

Delegated Report		Analysis sheet	Expiry Date:	12/10/2018
		N/A	Consultation Expiry Date:	30/09/2018
Officer		Application Number(s)		
Matthias Gentet		1) 2018/4033/P 2) 2018/4034/A		
Application Address		Drawing Numbers		
96 Belsize Lane LONDON NW3 5BE		Refer to Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
1) Installation of a new shopfront. 2) Display of 1 x internally illuminated fascia and 1 x internally illuminated projecting signs.				
Recommendation(s):		1) Refuse Planning Permission 2) Refuse Advertisement Consent		
Application Type:		1) Full Planning Permission 2) Advertisement Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
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Summary of consultation responses:	<p>A Site Notice was displayed on 31/08/2018 and expired on 24/09/2018, a Press Advert was published on 06/09/2018 and expired on 30/09/2018, and a Consultation Letter was issued on 29/08/2018 and expired on 19/09/2018.</p> <p>No response were received.</p>
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Belsize Conservation Area Advisory Committee	The Belsize Conservation Area Advisory Committee have no objection to the proposal.
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Site Description

The site address is a three-storey end of terrace property with mansard on the western side of Belsize Lane and on the corner with Daleham Mews. The row of terraces consist of commercial units at ground floor level with residential to upper floors. The door access to the residential flats above the site address is on the Daleham Mews elevation of the property and are known as No29A Daleham Mews.

The site address is in Belsize Conservation Area but is not listed.

Relevant History

Site History:

2015/1690/P – (granted on 22/05/2015) - Change of use from retail unit to B1 office.

2008/5781/P – (granted on 07/04/2009) - Change of use from Class B1 office to Class A1 shop/ Class A2 use on ground floor and basement.

37239 – (granted on 12/01/1984) - Installation of a new shopfront.

G7/8/7/30353 – (granted on 08/05/1980) - The installation of a new shop front.

Adjacent Sites History:

No31 Belsize Lane

2006/2023/P – (granted on 07/07/2006) - Installation of a new shop front; infilling of basement rear courtyard and the erection of a partial width rear extension of the ground floor; and change of use of rear section of the ground floor from retail (Class A1) to restaurant space (Class A3), for use in connection with the existing restaurant use at no. 29 Belsize Lane.

Adjacent Sites Enforcement History:

Belsize Lane

No21

EN18/0619 - Unauthorised display of an externally illuminated advertisement board connected to application reference: 2018/2489/INVALID – Case Closed on 04/10/2018 [Consent granted]

No37-39

EN18/0812 - Unauthorised shopfront, access ramp, security roller shutters and roller shutter box and externally illuminated signage – Ongoing.

No39

EN18/0917 - Unauthorised shopfront, access ramp, security roller shutters and roller shutter box and externally illuminated signage - Ongoing

No52

EN18/0813 - Unauthorised externally illuminated fascia sign, security roller shutters and roller shutter box – Ongoing.

No58

EN18/0816 - Unauthorised display of illuminated 2 x fascia and 1 x projecting signs - Ongoing

No66

EN18/0815 - Unauthorised illuminated fascia and projecting signs, and unauthorised security roller shutter and roller shutter box – Ongoing.

No68

EN18/0814 - Unauthorised illuminated fascia sign – Ongoing

It must be noted that the above Enforcement Cases have been opened for advertisement only – at the exception of No37-39 and No39. Unauthorised alterations to/replacement of some of the shopfronts were carried out and/or have been in place for more than 4 years and as such, these unauthorised works are immune from prosecution.

