

UDP and PPG Planning Policy Appraisal & Assessment Statement

Site at

GIGs

Fish and Chip Restaurant & Take Away

12 Tottenham Street

London W1T 4RE



Proposal

Demolition of existing fascia sign and erection of reduced sized fascia signs with reinstatement of individual historical capitals/consols on all existing column/pilasters with retention of associated blinds and new hardwood shopfront (with access for all).

Local Planning Authority

London Borough of Camden

Applicant

Mr Aristos Papasavva

2nd March 2010

GrAhAm KnOtT

Btp, MRTPI, DOCA (Int).

Architectural, Town Planning, Environment and Conservation, Planning Consultant

C O N T E N T S



Forward

- 1.0** **Disability Discrimination Act 2005**

- 2.0** **The Charlotte Street Conservation Area – ‘Character Appraisal and Management Plan’ - 11th July 2008 (Nathaniel Lichfield and Partners) – adopted by the Council on 24th July 2008**

- 3.0** **Unitary Development Plan (UDP) 2006
Planning Policy considerations**

- 4.0** **Planning Policy Guidance (PPG)
Planning Policy considerations**

- 5.0** **Conservation Area – Planning Policy Considerations**

- 6.0** **Conclusion**

Forward

The Councils relevant planning policies relating to the installation of shopfronts in a conservation area are found in both the following National and Statutory planning policies of the London Borough of Camden's planning policy documents ;

- ◆ **Planning (Listed Buildings and Conservation Areas) Act 1990** – 27th May 1990
- ◆ **Planning Policy Guidance Note 15 'Planning and the Historic Environment'** – 14th September 1994
- ◆ **Disability Act 2005** – 7th April 2005
- ◆ **LB Camden – Unitary Development Plan (UDP)** – June 2006
- ◆ **LB Camden – Planning Policy Guidance (PPG)** – December 2006
- ◆ **The Charlotte Street Conservation Area – 'Character Appraisal and Management Plan' - 11th July 2008 (Nathaniel Lichfield and Partners) Adopted by the Council on 24th July 2008** – 24th July 2008

The Government's Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to designate as conservation areas and " areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." Designation provides the basis for policies designed to both 'preserve' and/or 'enhance' the special interest of such an area.

The Council's policies and guidance for Conservation Areas are contained in the Council's 'Replacement' Unitary Development Plan 2006 and associated Supplementary Planning Guidance 2006 documents.

Additional National and Local planning policy documents also need to be assessed and considered ;

- **Planning policy Statement : Delivering Sustainable Development (PPS 1)**
- **The London Plan – February 2008**

Further additional guidance on what should be included in an access statement can be found in the Mayor of London's SPG and ODPM publications ;

- Supplementary Planning Guidance: Accessible London : Achieving an Inclusive Environment.
- ODPM publication: Planning and Access for Disabled People: A Good Practice Guide.

1.0 Disability Discrimination Act 2005

1.1 Part 3 of the Disability Discrimination Act 2005 gives disabled people a right of access to goods, facilities and services. This requires service providers to ;

- alter a barrier feature so that it no longer has effect ;
- provide a reasonable means of avoiding that feature ; or
- provide a reasonable alternative method of making the service available.

These requirements apply to all buildings where services are provided to the public and also to transportation infrastructure.

1.2 In summary Part 3 of the Disability Discrimination Act 2005 requires that all persons with disabilities and persons that are wheelchair bound are able to access services and are able to freely enter into service providers shops and restaurants.

1.3 It is therefore crucial (unlike the pre fire shopfront that had access problems with regard to persons with disabilities, wheelchair bound persons, the elderly and mother with single and double buggies), that any 'new shopfront' is designed so that 'access for all' is facilitated and as statutorily required by **Part 3** of the **Disability Discrimination Act 2005**.

2.0 The Charlotte Street Conservation Area – ‘Character Appraisal and Management Plan - 11th July 2008 (Nathaniel Lichfield and Partners).

