

**BRIEFING NOTE**  
**MARQUIS OF CORNWALLIS**  
**30<sup>th</sup> March 2016**

**Background**

Camden Council has alleged a number of changes made to the elevations of the property are not authorised. The main works complained about are: -

1. Unauthorised externally illuminated fascia sign to Coram Street elevation.
2. 6 number spotlights located on brick elevations above shop front (3 each to Coram Street and Marchmont Street elevations).
3. Two externally illuminated awnings to Coram Street elevation.
4. Wooden post on corner of forecourt fixed to building with metal bracket.
5. Projecting sign fixed to wooden post.
6. Two CCTV cameras fixed to wooden posts.
7. Four heaters (associated with illuminated awnings) to Coram Street elevations.
8. Wooden planters at top of shop front on both elevations.
9. Two Satellite Dishes to Coram Street Elevation.
10. Spotlight to Roof Level to Coram Street Elevation.
11. Three Spotlights to left hand side of Coram Street Elevation
12. Sensor Light above Residential Door on Coram Street Elevation

**Key dates**

- Public house converted into a Goose & Granite circa 1996
- Public house converted back to Marquis of Cornwallis circa 2006
- Use of pavement to Coram Street elevation, as external customer terrace, regularised circa 2009

**Planning Issues**

The alleged unauthorised works involve various developments and / or the display of advertisements.

Works which require planning permission are lawful if they: -

- Do not need permission, as they do not materially alter the external appearance of the building.
- Benefit from deemed planning permission.

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- Benefit from the express grant of planning permission (from a local planning authority or at appeal)
- Are immune from enforcement action through the expiry of time (in this case four years).

Works requiring advertisement consent are lawful if: -

- They are exempt from advertisement control.
- The benefit from deemed advertisement consent.
- They benefit from the express grant of advertisement consent issued by a local planning authority
- The sign has been erected for more than ten years

### Planning History

Application Number	Proposal	Decision
2015/2439/TC	3 Tables and 9 Chairs Monday to Sunday 10:00 - 18:00 Renewal Application	Withdrawn
2014/2039/TC	3 Tables and 9 Chairs Monday to Sunday: 10:00 - 18:00 Renewal Application	Granted
2013/1930/TC	3 tables and 9 chairs Monday to Sunday: 10:00 - 18:00 Renewal Application	Granted
2012/1530/TC	3 tables and 9 chairs Monday to Sunday: 10:00 - 18:00 Renewal Application	Granted
2011/0740/TC	3 tables and 9 chairs Monday to Sunday: 10:00 - 18:00 Renewal Application	Granted
2010/0759/TC	3 tables and 9 chairs on the highway between 10:00am - 18:00pm Monday to Sunday. Renewal application.	Granted
2009/1438/TC	To place 3 tables and 9 chairs on the highway between 10:00am - 18:00pm Monday to Sunday	Not available
2006/4105/P	Change of use of the 3rd floor staff rooms ancillary to the public house (Class A4) to 1x self-contained 3-bedroom flat (Class C3).	Granted Subject to a Section 106 Legal Agreement.
2006/2866/A	Display of externally illuminated fascia and projecting signs.	Granted
2006/2864/P	Replacement of 1x window on the side elevation and 3x windows on the front elevation with double glazing folding windows to match the existing windows of the pub (Class A4) at ground floor level.	Granted.
AS9604168R1	Display of externally illuminated fascia panel, projecting box sign, carriage lamps, as shown on drawing nos. 9088/2F and 9088/19A.	Grant Approval for Advertisement
AS9604168	Display of fascia and illuminated hoarding. (Plans submitted)	Withdrawn Application-revision received

A9602086R1	Display of an internally illuminated fascia panel, one x externally illuminated hanging sign, two carriage lamps and externally illuminated high level lettering on the Marchmont Street frontage, as shown on drawing nos. 9088/2 D, 9088/1 A and 9088/19.	Refuse Consent for Advertisement
A9602086	Display of internally illuminated fascia, pictorial sign, high level logo, amenity boards, menu box, collective signs and post hanging lantern/sign. (Plans submitted).	Withdrawn Application-revision received
P9600228	First floor extension to kitchen. (Plans submitted)	Withdrawn Application
8780222	The display of: - 1.an externally illuminated sign at parapet level 2.an externally illuminated cartouche at first floor level as shown on drawing number 1442/30. Period of Consent: from 1st December 1987 to 30th November 1992.	Grant Approval for Advertisement
8701990	The retention of seven gas-lit lanterns at fascia level together with floodlights and external alterations as shown on drawing number 1442/30.	Grant Full or Outline Planning Permission.
AD1712	The display of a projecting externally illuminated pictorial public house sign of dimensions 0.5 metres by 0.4 metres on the Marchmont Street frontage above the street name-plate.	Refusal
CA1879	The erection of 2 internally illuminated, rectangular box signs measuring 0.457m x 0.457m x 2.236m (18" x 18" x 90") affixed above the entrances on the Coram and Marchmont Street frontages. 1 internally illuminated cube sign measuring 0.419m x 0.419m x 0.419m (16.5" x 16.5" x 16.5"), affixed above off licence doorway on Coram Street. 1 externally lit pictorial sign, measuring 1.016m x 1.270m (40" x 50") to be affixed above fascia level on the Marchmont Street frontage.	Granted.

