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| <b>Delegated Report<br/>(Members' Briefing)</b>   |                            | <b>Analysis sheet</b>       |                                     | <b>Expiry Date:</b>                  | 25/06/2014 |
|   |                            | N/A / attached              |                                     | <b>Consultation<br/>Expiry Date:</b> | 29/05/2014 |
| <b>Officer</b>  |                            |                             | <b>Application Number(s)</b>        |                                      |            |
| Katrine Dean  |                            |                             | 2014/2886/P<br>2014/2888/A          |                                      |            |
| <b>Application Address</b>  |                            |                             | <b>Drawing Numbers</b>              |                                      |            |
| 40 Goodge Street<br>London<br>W1T 2QP   |                            |                             | See DN                              |                                      |            |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>             | <b>Authorised Officer Signature</b> |                                      |            |
|   |                            |                             |                                     |                                      |            |
| <b>Proposal(s)</b>  |                            |                             |                                     |                                      |            |
| <p>Installation of replacement shopfront, awning and external seating area.</p> <p>Display of replacement externally illuminated fascia and projecting signs and a non-illuminated menu board sign.</p> |                            |                             |                                     |                                      |            |
| <b>Recommendation(s):</b>   |                            | Grant subject to Conditions |                                     |                                      |            |
| <b>Application Type:</b>  |                            | Full Planning Permission    |                                     |                                      |            |

|                                    |  |    |                  |    |                   |    |
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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice   |    |                  |    |                   |    |
| Informatives:                      |  |    |                  |    |                   |    |
| Consultations                      |  |    |                  |    |                   |    |
| Adjoining Occupiers:               | No. notified   | 51 | No. of responses | 01 | No. of objections | 01 |
|                                    |  |    | No. Electronic   | 00 |                   |    |
| Summary of consultation responses: | One letter of objection was received from the neighbouring Barber Shop in connection with the proposal, detailing the following summary concerns: <ul style="list-style-type: none"><li>• The proposed hanging sign should not exceed the dimensions of the existing sign to protect sightlines;</li><li>• The combined height of the planter and sign at the boundary with 38a Goodge Street is 1560mm above ground level, obscuring sightlines eastwards;</li><li>• The objector is in doubt whether the current external seating area was given (planning) permission or enforced and it should not be setting a precedent;</li><li>• The current planter occupies part of the pavement and is unenforced - this should be rectified;</li><li>• The awning triangles would contribute to obscuring sightlines eastwards and should not be allowed;</li><li>• Too many signs are proposed in a small space;</li><li>• The decking may attract vermin; and</li><li>• Too many lights are proposed to illuminate the signage.</li></ul>  |    |                  |    |                   |    |
| Officer Comments on objections     | <ul style="list-style-type: none"><li>• <i>The proposed hanging sign would be smaller (in height and length) than the existing and would have a lesser visual impact due to its circular shape.</i></li><li>• <i>The perceived obstruction sightlines of number 38A would not merit a refusal of this application. The sightlines at number 38a are already limited by the existing external seating areas of the Italian restaurants on either side.</i></li><li>• <i>The seating area has been in-situ for a considerable amount of time and is now exempt from enforcement action.</i></li><li>• <i>The side panels have been removed from the proposed awning.</i></li><li>• <i>The number of signs has been reduced and the signs from the planters and breeze fences have been removed from the proposal. The rest of the signage is replacing the existing signs, which is acceptable in terms of the Council policies and guidance as set out in paragraph 2.2 of this report.</i></li><li>• <i>There is no raised decking proposed, the development would include the removal of a raised deck and its replacement with a deck on ground level.</i></li><li>• <i>The method of illumination for the signage has been assessed and is considered to be acceptable (paragraph 2.3).</i></li></ul> |    |                  |    |                   |    |
| Charlotte Street CAAC              | The Advisory Committee raise concerns regarding the fully opening frontage, which would be uncharacteristic of this part of the Conservation Area. It would be likely to create noise nuisance and could prejudice residential amenity.  |    |                  |    |                   |    |

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| <b>Officer Comments</b> | <p><i>Please see paragraphs 1.4 and 1.5 in the assessment of the report.</i></p> <p><i>The applicant has submitted title deeds which show that the premises projecting onto the pavement. Nevertheless, an informative will be added to inform the owner/occupier of the requirement to obtain a Tables and Chairs consent from Licencing.</i></p> |
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## Site Description

The application site relates to an existing restaurant with an external seating area. The restaurant is located on the ground floor of a four storey terraced building on Goodge Street which is set within Charlotte Street Conservation Area. There are two Italian restaurants with external seating areas located in close proximity to each other. The restaurants are separated by a barber shop and an eyewear shop, which both have small retail frontages onto Goodge Street. The unit has no special historical significance and the applicant has confirmed in their design and access statement that the existing shop-front is not original to the building.

The existing shopfront has bi-folding timber doors providing access onto an external raised decked area, which is bounded by a railing and planters. There is an arch detail above the bi-folding doors, which is not original to the shopfront and a retractable awning which extends down to the ground level. The signage at the site consists of a non-illuminated rectangular projecting sign and an externally illuminated fascia sign. A number of floodlights are also affixed to the frontage, which light the external seating area.

## Relevant History

9480144 - The display of the following signs: (1) An internally illuminated projecting box sign at first floor level measuring 92cm by 55cm; (2) An internally illuminated hanging sign positioned below the canopy at ground floor level. Part approved/part refused 09/02/1995.