Adopted by the Council on 24th July 2008

2.1 The Charlotte Street Conservation Area – Character Appraisal and Management Plan – adopted by the Council on 24th July 2008 makes two very interesting conclusions ;

- 1. 12a Tottenham Street W1T (the residential accommodation on the upper floors above the fish and chip restaurant and take away), is classified as a building that is a ‘ Positive Contributor ’ to the conservation area.**
- 2. Of the shopfronts classified as ‘shopfronts of merit’ in the conservation area, 12 Tottenham Street W1T is not classified as a shopfront (pre fire of February 2009), of merit, whereas the following shopfronts are, 15, 19, 26, 28, 30, 35, 39 Tottenham Street W1T and 41 Whitfield Street W1T.**

2.2 Based on these findings I consider that the current shopfront requires to be remodelled and improved, as the building above ground level is considered by the Charlotte Street Conservation Area report as a ‘positive contributor’ to the conservation area.

I would therefore strongly advise that the fascia sign is integrated back into the architectural form of the parent building and that this can be facilitated by the reinstatement of the five vertical pier consoles above the shopfront dividing bay piers. This would reduce the dominance of the existing fascia and facilitate 5 smaller and individually bay sectioned fascias.

If this was achieved the link between the ground floor shop unit and the upper floors (residential), would be reinstated and would facilitate the reinstatement of the vertical emphasis and architectural natural ‘eye lines’ back into the overall building.

Further, such a proposal would address the buildings historically and natural past bringing the refined architectural detailing of the fascia components and detail back to the present day to the benefit of the parent building, the immediate area and adjacent buildings as well as positively preserving and enhancing the Charlotte Street Conservation Area.

2.3 I consider that if Mr Aristos Papasavva sought planning permission for the above alterations and architectural refinements to the fascia and shopfront that the impact of the existing new shopfront would be greatly enhanced and visually improved.

I further consider that the concertinaed opening doors do not detract to such a degree that demonstrable harm has been caused to the overall shopfront.

To the contrary, I consider that they add visual interest to the shopfront complimenting it and importantly both of the end two bays are provided with traditional stall risers at the Tottenham Street and Whitfield Street W1T elevations. This balance in shopfront detail is not over fussy but visual interesting and pleasing to the eye and compliments the Charlotte Street Conservation Area to its benefit.

- 2.4 The use of hardwood as the shopfront material sets this shopfront apart when compared to others in the immediate vicinity which exhibits good conservation design that is sympathetic and respectful to these considerations, whilst most other shopfronts close to the site are not.

3.0 Unitary Development Plan (UDP) 2006

- 3.1 The Council's UDP planning policies and planning policy guidance for Conservation Areas are contained in the Councils 'Replacement' Unitary Development Plan 2006 and associated Supplementary Planning Guidance 2006 documents.
- 3.2 With regard to shopfront proposal the following LPA planning policies and PPG's are relevant ;

♦ Unitary Development Plan (UDP) – June 2006

The relevant UDP(2006) are relevant to this application proposal ;

UDP Policy SD1C	-	Access for all
UDP Policy SD6	-	Amenity for occupiers and neighbours
UDP Policy B1	-	General design principles
UDP Policy B4(A)	-	Shopfronts

- 3.3 UDP (2006) Policy **SD1C** states that the Council expects all new developments to meet the highest standards of access and inclusion. The Council expects buildings that are altered where practicable and reasonable, to be designed to improve access and use for all.

■ UDP Policy **SD1C** compliance :

The provision of the much wider restaurant main door (juncture of Tottenham Street with Whitfield Street W1T) and the two shopfront opening concertinaed doors (Whitfield Street W1T) now facilitate access into the restaurant for where there was no access for them before, for ;

- ▶ **Mothers with double buggies**
- ▶ **Wheelchair bound persons**

Further, there would be an,

- ▶ **Easier access out of the restaurant in case of FIRE**

- 3.4 The fish and chip take away element of the restaurant is separately located in Whitfield Street W1 and its individual shopfront is provided with two much wider doors (the previous shopfront had a small single door), to enable access for all and also a separate entry door into the take away area as well as a separate exit door out of the take away area. The re-modelled shopfront providing wider and an extra customer door will enable the following customers to enter into the take away restaurant where previously they were unable to do so ;

▶ **Mothers with double buggies**

▶ **Wheelchair bound persons**

Further, there would be an,

▶ **Easier access out of the take away restaurant in case of FIRE**

I conclude after assessment that the increased width of doors, additional doors and both pairs of opening concertinaed doors fully accords with the requirements of UDP (2006) Policy **SD1C** that seeks to improve access and use for all.

