation, originality or initiative.
- 4.3 Paragraph 67 of the NPPF specifically deals with advertisements, stating that advertisements should only be subject to control in the interests of amenity and public safety.

### **Development Plan**

- 4.4 There are clear requirements in the Regulations, that Councils should only refer to Development Plan policies in their reason for refusal that relate to amenity or public safety.
- 4.5 Policies CS 14 (Promoting High Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy and DP24 (Securing High Quality Design) of the London Borough of Camden Local Development Framework Development Policies are referred to in the reason for refusal. A copy of these policies is attached at Appendix 3.

- 4.6 Policies CS 5 (Managing the impact of growth) of the London Borough of Camden Local Development Framework Core Strategy, DP25 (Conserving Camden's Heritage) and DP 26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies are referred to in the officer report. A copy of these policies are also attached in Appendix 3.

**Camden Core Strategy (Adopted November 2010)**

- 4.7 Policy CS5 relates to managing the impact of growth and development, particular consideration will be given to providing uses which contribute to the borough's London-wide role, providing facilities needed to support those who work in and visit the Borough and protect the amenity and quality of life of local communities.
- 4.8 Policy CS7 relates to promoting high quality places and conserving heritage, the policy seeks development to be of the highest standard of design.

**Camden Development Policies (Adopted November 2010)**

- 4.9 Policy DP24 requires proposals to consider character, setting, context and the form and scale of neighbouring buildings and the provision of visually interesting frontages at street level.
- 4.10 Policy DP25 relates to conserving Camden's heritage, the application site is not located within a Conservation Area, is not a listed building and no other heritage assets are identified within the Officer Report. The policy is therefore not considered to be applicable.
- 4.11 Policy DP26 seeks to manage the impact of development on occupiers and neighbours, the Council will only permit proposals which do not cause harm to amenity.

### **Camden Planning Guidance (2011 as amended)**

- 4.12 This document is not referred to in the reason for refusal but is referred to in the officer report. A copy of the relevant section is attached at Appendix 3. The recommendation for installing advertisements, signs and hoardings in Camden are to take “into account the character and design of the property, its surroundings and alter the external fabric of the building as little as possible.” It also states that “generally 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.” The document advises that if an advertisement is “required at high level for a specific business use then this will be restricted to non-illuminated images on windows”.

#### Summary

- 4.13 The Advertisement Regulations make it clear that, in considering applications for Advertisement Consent, applications need to be considered in respect of amenity and public safety. Development Plan policies are therefore not strictly applicable, except in relation to these two matters.
- 4.14 The Council also have guidance within the Camden Planning Guidance on signs not being displayed above fascia level, the document is not referred to in the reason for refusal.

## 5.0 THE PROPOSAL

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- 5.1 An application for Advertisement Consent was submitted on the 18<sup>th</sup> June 2013 seeking consent for an internally illuminated projecting sign, to be located between floors two and four of Clifton House.
- 5.2 The sign is to be made up of individual characters and a logo symbol, the face is purple and only wordset and logo would be illuminated. Detail of the proposed lettering is included in the application plans.
- 5.3 The proposed sign is detailed on the application form and the following plans which are all attached as Appendix 4 and form the application submission.
- Proposed North Elevation
  - Entrance Plan
  - Signage Plan
  - Sign Schedule
  - Site location plan
- 5.4 An acknowledgement letter was received on the 19<sup>th</sup> August 2013. A copy of the correspondence is attached at Appendix 5.
- 5.5 The applicant and Planning Officer communicated regularly during the course of the application, a copy of the emails are attached at Appendix 6. Initial feedback from the Officer was that the Council discourages high level signage and that the size of the sign was disproportionality large. The Council sought a smaller sign at fascia level. Additional information was submitted, in particular as to why a sign above fascia level was required. The Officer still felt that the size and location of the sign was unacceptable.
- 5.6 As a result of discussions during the course of the application, the sign was reduced from 1501mm wide x 6011mm tall x 220mm deep to 1249mm wide x 5000mm tall x 220mm deep). Revised drawings were submitted to the Council on 23<sup>rd</sup> July 2013, a copy is attached at Appendix 7, these drawings were the subject of the decision.



## 6.0 THE DECISION

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- 6.1 Advertisement consent for an internally illuminated projecting sign at 2<sup>nd</sup> and 3<sup>rd</sup> floor level (Euston Road elevation) was refused on 31<sup>st</sup> July 2013. There was a single reason for refusal:

*“The proposed sign, by reason of its projection, excessive size, obtrusive location at 2<sup>nd</sup> and 3<sup>rd</sup> floor level, and internal illumination would be detrimental to the appearance of the host property and harmful to the street scene, contrary to Policy CS 14 (Promoting High Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing High Quality Design) of the London Borough of Camden Local Development Framework Development Policies.”*

- 6.2 A copy of the decision notice is attached at Appendix 7.
- 6.3 The application was determined under delegated powers. A copy of the delegated report is attached at Appendix 8.
- 6.4 The officer report accepts that the proposal would raise no public safety concerns therefore the only concern from the Council can be in respect of amenity.
- 6.5 The officer report refers mainly to the Camden Planning Guidance, however, this document is not cited in the reason for refusal. The report explains that the Officer considers the location of the sign to be inappropriate as the sign would be visually obtrusive. The Officer also considered the size of the sign to be disproportionately large for the purposes of way finding / identification and the size and location of the sign to be an unattractive addition to the host building where signage is at ground floor level only.
- 6.6 The officer report refers to examples of signs above fascia level being granted prior to the publication of the amended Camden Planning Guidance and on sites where historically there have been signs above fascia level.