9000279 - Installation of new facade for restaurant. Withdrawn 14/02/1991.

CTP32062 - Change of use of part of the basement from stores to use as an extension to the restaurant on ground floor and the remainder of the basement. Granted 05/05/1981.

CTP28387 - Alterations to shopfront. Granted 21/06/1979.

CTP6307 - The use of the first floor of No. 40 Goodge Street, Camden as an extension to the existing restaurant on the ground floor. Granted subject to Conditions 02/01/1969.

CA/273 - Internally illuminated fascia sign. Granted subject to Conditions 07/01/1966.

CA/273/1965 - An illuminated double-sided projecting sign at first floor level. Refused 15/11/1965.

AC2264 - A transom sign. Granted subject to Conditions 24/02/1964.

TP2293 - To remove the existing and to install a new shop front at No. 40, Goodge Street, St. Pancras, and to carry out internal alterations in connection with the use of the ground floor for the purposes of a restaurant and the basement for associated storage and to erect a metal ventilating duct on the rear elevation to terminate 3'0" above the roof line. Granted 20/02/1964.

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

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

### Camden Planning Guidance 2011 (as amended)

### Charlotte Street Conservation Area Appraisal and Management Guide (adopted 24<sup>th</sup> of July 2008)

### London Plan 2011

### NPPF 2012

## Assessment

### 1. Proposal and Introduction

1.2 It is proposed to alter the frontage of the restaurant, installing a replacement shopfront, awnings, external seating area (including planters and fencing) and signage at the site. Specifically, the works include the following changes:

- The existing arch detail would be removed and replaced with proposed fanlight panels above the four proposed bi-folding doors. The glazing would therefore extend in height towards the fascia.
- The existing timber entrance door and bi-folding doors onto the decked area would be removed and replaced with the new timber framed doors and windows. These would also open out onto the decked area as before.
- The raised timber deck would be removed and replaced with a pavement level timber deck.
- The existing timber rail and planters would be replaced with breeze fences and new planters.
- The existing fascia sign and the projecting signs would be replaced. The new signs would be externally illuminated by spotlighting. The fascia and the projecting signs would be reduced in scale (height and length).
- The proposed replacement retractable awnings would include concealed LED lighting strips behind the valance and on the underside of housing, which would illuminate the seating area underneath when extended. The existing floodlights would be removed.

1.3 Amendments have been secured to the original proposal which include:

- the removal of unnecessary and excessive signage from the planters and the breeze; and
- the removal of the side panels from the awning.

1.4 Although the fully opening frontages are not generally acceptable, especially in Conservation Areas, according to CPG1 (chapter 7, page 63) this development has been in-situ for over four years and therefore is exempt from enforcement action. There is no means for the Council to insist on the owner to revert the shopfront to the previous design.

1.5 The alterations which are proposed to the frontage are considered to be an improvement of the existing in terms of design and impact on the Conservations Area. There would be no change to the residential amenity brought about by the proposal because the external seating area already exists and there have been no enforcement complaints in this regard in the past four years.

### 2 Design

2.1 The proposed alterations to the shopfront would introduce a better quality development, which is more appropriate in this location and preserves the character of the Conservation Area. This complies with the Conservation Area Management Guide (pages 43 – 44), in that there would no loss of original features. Generally, the proposed shopfront would be better proportioned than the existing non-original one, with the introduction of additional glazing above the doors. The proposed awning would also be an improvement, as it now complies with CPG1 (page 66). The development would relate to the architectural style of the building and the surrounding facades, in compliance with CPG1 (paragraph 7.11). A linear pattern of window and door openings exists along this street, with little or no curved features (such as the archway at the existing unit) noted.

2.2 The replacement signage also would be an improvement to the existing. Both the projecting and the fascia signs would be reduced in size and would be externally illuminated by swan-

neck spot lights for the fascia and trough lighting for the projecting sign. The menu board would be non-illuminated and non-intrusive on the frontage. The proposed signage would therefore have a positive visual impact on the building and the conservation area.

- 2.3 No public safety issues would be brought about by the proposed new signage or the illumination. The proposed lighting on the awning would be preferable to numerous floodlights which have been attached to the frontage.

### **3. Amenity**

- 3.1 A planning history of the site indicates that no planning permission had been granted for the open frontage or the external seating area. It has however been established using an in-house street imagery software that the seating area has been in-situ since at least 2007 and for the past 4 years. This makes the development exempt from any formal enforcement action. As such, the development would not bring about any new issues with residential amenity and there would be no change in the existing impact on the surrounding residents in terms of noise.
- 3.2 In terms of visual amenity and the visual impact on the Conservation Area, the proposal is acceptable, as discussed above.
- 3.3 The impact of the proposed replacement shopfront on the street has also been considered. The pavement measures 3.2m in width in this location and the proposed seating area, including planters, would project by 1.3m, which is the extent of the applicant's ownership. A sufficient clear-way of 1.9m will therefore remain for the passing public, which is acceptable.

### **4. Recommendation**

- 4.1 Having given consideration to the above assessment it is considered that the proposal generally complies with the relevant Camden Council Core Strategy and Development Policies and guidance, set out above, as well as the Town and Country Planning Advertisement Regulations. It is therefore recommended that planning permission and advertisement consent should be granted subject to conditions for this proposal.

#### **DISCLAIMER**

Decision route to be decided by nominated members on Monday the 14<sup>th</sup> of July 2014. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing.'