



Appeal Decisions

Site visit made on 4 December 2012

by Simon Hand MA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 December 2012

Appeal A: APP/X5210/C/12/2180107

220-224 Tottenham Court Road, London, W1T 7PZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by DFS Trading Ltd against an enforcement notice issued by the Council of the London Borough of Camden.
 - The Council's reference is EN12/0599.
 - The notice was issued on 13 July 2012.
 - The breach of planning control as alleged in the notice is without planning permission: installation of new entrance that incorporates a fascia sign on the front elevation at ground floor level.
 - The requirements of the notice are to completely remove the unauthorised new entrance and incorporated fascia sign and reinstate the previous entrance.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Appeal B: APP/X5210/A/12/2179345

220-224 Tottenham Court Road, London, W1T 7PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by DFS Trading Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2012/0951/P, dated 15 February 2012, was refused by notice dated 28 June 2012.
 - The development proposed is the installation of a new section of shopfront to the Tottenham Court Road elevation of the building.
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Appeal C: APP/X5210/H/12/2179383

220-224 Tottenham Court Road, London, W1T 7PZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by DFS Trading Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2012/0919/A dated 8 May 2012, was refused by notice dated 28 June 2012.
 - The advertisement proposed is one internally illuminated fascia sign to front elevation on Tottenham Court Road.
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Procedural Matters

1. The application relating to appeal C would appear to have been for four advertisements: two internally illuminated projecting signs, a fascia sign and

two sets of high level vinyl lettering to the front of the building and a fascia sign to the rear. The Council issued a split decision, allowing the two internally illuminated projecting signs but refusing the fascia sign to the front. No mention was made of the rear fascia sign or the vinyl lettering. The appeal specifically states it is for the refused fascia sign only and I have amended the description of development accordingly.

2. The plans and artists impression provided with the three appeals do not match up, with each other, or with what has been installed on the shop. I have therefore based my decision on the new entrance way as installed, which is similar to that shown on drawing no 5442/A1/201_3.

Decisions

Appeal A

3. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the installation of new entrance that incorporates a fascia sign on the front elevation at ground floor level on land at 220-224 Tottenham Court Road, London, W1T 7PZ referred to in the notice.

Appeal B

4. The appeal is allowed and planning permission is granted for the installation of a new section of shopfront to the Tottenham Court Road elevation of the building at 220-224 Tottenham Court Road, London, W1T 7PZ in accordance with the terms of the application, Ref 2012/0951/P, dated 15 February 2012, and the plan 5442/A1/201_3 submitted with it.

Appeal C

5. The appeal is allowed and consent is granted for the display of the entrance fascia as applied for. The consent is for 5 years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main Issue

6. Whether the new entrance harms the character and appearance of the host building or the Bloomsbury Conservation Area.

Reasons

7. The new entrance as installed is not like that shown on the artist's impression. It is smaller and does not cut across the cornice. Nor does it obscure the projecting columns as alleged by the Council. In fact it fits into the building with clarity and simplicity. The columns and fascia for the whole shop have been painted white and the entrance continues this theme. Contained entirely within the ground floor of the building it helps unify the façade and draws the eye into the building, without competing with the attractive upper floors.
8. The Council's guidance prefers the use of timber and traditional materials in Conservation Areas. However, in this busy shopping street, with many large department stores, the use of modern materials such as steel and glass are predominant. In this context the nature of the material itself is less important than the use made of it. I find the entrance to be pleasing and harmonious, in

keeping with the building and the modern retail image of the ground floor. The upper floors with their wealth of historic detail are unaffected, indeed the simplification of the ground floor, compared to the previous signage that was allowed, is a positive benefit, lending an overall sense of coherence to the building as a whole.

9. I shall allow the enforcement appeal and quash the notice and allow the advertisement and planning appeals but restricting the latter to the plan 5442/A1/201_3.

Simon Hand

Inspector