### 1: Externally Illuminated Fascia Sign to Coram Street Elevation

The Council's email of 4<sup>th</sup> December alleges that this sign is larger than that granted in 2006 under ref 2006/2864/A. This does appear to be the case, however, the sign has been in position for 10 years (and is lawful).

**Proposed Action:** The Company is proposing to remove the fascia sign under application ref 2015/6563/A.

### 2: Six number spotlights located on brick elevations above shop front (3 each to Coram Street and Marchmont Street elevations).

The Spotlights do not illuminate any sign and, therefore, if permission is required it is planning permission (not advertisement consent).

The spotlights do not materially alter the external appearance of the building and do not, therefore, require planning permission. The test needs to be undertaken during the day - and not during the night, when the lights are on.

It would appear that 7, of the 6, lights are shown on a drawing submitted to the Council dated June 1996 as part of an advertisement application for Goose & Granite signage (ref A9604168). Permission was granted and the spotlights are authorised.

**Proposed Action:** The Company will remove the spotlights if advertisement application 2015/6563/A is approved.

### **3: Two Externally Illuminated Awnings to Coram Street**

The contractor who supplied the awnings has confirmed that they were erected in July 2007. Accordingly, the four year rule applies and they are lawful.

**Proposed Action:** The Company wishes to retain the awnings but would be happy to replace the valences.

### **4: Wooden Post on corner of Forecourt Affixed to Building by a Metal Bracket**

Drawings and photos submitted with various applications, going back to at least 1996, show a wooden signpost in this location. The only thing that may be more recent is the bracket attaching it to the building (presumably for structural / stability purposes). The bracket is de-minimis.

**Proposed Action:** The Company has removed the post and made good the forecourt.

### **5. Projecting Sign Affixed to Wooden Post**

The current projecting sign is not that approved in 2006 (which is the last grant of advertisement consent). It is, however, of the same size and looks to be illuminated in the same manner so the change is de-minimis.

**Proposed Action:** The Company has removed the sign and proposes to affix it to the building at fascia level.

### **6: CCTV Cameras to Wooden Post**

The CCTV cameras are noted on drawings submitted with the 2014 and 2015 applications to renew the pavement license. However, no drawings are available for the 2009, 2010, 2011, 2012 or 2013 applications.

The CCTV cameras appear to monitor the external drinking area and they are probably a requirement of the site license. They have been in place for 4 years and are, therefore, lawful.

**Proposed Action:** Removed and replacements to be put up on the elevations. Permission only needed if they materially alter the external appearance of the building.

### **7: Four Heaters to Coram Street Frontage**

These are positioned below the awnings and are associated with the external seating area. They have been there for four years and are lawful.

**Proposed Action:** To be retained.

### **8: Wooden Planters on Both Elevations**

Wooden planters are shown on drawings going back to the 1996 application for advertisement consent to convert the building into a Goose & Granite. They benefit from the express grant of planning permission; they have been there for more than four years; they are lawful.

**Proposed Action:** To be retained.

### **9: Two Satellite Dishes to Coram Street Elevation**

Photographs submitted with the 2006 application (ref 2006/4105/P) clear show the lower of the two satellite dishes. It has been there since at least 2006, and, accordingly, is lawful.

We cannot find any document relating to the second (higher) satellite dish but suspect that it was erected after the upper floors were converted into independent flats under permission 2006/4105/P). The satellite dishes relate to the flats and have probably been erected by the residents.

**Proposed Action:** Not the responsibility of MAB.

### **10: Spotlight to Roof Level to Coram Street Elevation**

We assume that this is the spotlight, just below parapet level, that illuminates The Marquis of Cornwallis plaque in the projecting pediment gable. It is shown on the photographs submitted with application 2006/4105/P and also on drawings submitted with the advertisement application for the Goose Conversion in 1996. It is lawful.

**Proposed Action:** To be retained.

### **11: Three Spotlights to left hand side of Coram Street Elevation**

We are not sure which features these are?

### **12: Sensor Light above Residential Door on Coram Street Elevation**

This light is required for security reasons. It is de minimis and was erected over four years ago when the upper floors were converted to flats. It is lawful.

**Proposed Action:** To be retained.