

38 Tottenham Court Road (2017/2530/L & 2017/1398/A)



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Photo 1 – Tottenham Court Road elevation



Photo 2 – Tottenham Court Road elevation (facing north)



Photos 3 & 4 – views of Tottenham Court Road and Percy Street



Photo 5 – earlier view of shopfront (circa 2002)



Photo 6 – earlier view of shopfront (circa 2016)



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>19/07/2017</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>02/06/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Tony Young			2017/2530/L 2017/1398/A		
<b>Application Address</b>			<b>Drawing Numbers</b>		
38 Tottenham Court Road London W1T 1BZ			Refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
<ol style="list-style-type: none"> <li><u>Listed Building Consent application:</u> Internal and external alterations in connection with the display of an internally illuminated (lettering and logo only) fascia sign, internally illuminated (lettering only) projecting sign, and internal digital TV screen; and retention of vinyl applied internally to glass and painting of façade (all works on Tottenham Court Road elevation).</li> <li><u>Advertisement Consent application:</u> Display of internally illuminated (lettering and logo only) fascia sign, internally illuminated (lettering only) projecting sign, and internal digital TV screen (all signage displayed on Tottenham Court Road elevation).</li> </ol>					
<b>Recommendation(s):</b>		<ol style="list-style-type: none"> <li>Grant conditional listed building consent</li> <li>Grant conditional advertisement consent</li> </ol>			
<b>Application Type(s):</b>		<ol style="list-style-type: none"> <li>Listed Building Consent</li> <li>Advertisement Consent</li> </ol>			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses from local residents</b>	<p>Site notice was displayed from 10/05/2017 to 01/06/2017</p> <p>Press notice was published on 12/05/2017 and expired 31/05/2017</p>					
<b>CAAC/Local groups comments</b>	<p>The Bloomsbury Association objected to the proposals as follows:</p> <ol style="list-style-type: none"> <li>1. <i>“The proposed signage, combined with the brilliant white paint and high intensity lighting on that part of the shopfront, is too large, will be too dominant in the overall composition of the facade and will detract from its architectural integrity and historical significance.</i></li> <li>2. <i>It will also detract from the setting of Grade I listed buildings in Bedford Square when viewed from its north-west corner along Bayley Street.”</i></li> </ol> <p><u>Officer response to points 1 and 2:</u></p> <p>Please see paragraphs 1-13 In main body of report. The Council’s Conservation Officer has assessed the proposals and has no objection.</p>					

### Site Description

The application site is located on the western side of Tottenham Court Road and on the corner with Percy Street. The property is a Grade II listed former terraced house which dates from 1764-70 and was built by W.Franks, W.Richmond, H.Roydhouse and J.Pritchett. The 3-storey building has a retail use at ground floor level with non-original late 19th Century shop frontages on Tottenham Court Road and Percy Street. It has been identified as being a shopfront of merit within the Charlotte Street Conservation Area within which it sits (Charlotte Street Conservation Area Appraisal and Management Plan, adopted in July 2008).

### Relevant History

PSX0204908 - The installation of a new shopfront fascia panel and external shutter and shutter box. Planning permission granted 26/11/2002

LSX0204907 - Refurbishment and partial replacement of existing shopfront and display of externally illuminated fascia signs. Listed building consent granted 26/11/2002

ASX0204906 - Display of externally illuminated fascia signs to the Tottenham Court Road and Percy Street façade. Advertisement consent granted 26/11/2002

PSX0204117 & LSX0204118 - Installation of a new shopfront. Planning permission & listed building consent refused 07/05/2002 as it would result in the loss of original fabric.

A9602645 - Display of an internally illuminated wall sign at first floor level measuring 4.5 metres by 2 metres. Advertisement consent refused 26/09/1996 for reasons of size, design and location (and in absence of associated listed building application).

