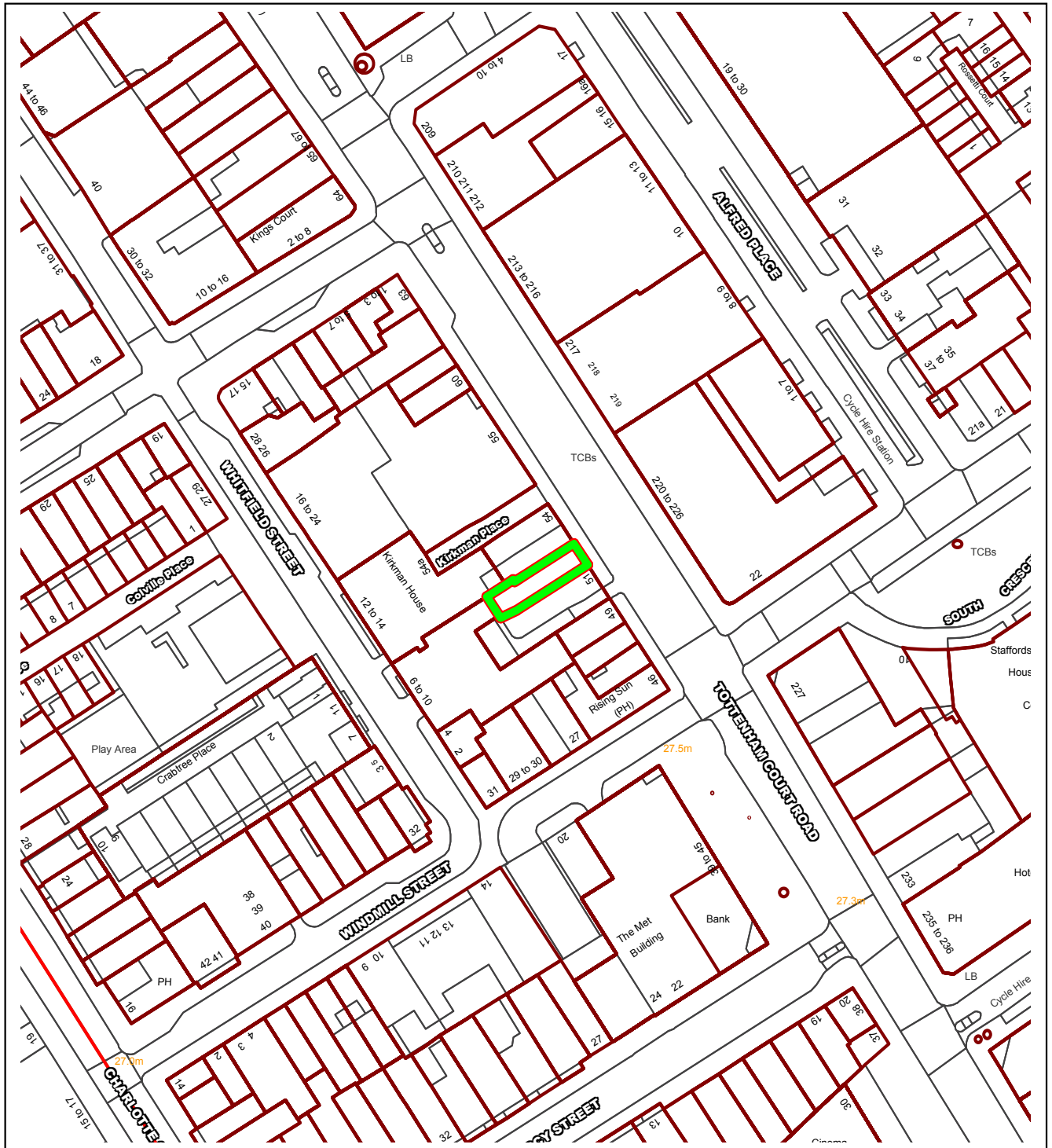


# 52 Tottenham Court Road London W1T 2EH



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1. Front Elevation of 52 Tottenham Court Road