- 3.5 UDP (2006) Policy **SD6** requires that all development proposals do not cause harm to the amenity of occupiers and neighbours with regard to privacy, overlooking, sunlight and daylight, artificial light levels, noise and vibration, odour, fumes and dust, the adequacy of facilities for storage, recycling and disposal of waste and microclimate.

■ UDP Policy **SD6** compliance :

The restaurant has never had any complaints with regard to noise, vibration, and fumes since Mr Aristos Pappasavva has been operating it as the Council's own Environmental Health records will show, or from residents above, adjacent or in the immediate area (and this includes the use of the restaurants forecourt for customers for 10 covers).

I conclude after assessment that the wider access and additional door (take away area), as well as the opening pair of concertinaed doors (that will only be part opened in the Spring and Summer months), will not result in any loss of local residents amenities and fully accords with all of the requirements of UDP policy **SD6**.

- 3.6 UDP (2006) Policy **B1 (A)** requires that all development proposals are designed to the highest standards and details 4 separate sub paragraph criteria that needs to be met.

■ UDP Policy B1 (A) compliance :

The remodelled shopfront and the reinstatement of the pier consoles with reduced fascia size signs that will result in the reinstatement of the shopfronts 3 bays at its Whitfield Street W1T elevation, constitutes good design that is sympathetic to the parent building and is of the highest quality.

I conclude after assessment that the reinstatement of the 5 consoles with the associated reduced size of the fascia signs coupled with the remodelled shopfront fully accords with all of the requirements of UDP policy B1 A).

3.7 UDP (2006) Policy B4(A) states the Council will grant planning permission for ;

□ **Shopfront alterations**

□ **Canopies and Blinds**

□ **Shopfront Security**

□ **and other features that it considers are of a high standard of design**

3.8 Providing that 4 separate criteria area met in which the Council consider ;

a) ***the merits of the existing architectural character, features and materials of the shopfront, including the shopfront window ;***

The proposed alterations (shown on 'draft' plan 3), enhances the architectural character of the parent building on two street scene elevations. The materials used are subtle, sustainable and complimentary.

3.9 b) ***if the general characteristics of original shopfronts in the area are respected and how sympathetically the proposal relates to the visual form, width and character of these shopfronts ;***

The shopfronts in the immediate area of 12 Tottenham Street W1T are generally characterised and are provided with full depth glazing with no stall risers.

This shopfront respects the traditional stall riser concept and introduces both stall risers at both the Tottenham Street W1T and Whitfield Street W1T elevations which relates sympathetically (both visually and with regard to form), with these shopfronts.

3.10 **c) *the relationship between the shopfront and the upper floors of the building and surrounding properties ; and***

The reinstatement of the 5 consoles above the shopfront dividing piers enhances the building and the upper floors above it bringing it back to its traditional historically 'as originally built' state, complimenting, (whilst respecting and acknowledging), all surrounding properties.

3.11 **d) *the impact on public safety.***

The widening of access doors, provision of an additional door and the provision of two concertinaed shopfront doors greatly assist and enhances public safety as members of the public can now move both into and out of the restaurant and the fish and chip take away section of the restaurant freely and much more easily.

■ **UDP Policy B4(B) compliance :**

The remodelled shopfront shown on 'draft' plan 3, enhance the existing architectural merits of the parent building and its setting in the Charlotte Street Conservation Area. The original existing shopfronts in the area have been both acknowledged and respected and the relationship of the ground floor shopfront has been enhanced with public safety having been greatly improved.

I conclude after assessment that the remodelled shopfront as detailed in 'draft' plan 3 fully accords with all of the aims and objectives of UDP (2006) Policy B4(A), sub paragraphs a), b), c) and d).

