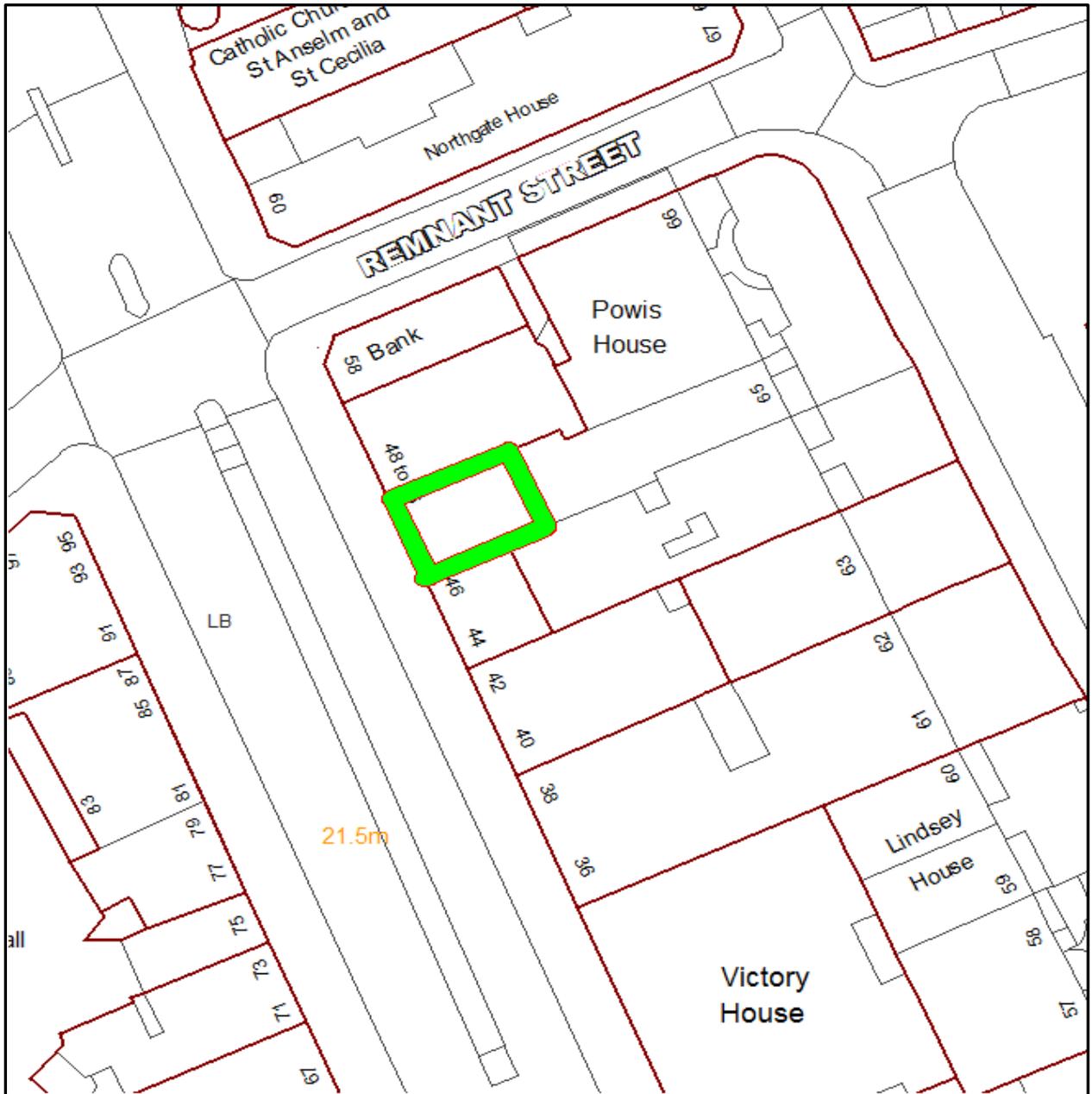
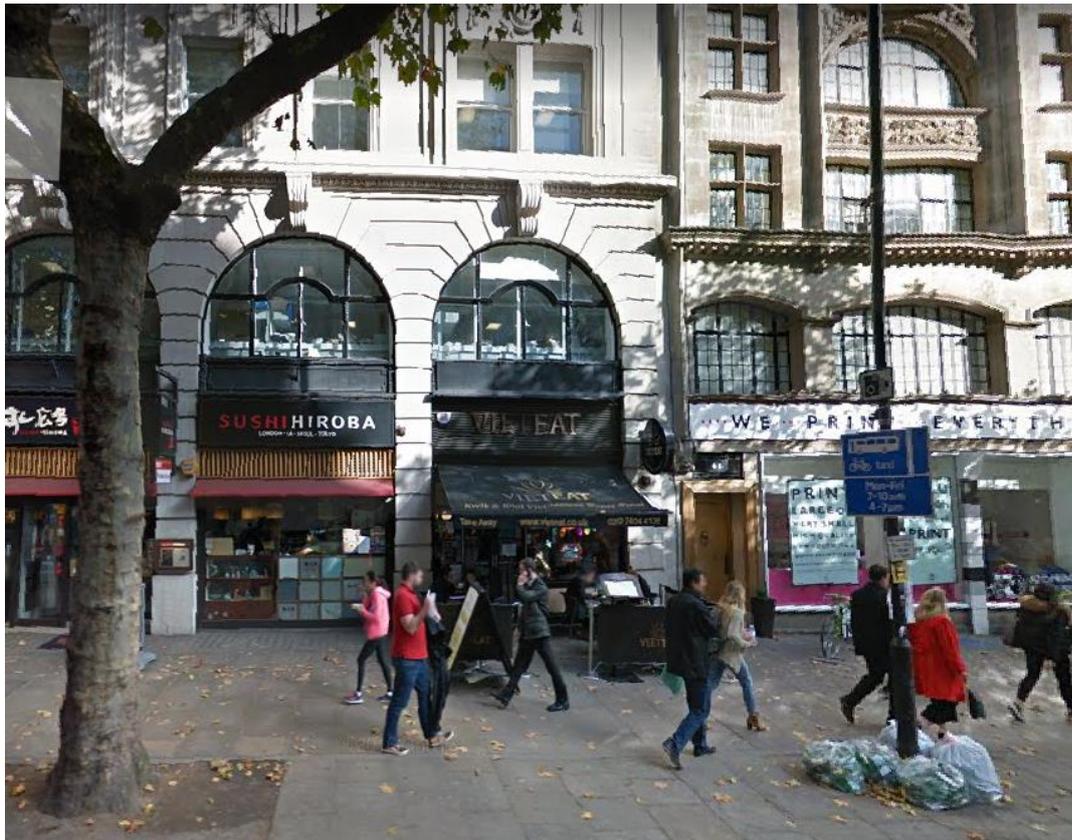