2. Rear view including extract equipment



3. Rear Elevation of 52 Tottenham Court Road



4. View of extract equipment to the rear





## 5. Internal view of extract equipment



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>16/08/2019</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>11/08/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Alyce Keen			i) 2019/0979/P; ii) 2019/3123/P; iii) 2019/3582/A		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Ground Floor and Basement Unit 52 Tottenham Court Road London W1T 2EH			Refer to 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>					
<ul style="list-style-type: none"> <li>i) Change of use of ground floor from retail (Class A1) to mixed use retail/hot food takeaway (Sui Generis) (retrospective).</li> <li>ii) Installation of new mechanical extract and AC unit to rear flat roof plus associated extract grille to shopfront (retrospective).</li> <li>iii) Display of externally illuminated lettering on fascia sign and non-illuminated projecting sign on front elevation (retrospective).</li> </ul>					
<b>Recommendation(s):</b>		i) Grant conditional planning permission; ii) Grant conditional planning permission & warning of enforcement action to be taken; iii) Grant conditional advertisement consent			
<b>Application Types:</b>		i) & ii) Full Planning Permission & iii) Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	04	No. of objections	03
Summary of consultation responses:	<p>Site Notice – 28/06/19 – 22/07/19. Press Advert – 04/07/19 – 28/07/19.</p> <p>Four comments were received from local residents of which three were objections. The grounds of objection are summarised below:</p> <ul style="list-style-type: none"><li>- The proposals do not support and sustain the quality of town centre retail nor do they appear to reduce servicing and delivery.</li><li>- Applicant's assessment against the whole centre's frontage demonstrates a further worsening of the percentage of non-A1 retail uses and frontages as a result of the proposed use – reflecting an adverse impact on centre vitality and viability which runs contrary to local and national planning policy.</li><li>- The extraction equipment to the rear of the property appears to have been installed without any due regard to the heritage asset within which it is located and the appearance of the conservation area has been compromised.</li><li>- The lack of information presented with the application regarding the use, servicing, method of extraction (including the unscaled and unsuitable extraction detail drawings accompanying the application) mean that these effects cannot be fully assessed.</li><li>- Deficiencies in the submitted application: submitted drawings, heritage statement, acoustic assessment, waste storage and collection.</li></ul> <p><u>Officer response:</u> <i>Section 3.0 of this report regarding land use demonstrates that the change of use does support the functioning of the town centre and that the proportion of retail within the frontage is compliant with minimum proportion of 80%. Section 5.4 addresses the appearance of the extraction equipment to the rear of the building. The applications were submitted with the required drawings, acoustic assessment and design &amp; access statement which details the refuse storage and collection.</i></p>					
CAAC/Local groups comments: <ul style="list-style-type: none"><li>- Charlotte Street CAAC</li></ul>	No comments were received from the Charlotte Street CAAC or other local groups.					

## Site Description

The application site comprises No. 52 Tottenham Court Road, which is a four-storey mid-terrace building situated on the western side of Tottenham Court Road. The basement and ground floors are in retail use (Class A1). The first, second and third floors are in office use (Class B1a) and are accessed from an entrance door fronting Tottenham Court Road, adjacent to the shopfront at No. 52.

The buildings are not listed, but are located within the Charlotte Street Conservation Area and are identified in the Charlotte Street Conservation Area and Management Strategy as making a positive contribution to the character and appearance of the area. The shopfronts are not identified as being of merit.

## Relevant History

### 51-52 Tottenham Court Road

**2009/5669/P** – Erection of six storey building and excavation of basement to create retail space (Use Class A1) at ground and basement levels, and 3 x 2 bedroom flats, 2 studio flats (Use Class A3) and 20 bedrooms for student accommodation with shared facilities (Sui Generis) on the floors above, following demolition of the existing buildings. **Planning permission refused 24/08/2010 for the following reasons (summary):**

- Design and heritage – demolition of buildings which make a positive contribution to the conservation area and erection of proposed replacement building would have a detrimental impact on the character and appearance of buildings, streetscene and conservation area.
- Substandard residential accommodation – small size of proposed self-contained studio flats would result in cramped accommodation.
- Cycle parking – inadequate cycle parking facilities provided for proposed housing.
- Absence of Section 106 Legal Agreement to secure car-free housing; locally sourced workforce, goods and services; compliance with BREEAM; a Construction Management Plan; highways works contributions; contribution to open space provision; restriction of student accommodation to students of an agreed named HEFCE-funded further educational institution within the London Borough of Camden; restriction of proposed units to student accommodation only and not C3 self-contained housing.

**2011/2286/P** – Erection of roof extension to 4th floor and alterations to front elevation in connection with provision of additional 2-bed self-contained flat (Class C3). **Planning permission refused 17/10/2011; Appeal ref. APP/X5210/A/11/2166925 dismissed 26/04/2012**

### **Reasons for refusal (summary):**

- Design and heritage – detrimental impact of proposal on character and appearance of buildings, streetscene and conservation area.
- Absence of Section 106 Legal Agreement to secure car-free development and a Construction Management Plan.

### **Appeal reasons for dismissal (summary):**

- The Inspector agreed that the proposed roof extension would adversely affect the character and appearance of the building and would fail to preserve or enhance the character or appearance of the Charlotte Street Conservation Area.