Relevant policies

National Planning Policy Framework 2018

The London Plan 2016

Camden Local Plan 2017

C6 – Access for all

D1 – Design

D2 – Heritage

D3 – Shopfront

D4 - Advertisements

Camden Planning Guidance 2015 (as amended)

CPG1 (Design) – Chapter 2, 3 & 7

Camden Planning Guidance 2018 (as amended)

CPG (Advertisements)

Belsize Conservation Area Appraisal (November 2002)

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

1. Proposal and Background

- 1.1 Planning permission is sought for the installation of a new shopfront which will include the rendering of the fascia area.
- 1.2 Advertisement consent is also sought for the display of an internally illuminated fascia and internally illuminated projecting signs.
- 1.3 With regards the proposed method of illumination of the signage, there are some conflicting supporting information between the annotations on the proposed elevation drawing reference: A2.01 Rev00 which states that the fascia is to be non-illuminated, and the illuminance details provided in section 4 of the Advertisement Consent application form which states that both signs are to be internally illuminated. The signage is therefore assessed as being internally illuminated.
- 1.4 It must be noted that the current shopfront and signage are unauthorised. Permissions were neither granted nor sought. This would seem to be the trend within the commercial section of Belsize Lane where shopfront alterations and display of signage have taken place over the years without seeking the duly required permissions [*See Relevant History above*].
- 1.5 As a result, various Enforcement Cases have been opened to deal with the matters. These, however, would apply mostly to the unauthorised signage which has been displayed for less than 10 years. Commercial frontages' alterations would appear to have been in place for more than 4 years and are therefore immune from prosecution [*See Relevant History above*].

Revisions

- 1.6 During the course of the application, some 'draft' revisions were put forward in response to the unacceptability of the proposal as originally submitted. These 'draft' revisions were also assessed and found to be inappropriate. They did not address the concerns raised by the officers in terms of size, design and materials for this sensitive location, and as such, were not considered superseding revisions.
- 1.7 This report is therefore the assessment of the original proposal.

2. Assessment

- 2.1 The main matters for consideration are:
- Design and Heritage
 - Access
 - Visual Amenity
 - Public Safety

3. Design and Heritage

- 3.1 One of the considerations in the determination of this application is the impact of the proposal on the character and appearance of the host building, the conservation area and the streetscape.
- 3.2 Policy D1 (Design) of the Camden Local Plan 2017 states that '*Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. 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 which integrates into its surroundings. The Council will seek to secure high quality design in development and will require that development respects local context and character, preserves or enhances the*

historic environment and heritage assets.'

3.3 Policy D2 (Heritage) of the Camden Local Plan 2017 states that *'The Council places great importance on preserving the historic environment. Conservation areas are designated heritage assets. The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area and will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this.'*

Shopfront

3.4 Policy D3 (Shopfronts) of the Camden Local Plan 2017 also states that *'Shopfronts contribute greatly to the character of centres and their distinctiveness. The Council will expect a high standard of design in new and altered shopfronts and other features. When determining proposals for shopfront development the Council will consider the design of the shopfront or feature, including its details and materials, the existing character, architectural and historic merit and design of the building and its shopfront'.*

3.5 The proposed shopfront is to replace a modern design shopfront of poor quality and poor design consisting of aluminium coated frame frontage with 6no glazing panel window display (3no large at the top and 3no small one at the bottom with a thick transom as divide) forming the window display to the centre and right of the shopfront, measuring approximately 3.5m in width by 2.5m in height. And the 2no glazing panel entrance door - of similar design to the window display (with a thick transom as divide located at the low level) with a fan light – to the left of the shopfront, measuring approximately 2.5m in height (with the fan-light) by 0.8m in width. Between the door and the window display stands a timber clad 'partition' measuring approximately 2.5m in height by 0.5m in width. The overall width of the shopfront is measure approximately 5m and is set between 2no rendered brick pilasters.

3.6 The timber clad fascia area sits above the shopfront and would measure approximately 5m in width by 0.9m in height. Separating both elements is a transom measuring approximately 5m in width by 0.1m.