2017/2562/A

48 Kingsway



View of the 'Viet Eat'



View of the shopfront at an angle



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>30/06/2017</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	N/A
<b>Officer</b>			<b>Application Number(s)</b>	
Matthias Gentet			2017/2562/A	
<b>Application Address</b>			<b>Drawing Numbers</b>	
48 Kingsway LONDON WC2B 6EP			HD17008//100 RevA.	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Display of an externally illuminated fascia sign at upper level and the relocation of an existing internally illuminated projecting sign.				
<b>Recommendation(s):</b>		<b>Granted conditional Advertisement Consent</b>		
<b>Application Type:</b>		<b>Advertisement Consent</b>		

<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>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	Consultations were not carried out for this particular application. No responses were received.					
<b>Local groups comments:</b> Covent Garden Community Association	<p>An objection from the Covent Garden Community Association was received, as follow:</p> <p>The CGCA objects to the use of internal illumination, as this method of illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Camden planning policy (see CGP1, 8.11-8.15; &amp; DP25). Additionally, national guidance, as set forth in the Department of Communities &amp; Local Government's "Outdoor advertisements and signs: a guide for advertisers," clearly states that Class 4 (illuminated advertisements) "does not extend to any premises in a Conservation" (p. 17).</p> <p><u>Officer's Response:</u></p> <p><i>Policy DP25 of the former plan related to heritage and design. The proposal is assessed against current policies D1, D2 and D4 and considered acceptable due to the character of the immediate streetscene which already includes several examples of this type of illumination. See paragraph 1.9</i></p> <p><i>Class 4 of The Town and Country Planning (Control of Advertisements)(England) Regulations 2007 applies to advertisements that have or are considered to have deemed consent. It does not apply to the signage forming part of this application which requires express consent.</i></p>					

## Site Description

The site address is part of an 8-storey 19c building of architectural merit which comprises restaurants at ground and first floor, and offices/professional at upper levels. The elaborate elevation is composed of decorated Portland stone façade with parapet and cornice details, attic storeys, dormers and pieces of sculptures above the entrances on the apex and Kingsway elevations.