**2016/2027/P** – Demolition of existing rear extensions and erection of 4 storey rear extension, basement extension, roof extensions comprising an additional storey with mansard level above to no. 51 and set back roof extension no. 52 and external alterations including new shopfronts all to provide a mixed use retail, office and residential development involving the refurbishment and amalgamation of the existing ground floor retail units, refurbishment/reconfiguration of existing uses on the upper

floors including the provision of additional office space at first - third floor levels and a new 3 bed residential flat at fourth floor level. **Planning permission refused 18/10/2016; Appeal ref. APP/X5210/W/17/3173819 dismissed 08/03/2018**

**Reasons for refusal (summary):**

- Design and heritage – detrimental impact of proposed roof extensions and rear extensions on character and appearance of buildings, streetscene and conservation area.
- Amenity – detrimental impact of proposed rear extensions on amenities of surrounding properties.
- Basement impacts – insufficient information submitted in order to determine the potential impacts of the proposed basement on the structural stability of the building and neighbouring properties; drainage and run-off.; or other damage to the water environment.
- Cycle parking – inadequate cycle parking facilities provided for proposed housing.
- Absence of Section 106 Legal Agreement to secure car-free housing; a Construction Management Plan; and highways works contributions.

**Appeal reasons for dismissal (summary):**

- The appeal was dismissed as the Inspector agreed that the proposed rear and roof extensions would be harmful to the character and appearance of the streetscene and conservation area, and to the amenity of neighbouring offices to the rear.
- It is noted that basement matters were resolved during the appeal as the basement information was independently audited by Campbell Reith, who confirmed in their final audit report of December 2017 that the basement issues had been addressed, and the proposed basement would be acceptable.

**Relevant policies**

**National Planning Policy Framework 2019**

**London Plan 2016**

**Camden Local Plan 2017**

G1 Delivery and location of growth

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

D4 Advertisements

TC2 Camden's centres and other shopping areas

TC4 Town centre uses

**Camden Planning Guidance (CPG)**

CPG Amenity (2018)

CPG Design (2019)

CPG Town Centres & Retail (2018)

**Charlotte Street Conservation Area and Management Strategy (2008)**

**Fitzrovia Area Action Plan**



## Assessment

### 1.0 Proposal

1.1 These applications seek planning permission for the change of use of ground floor from retail (Class A1) to a mixed use retail and hot food takeaway store (Sui Generis). As well as the installation of new mechanical extract to the rear elevation plus associated extract grille to the shopfront. Advertisement consent is also sought over the property for the display of the fascia and projecting signs on the front elevation. The change of use, installation of extract and signage has been carried out and are therefore retrospective applications.

### 2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Land use;
- Public Health;
- Design (the effect the proposal has on the character of the host property as well as that of the Charlotte Street Conservation Area);
- Amenity (the impact of the proposal on the amenity of adjoining occupiers)

### 3.0 Land use

3.1 Policy TC2 seeks to promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors by setting out individual planning objectives for each centre. Policy TC4 b. of the Camden Local Plan refers to the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses.

3.2 The Local Plan Policies Map / Camden Planning Guidance identifies Tottenham Court Road as consisting of multiple designated town centre frontages (primary). 52 Tottenham Court Road is located on a primary street frontage within the Tottenham Court Road, Central London Area. The Council will expect a minimum proportion of 80% for A1 uses in each individual frontage, as set out in appendix 4 of the Local Plan.

3.3 The subject site is located on a primary frontage containing 12 commercial units which span between the junctions with Goodge Street and Windmill Street. A site visit was carried out on Tuesday 16th July 2019, to establish the existing mix of uses within the frontage. This was verified against the Council's planning records to establish the lawful uses within this part of the Core Frontage as well as the information provided on Camden's retail survey 2016.

3.4 The lawful uses are as follows:

Address	Fascia	Activity	Use
46 Tottenham Court Road	Rising Sun	Public House	A4
47 Tottenham Court Road	Epsilon	Retail	A1
48 Tottenham Court Road	House of Computers	Retail	A1
49 Tottenham Court Road	Baseo	Retail	A1

50 Tottenham Court Road	Access way	- (nil use )	-
51 Tottenham Court Road	Digital Outlet	Retail	A1
52 Tottenham Court Road	Seoul Plaza	Retail/Takeaway	SG
53 – 54 Tottenham Court Road	Itsu	Retail	A1
55 Tottenham Court Road	M&S Food Hall	Retail	A1
60 Tottenham Court Road	Mr Toppers	Barbershop	A1
61 Tottenham Court Road	Cards Galore	Retail	A1
62 Tottenham Court Road	Neon Sheep	Retail	A1
63 Tottenham Court Road	Oliver Bonas	Retail	A1
% of A1 uses	92% (pre-existing) to 83% (exsiting/proposed)		

3.5 From review of the current lawful uses in the table above the change of use would result in 83% of commercial units within the frontage remaining within a retail (class A1) use. Therefore, the proposed change of use is considered acceptable in these circumstances as it would not take the proportion of A1 use within the frontage below 80%.