8570329 & 8580271 – Display of 2 internally illuminated fascia signs on the Tottenham Court Road and Percy Street frontages. Listed building & advertisement consents granted 19/03/1986

AC/475 - Vitrolite fascia signs on Percy St. and Tottenham Court Road frontages lettered "CURTIS & CO. TAILORS" and on splayed angle lettered "TAILORS" and "CASH AND CREDIT" in 12" and 6" letters, illuminated with red or blue neon except the Percy St. frontage. Advertisement consent granted 30/09/1953

Other relevant application(s):

A listed building consent application has been submitted to the Council (2017/1419/L) with regard to all other unauthorised internal works carried out at the application site. This application is yet to be determined.

## **Relevant policies**

### **National Planning Policy Framework 2012**

### **The London Plan March 2016**

#### **Camden Local Plan 2017**

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

D4 - Advertisements

#### **Camden Planning Guidance**

CPG1 (Design) 2015 (including Chapter 8: Advertisements, signs and hoardings)

CPG6 (Amenity) 2013

### **Charlotte Street Conservation Area Appraisal and Management Plan (adopted July 2008)**

### **Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013**

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

## **Assessment**

### **Proposal**

1. Listed building and advertisement consent is sought in connection with the following alterations to the Tottenham Court Road elevation:
  - Display of an internally illuminated (lettering and logo only) fascia sign. The lettering and logo would be centrally positioned on a timber fascia board and would measure 2075mm (W), 600mm (H), and 75mm (in thickness). The lettering and logo would be edge illuminated via concealed LED lighting (the tag-line lettering and background fascia to remain non-illuminated) and fixed flush to 50mm deep aluminium face tray. The non-illuminated fascia board itself on

which the lettering and logo would be fixed extends 8160mm wide by 755mm high and would be painted white. There is currently a temporary non-illuminated banner sign visible occupying the fascia space;

- Display of an internally illuminated (lettering and logo only) projecting sign. The sign would be double-sided and measure 500mm (W), 500mm (H), and 150mm (in thickness). The lettering only would be illuminated via internally concealed LED lighting and fixed to fascia via section arm and box plate;
- Display of a digital TV screen (50 inch), housed internally inside the shopfront glass;
- Retention of a non-illuminated vinyl sign applied internally to the inside glass face of the shopfront window measuring 1700mm (W) and 380mm (H). This is considered to benefit from deemed advertisement consent and as such consideration is given in this report only in so far as listed building consent is required;
- Retention of painting of shopfront (Dulux Weathershield, Satin RAL 9010, colour white); and
- Other signage already displayed and referred to on submitted documents/drawings includes an internally illuminated LED lightbox fixed internally to a rear wall and set back by more than 1m from the glass frontage. This matter is being considered under a separate listed building consent application (2017/1419/L) and is shown on the plans/documentation for information purposes only.

### **Revisions**

2. Concerns were initially raised in relation to the proposed fascia sign in so far as it might sit too far forward of the fascia board so as to obscure the existing decorative corbels. Concerns were also expressed about the high luminance levels and extent of illumination, and how this might be unsympathetic to the special architectural and historic interest of the listed building and the character and appearance of the Charlotte Street Conservation Area. In response, the proposal was revised and drawings amended to reposition the fascia board and sign in a more appropriately recessed position, and to reduce the level and extent of illumination to lettering/logo only for both fascia and projecting signs at luminance levels of 400 cd/m for both (from 600 cd/m) and 500 cd/m for the proposed digital TV screen (from 1,500 cd/m).

### **Assessment**

3. The principal considerations material to the determination of this application are:
  - a) the design and impact of the proposal on the special architectural and historic interest of the listed building and the character and appearance of the Charlotte Street conservation area;
  - b) impact of the proposal on neighbouring amenity; and
  - c) impact on public safety (in so far as the Town and Country Planning (Control of Advertisements) Regulations 2007 allow consideration in this regard).

