

<b>Delegated Report</b>			<b>Expiry Date:</b>	<b>29/03/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Matthew Dempsey			2018/4751/A	
<b>Application Address</b>			<b>Application Type:</b>	
Solar Court, 88 Delancey Street, London. NW1 7SA.			Advertisement Consent	
<b>1<sup>st</sup> Signature</b>	<b>2<sup>nd</sup> Signature (If refusal)</b>	<b>Conservation</b>	<b>Recommendation(s):</b>	
			Refuse Advertisement Consent	
<b>Proposal(s)</b>				
Display of vinyl graphics to exterior of windows at ground floor level.				
<b>Consultations</b>				
<b>Summary of consultation responses:</b>		<p>The Camden Town Conservation Area Advisory Committee (CTCAAC) objected to the proposal as a permanent display. They note the vinyl has already been installed, and; They also considered the amount of red colour to be overly dominant.</p> <p>Officer response: It is considered that the amount of vinyl proposed is overly dominant. The applicant has amended their proposal to reduce the amount of red colour on display to soften the impact, however this is not considered to have addressed the reasons for refusal.</p>		
<b>Site Description</b>				
The application site is the one of the ground floor commercial units of the recently developed Solar Court at the junctions of Delancey Street, Parkway and Gloucester Avenue. The unit is currently occupied by a gym/ fitness studio. The property is not listed, however is within close proximity to the (South side) Parkway Tunnel and Cutting (GII) and is also situated within the Camden Town Conservation Area.				
<b>Relevant History</b>				
<p><b>2008/0718/P</b> - Redevelopment of the site by the erection of a 5-storey building with office space (Class B1) at ground floor level and residential space above (Class C3) providing 14 self-contained units (4 x 1-bed, 5 x 2-bed and 5 x 3-bed units), including a detached 2-storey unit at rear providing office space (Class B1), 7 underground car parking spaces, a disabled parking space and vehicle waiting area at ground floor level for residents. <b>Granted subject to a S106 Legal Agreement 15/05/08.</b></p> <p><b>2008/0719/C</b> - Demolition of existing workshop and redevelopment of the site by the erection of a 5-storey building with office space (Class B1) at ground floor level and residential space above (Class C3) providing 14 self-contained units (4 x 1-bed, 5 x 2-bed and 5 x 3-bed units), including a detached 2-storey unit at rear providing office space (Class B1) and 7 underground car parking spaces for residents. <b>Granted subject to a S106 Legal Agreement 15/05/08.</b></p> <p><b>2017/4792/P</b> - Change of use of the existing B1 office space to flexible B1 office / D2 gym and ancillary juice bar at ground floor level within the main building and ground and first floor levels of the two storey building at the rear. Erection of a single storey cycle parking storage area at the ground floor rear elevation of the main building. <b>Granted 06/04/18.</b></p> <p><b>2018/3055/P</b> - Details of sound insulation in relation to condition 7 of planning permission 2017/4792/P granted 06/04/2018 (for change of use of the existing B1 office space to flexible B1</p>				

office / D2 gym and ancillary juice bar at ground floor level within the main building and ground and first floor levels of the two storey building at the rear. Erection of a single storey cycle parking storage area at the ground floor rear elevation of the main building). **Granted 03/10/18.**

**2018/3237/P** - Variation of condition 6 (Opening hours) of planning permission 2017/4792/P granted 06/04/2018 (for change of use of the existing B1 office space to flexible B1 office / D2 gym and ancillary juice bar at ground floor level within the main building and ground and first floor levels of the two storey building at the rear. Erection of a single storey cycle parking storage area at the ground floor rear elevation of the main building), namely to allow the premises to open 30 minutes earlier at 06:30) on Mondays to Fridays. **Granted 09/10/18.**

**2018/6057/A** - Installation of internally illuminated hanging sign, and vinyl signage to windows applied internally. **Granted 07/03/19** (neighbouring unit).

## **Relevant policies**

### **National Planning Policy Framework 2019**

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

#### **London Borough of Camden Local Plan 2017**

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

D3 (Shopfronts)

C5 (Safety and security)

D4 (Advertisements)

#### **Camden Planning Guidance (2018)**

CPG Advertisements (March 2018)

CPG1 - Design (March 2018)

CPG6 - Amenity (March 2018)

#### **Camden Town Conservation Area appraisal and management strategy (2007)**

## Assessment

### 1.0 Proposal

1.1 The application relates to the installation and display of vinyl graphics, applied externally, to windows at ground floor level of gym / fitness studio.