3.7 The proposed shopfront contains similarities with the existing frontage, by virtue of its modern, simplistic and poor quality design and materials (aluminium frame), and large glazing expanse. The new shopfront would consist of 3no full height glazing panels separated by thin joints that would provide a large glazed window display fitted within the existing design and measurements (3.5m in width by 2.5m in height). The entrance door would also be fully glazed similarly integrated in the existing design and measurements (2.5m in height by 0.8m in width). The centred partition would be retained but would have the timber cladding removed and replaced with render.

3.8 The fascia area would see a small increase in height due to the removal of the thick existing transom separating both shopfront elements, and would now measure approximately 1m in height by 5m in width. It is also to be rendered.

3.9 It is clear by the various examples in this commercial section of Belsize Lane that unauthorised works have taken place over the years which have seen the introduction of unsympathetic modern design shopfronts and of poor quality materials. The loss of original/historical details has negatively impacted on the character and appearance of Belsize Lane. Indeed Concerns have been raised in the Belsize Conservation Area Appraisal in relation to the erosion of original details. It states that *'Some recent development has been carried out with poor finishes. Works have also been carried out without planning permission which do not preserve or enhance the character of the conservation area, for example the removal of or failure to reinstate desirable original details. The appearance of characterful buildings within the conservation area is harmed by the removal or loss of original architectural features and the use of inappropriate materials. In all cases the Council will expect original architectural*

features and detailing to be retained, protected, and refurbished in the appropriate manner.'

- 3.10 It goes further by stating that *'The retention of traditional shopfronts, and introduction of new ones of a high quality design is actively encouraged in the conservation area. It is important that shopfronts maintain the visual character and appearance of the street through respect for the proportions, rhythm and form of the original frontages. The loss of original or historic shopfronts will be resisted. Inappropriate and poorly designed shopfronts detract from the character and appearance of the conservation area.'*
- 3.11 The proposal is seeking to introduce a virtually sheer glass window and side access door with no stall riser, no framing, mullions and/or transoms to give the design some interest. This has resulted in what would be a bland and characterless shopfront. The fascia area is over scaled and visually dominates the frontage. The proposed design does not represent an enhancement nor does it preserve the current character of this part of the Belsize Park Conservation Area.
- 3.12 It must be noted that the attempts at revising the proposal were not sufficient to address the concerns raised. Although the aluminium frame was replaced by a timber frame (of the same size and design), and a transom was added at the lower part of the frontage to give the impression of a stall riser, it still fell short of what would be expected in this part of the conservation, which would be a traditional timber frame shopfront with timber stall riser, timber divide and a fascia area to be contained between the cornice above and the base of the capital.
- 3.13 In terms of size, design and materials to be used, the proposal provides no improvement on the current unsympathetic shopfront. It is unsympathetic and detract from the conservation area, contrary to policies D1 and D2.

4. Access

- 4.1 Policy D1 (Design) of the Camden Local Plan 2017 states that *'The Council requires new buildings and spaces to be inclusive and accessible to all. As accessibility is influenced by perceptions as well as physical factors, buildings should also be designed to appear, as well as be, fully accessible.'*
- 4.2 Policy C6 (Access) also states that *'The Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. The Council will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all.'*
- 4.3 The new shopfront should ideally be step-free access to be DDA compatible and in line with CPG1 (Design) whereby *'Entrance doors should be accessible to all, particularly wheelchair users and people with limited manual dexterity. 1000mm minimum clear door width in new buildings and 775mm door width in existing buildings where a new shop front or alterations to a shop front are proposed.'*
- 4.4 The entrance door, being approximately 0.8m in width, and being part of an existing building, would fall within the 775mm required by CPG1 (Design). Although a direct street access was requested, it was pointed out that there is an existing ramp providing easy access from the pavement into the premises.
- 4.5 As such, in terms of access, the design of the entrance door is in accordance with policy D1.

5. Visual Amenity (Signage)

- 5.1 Policy D4 (Advertisements) states that *'Advertisements and signs should be designed to be complementary to and preserve the character of the host building and local area. The size, location, materials, details and illumination of signs must be carefully considered.'*

Advertisements in conservation areas and on or near listed buildings require particularly detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features of buildings. The Council will require advertisements to preserve or enhance the character of their setting and host building. Advertisements must respect the form, fabric, design and scale of their setting and host building.'