4.0 Planning Policy Guidance (PPG)

- 4.1 With regard to the shopfront the following LPA planning policies and PPG's are relevant ;

◆ **Planning Policy Guidance (PPG) – December 2006**

The relevant PPG(2006) are relevant to this application proposal ;

PPG Section 1 - Access for All

PPG Section 43 - Shopfronts

- 4.2 PPG (2006) Section 1 – '**Access for All**' states that the Council seeks to ensure the highest standards of access and inclusion in Camden's built environment and public realm. The Council consider that well designed, accessible buildings and public spaces allow equal access for all and the opportunity for everyone to benefit from being able to move freely, independently and uninhibited within the built environment. The Council also considers that poor accessibility excludes many people (including disabled people, elderly people, those with young children and people with heavy bags or luggage) and reduces their quality of life.

■ PPG Section 1 compliance :

The remodelled 'draft' plan 3 facilitates inclusive access both into and out of the fish and chip restaurant and take away element of the new shopfront, whereas the previous (pre fire), shopfront, did not.

Access for mothers with double buggies, the elderly and also persons that are wheelchair bound as well as persons laden with luggage, are now facilitated by the remodelled proposal.

I conclude after assessment that the remodelled proposal detailed in 'draft' plan 3 fully accords with the aims, objectives and requirements of **PPG Section 1 – 'Access for All'**.

- 4.3 PPG (2006) Section 43 – '**Shopfronts**' states that shopfronts should be designed as part of the whole building and should sensitively relate to the scale, proportions and architectural style of the building and surrounding facades and

that new shopfronts should be sympathetic in width, vertical emphasis and horizontal subdivision to the upper floors of the building and adjoining buildings.

All shops and shopfronts should be fully accessible to everyone. Since October 2004 companies and organisations that provide services to the public are required by the Disability Discrimination Act to ensure that their services are reasonably accessible to disabled people (Camden Planning Guidance on 'Access for All', as already detailed above in this Assessment Report).

The Council considers that the style and proportion of the fascia should relate well to the building. Shops with oversized fascias can undermine the prevailing pattern and obscure architectural details such as cornices or corbels and should be avoided.

Fascia signs should not obscure or damage existing architectural features. Deep box fascias which project beyond the shopfront frame should be avoided.

More traditional materials such as timber, stone and render should be used for listed buildings and in conservation areas as appropriate.

- 4.4 Folding shopfronts are not generally acceptable. When open, they erode the appearance of the shopfront, creating a visual void, and can increase disturbance to neighbouring properties, particularly in the case of food and drink premises. When closed they appear as a row of doors rather than a shopfront.

Blinds can add colour and interest to the street scene. However, it is important to ensure that they do not dominate a shopfront or shop parade. Retractable awning blinds of the traditional canvas type are preferred, attached between the fascia and shopfront. The blind box should be integrated with the overall design and not damage the framework – preferably it should be flush with the fascia level.

All blinds should be designed and installed to ensure public safety. There should be a minimum of 2.3 metres between the bottom of the blind and the pavement and a minimum of 1 metre between the blind and the kerb edge - see Figure 3.

■ **PPG Section 43** compliance :

The remodelled proposal accords with all elements of this PPG with the exception of the two concertinaed doors.

This PPG does not prohibit concertinaed door shopfronts but states that they are generally not acceptable.

However, as the restaurant has 4 shopfronts and a separate entrance shopfront, it is considered in this case (and bearing in mind that two of the façades are provided with shopfronts with stall risers), that this proposal is not as contentious due to the overall 'good design' of the hardwood shopfront and that both end shopfronts are provided with shopfronts with traditional stall risers.

I conclude after assessment that the remodelled proposal detailed in 'draft' plan 3 fully accords with the aims, objectives and requirements of **PPG Section 43** – **'Shopfronts'**.

5.0 Conservation Area – Planning Policy considerations

5.1 The Council's policies and guidance for Conservation Areas are contained in the Councils 'Replacement' Unitary Development Plan 2006 and associated Supplementary Planning Guidance 2006 documents.