## 7.0 THE APPELLANT'S CASE

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- 7.1 The purpose of the proposed sign is to direct guests and potential customers to the location of the hotel. As the NPPF recognises planning decisions should address the connections between people and places (paragraph 61) and advertisements should be subject to control only in the interests of amenity and public safety (paragraph 67).
- 7.2 The officer report confirms that there is no objection to the proposal on grounds of highway safety.
- 7.3 The reason for refusal sets out that the objection to the sign is based on its projection, size, location and internal illumination, which, it is alleged, would be detrimental to the host building and harmful to the street scene. The appellants will address these points in turn.
- 7.4 The proposed sign would be located on a 20<sup>th</sup> century building, which is not listed and has recently been extended with a glazed three storey extension to the roof. The proposed sign is considered by the Council to be excessive in size, but it is 5m tall, against a host building which is over 37m tall. The proposed sign is 1.25m wide and 220mm deep, on a building which has over 64 metres of frontage to Euston Road. The proposed scale of the sign is not considered to be excessive in the context of the host building. Compared to the host building, the proposed sign is considered to be modest in scale. The sign has been designed to fit between the windows on the 2<sup>nd</sup> and 3<sup>rd</sup> floor. The size of the sign is considered to be wholly appropriate given the scale of the host building.
- 7.6 The appeal site is not located within a Conservation Area. Euston Road has a number of large buildings and there is an array of signage of similar scale in the surrounding area. Many hotels in the area have similar signs to the appeal proposal; the nature of hotel custom makes adequate signage more important. As many guests will be arriving for the first time, a connection with the main street approach is essential. As the earlier photographs show, many hotels in the area including the Pullman, Ambassadors and Travelodge have signage above fascia level to enable easy identification of the building for guests.

- 7.7 The appellant has referred to similar proposals nearby, including the signs at the Pullman Hotel, which is on the opposite side of the street and at the Travelodge on Euston Square. The signs at the Pullman Hotel have been granted consent recently but replaced signage which would have been considered against PPG 19, which, like the NPPF, required advertisements to be considered in respect of public safety and amenity. Some of the signs at the Pullman Hotel are larger than what was historically there, are above fascia level and internally illuminated. The internally illuminated signage at the Travelodge on Euston Square, lies within the setting of Bloomsbury Conservation Area and are close to a listed building. The signs were granted consent in February 2008. To display these signs the applicants would still have needed to demonstrate that they have no adverse impact on public safety and amenity in the same way as the proposed sign. The signs are directly comparable.
- 7.8 Advertisement consent has been granted for signage at street level and these signs will be effective to assist customers who pass the building on the adjoining footpath and indeed is essential for that purpose but it affords little help to those looking for the hotel from any distance. A projecting sign which is above fascia level is important in building identification. This is of particular importance at the appeal site, where the building is in mixed use and there is limited ground floor frontage. Due to the mixed use of Clifton House for retail, hotel and office uses, it will not be easily recognisable that the upper floors are in use for hotel accommodation. The position of the sign enables appropriate visibility for guests approaching from the various train stations, without overtly impacting the street scene. The Officer Report refers to the appeal site only have signage at ground floor level, the change of use from office to hotel accommodation has resulted in the need for easy identification of the occupant of the upper floors.
- 7.9 The Camden Planning Guidance seeks to resist signs above fascia level and for signs to be un-illuminated and non-projecting, which in this case would not fulfill the function of the proposed sign. The Camden Planning Guidance is not referred to in the reason for refusal but appears to be the guiding document in the Officer Report. In this case, the proposed sign is acceptable as the sign will have no adverse impact on amenity or public safety and accords with adopted Development Plan policies and recent precedent. The Camden Planning Guidance is guidance in how the policies from the Development Plan should be applied, in this case the proposed is required to be above fascia level.

- 7.10 About 60% of guests at a Premier Inn are business travellers and are likely to be arriving at the end of the working day. It is important that the sign is illuminated so that guests who arrive when it is dark are able to easily locate the hotel. The only parts of the sign which would be illuminated would be the letters and the logo. There is no reference in the Officer Report to the proposed sign causing light pollution.
- 7.11 As sought by the Planning Guidance document, the sign reflects the form, fabric, design and scale of the host building and setting. The sign is consistent with the design of the building and the quality of design and nature of the lighting will prevent it from having a negative impact on amenity. The design complements the materials and structure of the surrounding building. The sign is designed in a clean and contemporary style.
- 7.12 The sign is appropriate to the character of the area, improves the function of the hotel and does not harm visual amenity or public safety in any way. It is modest in scale and will provide the only noticeable indication of the hotels existence.
- 7.13 On this basis the size, location, projection and method of illumination of the proposed sign is considered to be wholly appropriate to the host building and surrounding street scene.
- 7.14 The site is not located within a Conservation Area and a number of signs above fascia level can be seen in the vicinity. The sign integrates with the form, fabric, design and scale of the host building and surrounding area. Euston Road has a number of large buildings and compared to the host building the proposed advert is relatively modest in scale. As the building has a modern appearance the illuminated signage does not form an incongruous feature. The sign would not be obtrusive in the street scene or disturb residents, occupiers or guests of the hotel.
- 7.15 On this basis the Inspector is respectfully requested to allow the appeal.

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**Walsingham Planning**  
**September 2013**