Projecting Sign

- 5.2 The projecting sign consist of 2no internally illuminated intertwined capital letters 'O' and 'D' measuring approximately 0.3m in width by 0.2m in height, and would be affixed onto the fascia area – to the far left – by means of a bracket measuring approximately 0.23m in width by 0.32m in height and 30mm in thickness, with an overall projection of approximately 0.38m from the façade. The proposed projecting sign is simple in design and very discreet.
- 5.3 Despite the size (small) and design (formed of 2no intertwined letters) of the projecting sign, it is felt that the illuminance is considered inappropriate in this location. Although the site address sits within the commercial part of Belsize Lane, it is, however, at the tail end of the commercial section of Belsize Lane, opening onto a residential area. The lack of other internally illuminated such signs in the vicinity of the site further support the need to refrain from introducing any form of illumination in this predominantly residential area.
- 5.4 The proposed material – aluminium – is not considered acceptable. The building may not be listed but it is noted to be a positive contributor in the Belsize Conservation Area Appraisal, and as such, a traditional timber sign would be expected.
- 5.5 In terms of size and design, the projecting sign is not a cause for concerns. However, by virtue of its material (aluminium), location and illumination, the projecting sign is considered unacceptable and detrimental to the character and appearance of the host building, conservation area and residential streetscape, contrary to policy D4.

Fascia Sign

- 5.6 The proposed fascia sign would consist of internally illuminated letters of two different size: Both capitols – letters 'O' and 'D' – would measure approximately 0.5m in height and the lower case letters, approximately 0.25m in height. The overall width of the sign would be approximately 1.85m in width. The lettering sign is to be located on the right of the fascia area, above the window display.
- 5.7 The fascia area, to be rendered, would measure approximately 5m in width by 1m in height. Its height is disproportionate to the overall size of the shopfront and as a result, is an incongruous and dominant feature. Fascias in conservation areas are traditionally timber back with either painted letters and/or logos or attached individual letters and/or logos. The proposed lettering sign is acceptable in terms of size, design, location and method of illumination – similarly to the illuminated projecting sign. However, the rendered fascia area is in total contrast with the traditional architectural design of the host and adjacent building. This type of fascia would be suitable on a modern building where mortar and render material are common place, and would thus not be out of place. In this location, it is expected to have a timber fascia that is contained between the cornice above and the base of the capital. An example of this can be found at No70.
- 5.8 The poor quality of the signage present in this part of Belsize Lane cannot be used as a bench mark from which all forthcoming Advertisement Consent application must be assessed against. The loss of historical details, as stated in the Belsize Conservation Area Appraisal, is unacceptable and leads to the loss of the area's identity.

5.9 As for the illumination of the fascia sign, similar to the above projecting sign, is considered to be unacceptable for the reasons given in paragraph 5.3 above.

5.10 In terms of size and design, the lettering sign is appropriate. However, by virtue of its location and illumination, the fascia sign is considered to be unacceptable and detrimental to the character and appearance of the host building, conservation area and residential streetscape, contrary to policy D4.

6. Public Safety

6.1 Policy D4 (Advertisements) of the Camden Local Plan 2017 states that Highway safety, with 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 because of their unusual nature, disrupt the free flow of pedestrians or endanger pedestrians.

6.2 The type of illumination hereby proposed would clearly enhance the visibility of the business within the highstreet. However, the signage here proposed are commonly found on commercial frontages and have the only purpose to offer some visibility and do not produce a level of illuminance that is significant enough to be cause for concerns for the safety of the public.

6.3 As such, the method of illumination is therefore considered acceptable.

7. Recommendation

7.1 Refuse Planning Permission.

7.2 Refuse Advertisement Consent.