The building is located on the north-east side of Kingsway and on the corner with Remnant Street. It is not listed but is within Kingsway Conservation Area and 'framed' by Grade II listed buildings.

## Relevant History

### Site Address History:

8580258 – (granted on 20/11/1985) - Temporary site name board to be erected onto scaffolding.

### Adjacent Site History:

#### No36-38

2016/2703/A – (granted on 24/05/2016) - Display of an Internally illuminated projecting fascia and projecting sign.

#### No58

2017/3427/A – (granted on 07/08/2017) - Display of 1 x externally illuminated fascia sign above main entrance to Bar and 5 x awnings above existing windows.

#### No65

2017/2089/A – (granted on 26/05/2017) - Display of 2 x externally illuminated projecting signs to Keeley Street and Kingsway elevations.

#### No67

2015/6554/A – (granted on 10/02/2016) - Display of 5 x internally illuminated (Halo) lettering fascia signs to Kingsway and Wild Court elevations, 1 x internally illuminated neon letters projecting sign and 1 x internally illuminated menu sign to Kingsway elevation.

### Enforcement Site History:

EN16/0467 - Unauthorised display of an internally illuminated projecting sign and awning – investigation on hold pending outcome of advert application

## Relevant policies

### National Planning Policy Framework 2012

### The London Plan March 2016

### Camden Local Plan 2017

A1 – Managing the Impact on Development

D1 – Design

D2 – Heritage

D4 - Advertisement

### Camden Planning Guidance

CPG1 (Design) 2015 – Chapter 8

### Kingsway Conservation Area Appraisal (2001)

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

### 1. Background

- 1.1 This application has been submitted in response to Enforcement Case reference: EN16/0467 [see relevant history above] for the unauthorised display of the internally illuminated projecting sign.
- 1.2 There are currently 2no fascia signs displayed on the commercial elevation: one is non-illuminated and at lower level – right above the shopfront, and the other, located higher on the louvre/grill is externally illuminated. Neither sign has consent and are therefore unauthorised.
- 1.3 The purpose of this application is to address the lack of approval for the various elements of the commerce's advertisement.
- 1.4 Revisions have been sought due to the unacceptability of the current setting.

#### Fascia Signs:

- 1.5 A commercial elevation can only accommodate one fascia sign. The only instance where 2no fascia signs would be permitted would be for long or double commercial frontages. In this particular setting, the 2no existing fascia signs are located on top of each other which is unacceptable as it creates visual clutter and make the lower part of the façade untidy and unattractive.
- 1.6 To be in accordance with CPG1 (Design) which clearly states that '*the fascia should be of a suitable size and proportion in relation to the building and should not normally extend above the cornice or below the capital as it would upset the overall balance and proportions of a shopfront or parade. Properties should only have one main fascia sign and one ancillary projecting or hanging sign per street frontage, although two projecting signs may be appropriate in cases of large shopfronts stretching across two or more shop units. Too many adverts/signs on a property contribute to visual clutter and can detract from the appearance of the street scene.*', one of the fascias had to be removed from the proposal.
- 1.7 The existing upper fascia is to be retained but with added lettering at its base which now forms part of this application.

#### Projecting sign:

- 1.8 The existing projecting sign is slightly lower than the upper fascia sign that is to be retained. As such, to ensure a more balance appearance, the projecting sign is to be relocated upwards, to sit on the same level of the upper fascia.

#### Method of Illumination

- 1.9 Although internally illuminated box signs are discouraged by CPG1, the guidance does state that the internal illumination of individual letters, rather than the whole projecting sign, will be more appropriate, which is the case here, and such signs are widely displayed along Kingsway. The Relevant History reflects this by providing a sample of recently approved application whereby signs are internally illuminated.
- 1.10 The method of illumination, in this instance, is considered to be acceptable.