5.2 With regard conservation area considerations the following LPA planning policies and PPG's are relevant ;

UDP Policy B7	-	Conservation Areas
----------------------	---	--------------------

PPG Section 10	-	Conservation Areas
-----------------------	---	--------------------

5.3 UDP (2006) Policy **B7** requires that the Council will only grant planning permission and consent in borough conservation area for development proposals that both preserve and enhance them.

■ UDP Policy **B7** compliance :

The aims and objectives of the remodelled proposal is to ensure that both preservation and enhancement of the Charlotte Street Conservation Area is the key priority.

I conclude after assessment that the redesign of the restaurants fascia sign through detailed architectural detailing and through the reinstatement of historical elements, coupled with a hardwood shopfront with both stall riser elements and opening concertinaed doors, both preserve and enhances the Charlotte Street Conservation Area and fully accords with UDP Policy **B7**.

5.4 PPG (2006) Section **10** – '**Conservation Areas**' paragraph 10.8 states ;

All applications relating to properties and sites in conservation areas and development affecting the setting of conservation areas should demonstrate that the proposal preserves or enhances the character or appearance of the area.

The remodelled hardwood shopfront both preserves and enhances the Charlotte Street Conservation Area.

■ PPG Section **10** compliance :

The remodelled proposal through only proposing individual letters within fascia signs to be illuminated and the remodelled hardwood shopfront are both in compliance with this PPG.

I conclude after assessment that the remodelled proposal detailed in 'draft' plan 3 fully accords with the aims, objectives and requirements of PPG Section 10 – 'Conservation Areas'.

6.0 Conclusion

6.1 This application and shopfront retention proposal as detailed in submitted photograph and plans G/12TS/SE/0PB, G/12TS/SE/001 and G/12TS/SE/002 is a marked improvement on the previous shopfront (pre fire February 2009) as detailed in photograph G/12TS/SE/0PA, in the following ways ;

- ✓ Access into both the restaurant and take away areas for the elderly, persons with disabilities, persons wheelchair bound and mothers with single or double buggies in accordance with Part 3 of the Disability Discrimination Act 2005 and UDP Policy **SD1C** – Access for all.
- ✓ The reinstatement of the 5 capital/consols on top of the column/pilasters reducing the single horizontal fascia and reintroducing the historical 5 separate bay fascia signs and distinctive historical shopfront in accordance with National planning legislation documents **Planning (Listed Buildings and Conservation Areas) Act 1990** and **Planning Policy Guidance Note 15 'Planning and the Historic Environment'** and LB Camden UDP general planning policies **SD6** – Amenity for occupiers and neighbours, **B1** – General design principles and **B4(A)** – Shopfronts as well as UDP 'conservation' planning policies **B7** – Conservation Areas and also LB Camden PPG 'guidance' considerations **Section 10** – Conservation Areas.
- ✓ The reinstatement of the historical and original architectural features of the shopfront at both the Tottenham Street and Whitfield Street W1T elevations coupled with the reintroduction of the five elevational shopfront bays of the original shopfront accords with LB Camden UDP general planning policy **B1** – General design principles and **B4(A)** – Shopfronts as well as UDP 'conservation' planning policies **B7** – Conservation Areas and also LB Camden PPG 'guidance' considerations **Section 10** – Conservation Areas.
- ✓ The reduction and complete elimination of the longitudinal dominant fascia sign breaking it down into 5 smaller and traditional bayed fascias as the building was originally designed accords with LB Camden UDP general planning policy **B1** – General design principles and **B4(A)** – Shopfronts as well as UDP 'conservation' planning policies **B7** – Conservation Areas and also LB Camden PPG 'guidance' considerations **Section 10** – Conservation Areas.
- ✓ The shopfront both '**preserves**' and '**enhances**' the Charlotte Street Conservation Area in accordance with the **Planning (Listed Buildings and Conservation Areas) Act 1990** and **Planning Policy Guidance Note 15 'Planning and the Historic Environment'** and LB Camden UDP 'conservation' planning policies **B7** – Conservation Areas and LB Camden PPG 'guidance' considerations **Section 10** – Conservation Areas.