1.2 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.

1.3 During the determination process the applicant has amended their proposal to reduce the amount of red coloured vinyl. Additionally they have already installed the vinyl prior to receiving a formal decision on the scheme.

### 2.0 Amenity

2.1 Advertisements, shopfronts and signage provide visual amenity for people visiting, living and working in an area. Well designed appropriate signage can positively add to the character of an area, whereas poorly designed or inappropriate advertising will harm the character of a given area.

2.2 CPG Design (paragraph 6.28) states/ acknowledges that; Shops and businesses need to ensure that their name and other details are clearly displayed on their premises and, as a result; signs are among the most prominent forms of advertising on buildings. However, signs that are unsympathetically designed can cause significant harm to the building and the local townscape. Signs should relate well to the character, scale and architectural features of the building and respect their local context.

2.3 Paragraph 6.29 goes on to say; Too many adverts/ signs on a property contribute to visual clutter and can detract from the appearance of the street scene. And furthermore, paragraph 6.32 states; Advertisement signs should; be considered as an integral part of a shopfront or building, and; be in harmony with the existing building, and neighbouring ones, in terms of their proportions, design and materials.

2.4 The applicant has stated that the purpose of the vinyl is both for advertising the operation of the business, but also to provide a privacy screen for those taking part in exercise classes inside, and additionally; to prevent unsightly views of the required acoustic barriers which are in place to prevent noise breakout from the gym/ studio.

2.5 Officers would prefer to see windows that are not fully covered by vinyl, and if a requirement for privacy is desirable, a partial covering could achieve the desired effect. It is also considered preferable that any vinyl should be applied internally so that its impact may be softened by the natural glare afforded by the window glazing. Whilst it is acknowledged that the gym/ studio requires acoustic barriers in place, vinyl applied internally would have the same privacy screening effect for those exercising inside, whilst also screening any unsightly acoustic barriers.

2.6 It should be noted the Council would prefer not to see total coverage of any window with vinyl, as proposed, this is made clear by policy D3 shopfronts; "The Council discourages shop window displays and graphics that completely obstruct views into the shop (for example vinyl graphics applied to the window).

2.7 The applicant has amended their proposal to reduce the amount of red colour in part response to the objection raised by the CAAC, however; although considered an improvement on the initial proposal, this does not address all the issues.

2.8 It is considered that the amount, size and siting of the proposal would be such that it would be unduly dominant, and cannot be considered as an appropriate/integral feature to this highly prominent

elevation. Also; as the premises is situated within a Conservation Area, it is considered that the proposal would fail to preserve or enhance the character and appearance of the Camden Town Conservation Area.

### **3.0 Public Safety**

3.1 CPG Design, paragraph 7 (designing safer environments) states that advertising can play an important part in public safety. Completely covering a window, or in this case all windows, can; attract graffiti, prevent natural surveillance, create a hostile and unsafe appearance in streets and shopping centres, and; be visually unattractive.

3.3 CPG (Design) paragraph 7.10 states that applicants should include active frontages to buildings and avoid a fortress approach “as it tends to be unattractive and can result in an oppressive, unwelcoming environment for both residents, passing pedestrians and the wider community.”

3.3 Given there is no proposal to illuminate the adverts, it is considered there would be limited scope to distract vehicular operators or pedestrians in terms of impacting their safety. The Council Transport officer has confirmed they have no objection to the proposal.

3.4 On balance, it is considered the proposal to install vinyl externally to all shopfront windows will not promote public safety in this area.

### **4.0 Recommendation**

4.1 Refuse Advertising Consent and prosecute.

### **5.0 Additional informative:**

#### **5.1 WARNING OF INTENTION TO COMMENCE PROSECUTION PROCEEDINGS**

The Council has authorised the Director of Law and Administration to start prosecution proceedings in the Magistrates Court to secure removal of these advertisements.

The Council is prepared to allow you a period of 2 months from the date of this letter in order to remove the advertisements. If the advertisements have not been removed during this period, the Borough Solicitor will be instructed to start proceedings.

I must warn you that the display of such advertisements without the benefit of advertisement consent is a criminal offence pursuant to Section 224 of the Town and Country Planning Act 1990. The maximum fine for such an offence is currently £2500, and in the case of a continuing offence, £250 for each day which the offence continues after conviction.