### **Design and appearance**

4. Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. Local Plan Policy D2 (Heritage) states that the Council will only permit works that would not "*cause harm to the*

*special architectural and historic interest of the building, and resist development that would cause harm to significance of a listed building through an effect on its setting.”*

5. The Charlotte Street Conservation Area Appraisal and Management Plan adopted in 2008 recognises that new development can create pressure for new or additional advertisements and that *“inappropriate, excessive and illuminated signage”* can have a detrimental impact on the character and appearance of the area. More specifically, Local Plan Policy D4 (Advertisements) affirms that the type and appearance of illuminated advertisements should be sympathetic to the design of the building and *“must not obscure or damage any special architectural features of the building.”* Further, Camden Planning Guidance (CPG1 – Design) advises that any illumination should be sympathetic to the design of the building in which it is located.
6. With regard to signage in particular, the Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.
7. The fascia and projecting signs which are externally positioned do not obscure or damage any architectural features of the building and are considered acceptable in terms of their proportions, design and colour. The method of illumination for the proposed signs by means of illuminated lettering and logo only via concealed LED lighting at maximum luminance levels of 400 cd/m is also considered to be acceptable.
8. The digital TV screen would be housed internally inside the shopfront glass and would face outwards towards Tottenham Court Road. The screen does not obscure or damage any architectural features of the building and is considered acceptable in terms of its proportions, design and colour. The maximum luminance level of 500 cd/m is also considered to be acceptable.
9. The non-illuminated vinyl sign applied internally to the inside glass face of the shopfront window is considered to be sufficiently sized not to impact adversely on the appearance of the building or shopfront, nor obscure or damage any architectural features of the building, and would be acceptable. The sign is considered to benefit from deemed advertisement consent.
10. The luminance levels of all signage has been reduced to levels suitable within the context of the Grade II listed host building and Charlotte Street Conservation Area, and is consistent with the commercial character of this part of Tottenham Court Road. As such, they are considered not to be unduly obtrusive in the street scene nor would they impact adversely on wider views. Concern was expressed by The Bloomsbury Association that the signage and repainted shopfront might detract from the listed buildings located within Bedford Square; however, this is not considered to be the case given the extent of the distance between them, as well as, the narrow perspective from Bedford Square towards the host building which affords only a limited view.
11. It is accepted that painting the shop façade from red/maroon to white on the Tottenham Court Road elevation represents a change in colour. However, the white colour has been carefully applied to only the Tottenham Court Road elevation, the existing corner angle with Percy Street and the Percy Street façade itself remaining unchanged. This ensures that the Tottenham Court Road and Percy Street are read as two separate façades, reflecting the recent sub-division into two retail units, so providing distinct and clearly defined appearances of each façade when viewed from either street. Furthermore, there is no evidence of any particular colour associated with the ground floor shopfront, the most recent history indicating that the façade was altered from red as recorded in the listing description in 1974 to a combination of dark blue and white in 2002, followed by a further change to a deep red/maroon colour in more



recent years. Given that the shopfront has been recognised as one of merit, it is also noted that no other shopfront changes are proposed and that the applied paintwork is completely reversible. The paintwork and colour is therefore considered to be in-keeping with the historic interest and character of the listed building and wider conservation area.

12. Overall, in design terms the proposal is considered to be visually appropriate and would preserve the special architectural and historic interest of the listed building, and would not harm the character and appearance of the Charlotte Street Conservation Area. The proposal is in accordance with Council policies and guidelines, and would be acceptable.
13. Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

### **Amenity**

14. Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. More specifically, it states that "*artificial lighting should only illuminate the intended area and not affect or impact on the amenity of neighbours.*" CPG6 (Amenity) also recognises that excessive or poorly designed lighting can be damaging to the environment and result in visual nuisance, including having a detrimental impact on the quality of life for neighbouring residents.
15. It is considered that all proposal would not be unduly obtrusive in the street scene or disturb residents or occupiers. In particular, the luminance levels of all proposed signage has been lowered to levels appropriate within the context of the commercial environment of this part of Tottenham Court Road and in order to avoid any adverse effects of excessive lighting levels on occupiers and neighbouring residents. Due to the location and nature of the proposals therefore, they are not considered to cause harm to neighbouring amenity in terms of outlook, sunlight/daylight, or privacy. The proposals therefore accord with policies A1 and D4, and with Camden Planning Guidance.

### **Public Safety**

16. The location of the signage is not considered harmful to either pedestrian or vehicular traffic in accordance with National Advertisement Regulations and Camden Planning Guidance. The proposals therefore raise no public safety concerns.