### 2. Proposal

- 2.1 Advertisement Consent is sought for the display of an externally illuminated fascia sign at upper level and the relocation of the existing internally illuminated projecting sign.

### 3. Assessment

- 3.1 The principle considerations in the determination of this application are:

- Amenity
- Impact on Public Safety

### 4. Amenity

### Fascia Sign:

- 4.1 The upper fascia sign measures 3.1m in width by 0.6m in height and is to be displayed on the grill/louvre located between the arch window at first floor level and the shopfront. It is to be illuminated externally by an existing downlighter.
- 4.2 The main and focal part of the sign comprises individual letters spelling 'VIETEAT' measuring 0.4m in height and width (with variations depending on the individual letter type) above and is to remain unchanged, and smaller writing at the bottom measuring approximately 0.1m in height and width (with variations depending on the individual letter type).
- 4.3 The upper fascia would be on the same level of the adjacent fascia signs at No50-56 on the left hand side, and No46 on the right hand side.
- 4.4 The upper fascia and its method of illumination are considered acceptable and would not be detrimental to the host building, the streetscape and conservation area.

### Projecting Sign:

- 4.5 The existing internally illuminated projecting sign is circular and measures 900mm by 900mm. It is currently affixed at a lower level than the adjacent fascia sign. Its size, design and method of illumination is to remain unchanged with only the letters illuminated. However, it is to be relocated slightly higher to be level with the fascia sign to produce a better balanced and tidier commercial frontage.
- 4.6 Although the size of the existing projecting sign has raised concerns, its retention would not warrant a refusal. The host and surrounding buildings are of a large size. This allows for the feature to be 'absorbed' as part of the commercial design and identity of the lower part of the property.
- 4.7 As such, the relocation will in some part offset the impact of the size of the projecting sign.
- 4.8 Camden Planning Guidance CPG1 (Design) states that good design should positively enhance the character, history and nature of the buildings immediately adjacent and in the surrounding area, and any strategic or local views; respect and be sensitive to the natural and physical features. Materials should form an integral part of the design process and should relate to the character and appearance of the conservation areas or within the setting of the listed buildings.
- 4.9 Camden's Local Plan 2017 policy D2 states that the Council will require that development within conservation areas preserves the character and appearance of the area.
- 4.10 The application site is located within the Kingsway conservation area, wherein the Council has a statutory duty, under section 72 (Conservation Areas) of The Planning Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 4.11 Overall, the proposed signage is considered to be acceptable and in accordance with policies A1, D1 and D2 of the Camden Local Plan 2017.

## **5. Public Safety**

- 5.1 Policy A1 and D4 of the Camden Local Plan 2017 states that Highway safety, with a focus on vulnerable road users should be considered. Advertisements will not be considered acceptable where they impact upon public safety including result in glare and dazzle or distract road users; distract road users because of their unusual nature; disrupt the free flow of pedestrians movement; or endanger pedestrians forcing them to step on to the road.
- 5.2 The type of signage and the level of illumination are commonly found on commercial frontages.
- 5.3 As such, the proposal is not raising any concerns in terms of pedestrians and highway safety, and is therefore considered acceptable.

## **6. Conclusion**

- 6.1 The proposed externally illuminated fascia sign and internally illuminated projecting sign, in terms of its size, design, location and method of illumination, are considered to be acceptable and will not be detrimental to the character and appearance of the host building, the streetscene and the conservation area, and will not be harmful

to the setting of the adjacent listed buildings.

## **7. Recommendation**

7.1 Grant conditional Advertisement Consent.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 29<sup>th</sup> August 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'.***

Derrick Wade Waters  
Edinburgh Gate  
HARLOW  
CM20 2FJ

Application Ref: **2017/2562/A**  
Please ask for: **Matthias Gentet**  
Telephone: 020 7974 **5961**

14 August 2017

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990

**Advertisement Consent Granted**

Address:  
**48 Kingsway**  
**LONDON**  
**WC2B 6EP**

**DECISION**

Proposal:

Display of an externally illuminated fascia sign at upper level and the relocation of an existing internally illuminated projecting sign.

Drawing Nos: HD17008//100 RevA.

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.

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

Executive Director Supporting Communities



- (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.

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**