### **Recommendation**

17. The proposed development is considered acceptable in terms of its design and impact on the listed building and wider Charlotte Street conservation area, and there is considered to be no adverse impact on the residential amenity of neighbouring occupiers, nor public safety concerns. The development is also deemed consistent with objectives and guidance, as well as, in general compliance with the policies identified above. It is therefore recommended that listed building and advertisement consents be granted.

### **DISCLAIMER**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17th July 2017,***

***nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Gravity Design Associates  
Old Bank  
Morocco Street  
LONDON  
SE1 3HB

Application Ref: **2017/2530/L**  
Please ask for: **Tony Young**  
Telephone: 020 7974 **2687**

11 July 2017

**DRAFT**

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**38 Tottenham Court Road**  
**London**  
**W1T 1BZ**

**DECISION**

#### Proposal:

Internal and external alterations in connection with the display of an internally illuminated (lettering and logo only) fascia sign, internally illuminated (lettering only) projecting sign, and internal digital TV screen; and retention of vinyl applied internally to glass and painting of façade (all works on Tottenham Court Road elevation).

Drawing Nos: (GD460\_GA\_)001, 002, 010 rev A; (GD460\_E\_)020 rev A, 021, 200 rev B, 202 rev A; GD460\_S\_300 rev A; 17-164 iSmash Tottenham Court Road - Revised Ext Rev 0; TV Window Display Sheets from Quantum (pages 1 to 3); Heritage, Design & Access Statement from Gravity Design Associates (dated March 2017).

The Council has considered your application and decided to grant subject to the following condition(s):

#### Conditions And Reasons:

- 1 The works hereby permitted shall be completed within 3 months from the date of this consent.

Executive Director Supporting Communities



Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policies D1 and D2 of Camden Local Plan 2017.

- 3 All new external works and finishes, and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

In particular, due care should be taken when both fixing any signage to the existing fabric of the building to ensure that minimal intervention is made to the existing external material, as well as, during any subsequent removal of signs in the future to ensure that works of making good return the building as closely as possible to its existing state.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policies D1 and D2 of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the need to obtain planning permission and/or consent(s) for any internal or external works already carried out which are not the subject of this application and which may also be shown on the approved plans/documentation. The granting of this consent is without prejudice to, and shall

not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Town and Country Planning Act 1990 as amended.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**

Gravity Design Associates  
Old Bank  
Morocco Street  
LONDON  
SE1 3HBApplication Ref: **2017/1398/A**  
Please ask for: **Tony Young**  
Telephone: 020 7974 **2687**

11 July 2017

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990

**Advertisement Consent Granted**Address:  
**38 Tottenham Court Road**  
**London**  
**W1T 1BZ****DECISION**

## Proposal:

Display of internally illuminated (lettering and logo only) fascia sign, internally illuminated (lettering only) projecting sign, and internal digital TV screen (all signage displayed on Tottenham Court Road elevation).

Drawing Nos: (GD460\_GA\_)001, 002, 010 rev A; (GD460\_E\_)020 rev A, 021, 200 rev B, 202 rev A; GD460\_S\_300 rev A; 17-164 iSmash Tottenham Court Road - Revised Ext Rev 0; TV Window Display Sheets from Quantum (pages 1 to 3); Heritage, Design &amp; Access Statement from Gravity Design Associates (dated March 2017).

The Council has considered your application and decided to grant consent subject to the following condition(s):

## Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Executive Director Supporting Communities



Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

Informative(s):

- 1 The applicant is advised that the proposal to retain a non-illuminated vinyl sign as shown on the submitted drawings is considered to benefit from deemed advertisement consent, as defined by Schedule 3, Part 1, Class 12 of the Town and Country Planning (Control of Advertisements) Regulations 2007, and therefore does not require formal determination by the local authority by way of an advertisement consent application.
- 2 Your attention is drawn to the need to obtain planning permission and/or consent(s) for any internal or external works already carried out which are not the subject of this application and which may also be shown on the approved plans/documentation. The granting of this consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Town and Country Planning Act 1990 as amended.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**