#### 4.0 Public Health

4.1 Camden's Local Plan Policy TC4 on Town centres uses states that the Council will consider the health impacts of the development of new hot food takeaways in the borough. Council's public health officer has reviewed the proposed use and considers that on the basis that there is only one school in close proximity to the site and on review of the limited amount of other takeaways in the vicinity, this use would not result in adverse health impacts.

#### 5.0 Design and conservation

5.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.

5.2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5.3 As the change of use application (i) would not include any external alterations and the use itself is considered acceptable in land use terms, this application would not result in any adverse impacts to design or conservation.

##### External plant equipment (ii)

5.4 The proposed extract duct is to be located to the rear of the property and would not be visible from the street. It would be cited within a highly enclosed rear lightwell, behind an existing fence. Given the location of the proposed ducting and AC unit in this discreet location the proposal is not

considered to harm the character and appearance of the building or the surrounding area. Though private views would be afforded from upper floor windows within the property (office), the plant equipment would be read against the backdrop of existing building services equipment and escape stairs. The addition of the plant equipment is not considered to cause harm to the character or appearance of the wider conservation area. The replacement of one small glazed panel with a louvre would not affect the composition or appearance of the shopfront and is not objectionable.

#### Adverts (iii)

- 5.5 Policy D4 Advertisements seeks to ensure advertisements preserve or enhance the character of their setting and host building.
- 5.6 The proposed illumination of the fascia sign was confirmed to be the external illumination of the lettering only by annotation. In the wider street scene, they would not cause harm to the visual amenity as there is existing signage including illumination and the proposals would not be considered unduly dominant in this commercial locality. A majority of shopfronts along Tottenham Court Road comprise some form of illuminated signage and the proposed signage would be in keeping with this existing character.
- 5.7 As such, the signs are not considered to be unduly dominant on the street nor would they harm the Charlotte Street Conservation Area.
- 5.8 Overall, the proposal is considered to be acceptable in design terms.

### **6.0 Amenity**

- 1.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by stating that the Council will only grant permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. In addition, policy TC4 seeks to ensure that new town centre uses do not prejudice local or residential amenity.

#### Plant equipment

- 1.2 The proposed extract duct and AC unit is located on the rear of the building surrounded by commercial premises. An acoustic report was submitted in support of the application which seeks to demonstrate that the proposed ducting could operate in accordance with the noise and vibration thresholds set out in Appendix 3 of the Camden Local Plan.
- 1.3 The background noise levels are mainly influenced by traffic noise from surrounding roads (in particular Tottenham Court Road). The minimum background noise levels during the day would be 46 dB(A). It has been concluded that noise emissions from the proposed plant units would not have an adverse impact on the nearest residential receivers provided that the noise control strategy presented in Section 6 of the noise report is followed. The Council's Environmental Health Officer was satisfied that the acoustic report demonstrates the Council's noise condition would be met provided the proposed mitigation measures are conditioned. As the report recommended that acoustic mitigation is required, conditions will be applied requiring details to be installed and an updated noise report submitted within 3 months of this decision, with a warning of refusal action to be taken should this not be forthcoming.
- 1.4 In addition, Council's Environmental Health Officer has recommended an odour condition is included in the decision to ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by cooking odour. Again, this will stipulate a

maximum timeframe for submission to ensure that this aspect is regulated in a reasonable period, with warning of enforcement action to be otherwise taken.

### Use

- 1.5 The proposed operational hours are 9.00 to 21.00 Monday to Sunday. The activity is considered acceptable given that the property is located on Tottenham Court Road and within a commercial area of Central London and will be secured by condition. The level of coming and goings associated with the use would not be dissimilar to a standard retail use, and the unit is located on one of the most significant thoroughfares in the Borough. This is also true of the servicing arrangements, with the anticipated requirements not being dissimilar to the previous retail use. There exists a dedicated loading bay opposite the site which can be utilised for deliveries without causing disruption. In this context the operational impacts of the proposed use would not be considered harmful to local or residential amenity.
- 1.6 All waste and recycling is stored on site and an appointed waste contractor collects any waste and recycling produced.

**Recommendation:** Grant full planning permission (i)&(ii) & advertisement consent (iii).

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23<sup>rd</sup> September 2019, 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'.***

Application ref: 2019/0979/P  
Contact: Alyce Keen  
Tel: 020 7974 1400  
Date: 19 September 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Design Time  
Admark House  
2 West Street  
EWELL  
KT17 1UU

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Ground Floor and Basement Unit**  
**52 Tottenham Court Road**  
**London**  
**W1T 2EH**

# DECISION

Proposal:

Change of use of ground floor from retail (Class A1) to mixed use retail/hot food takeaway (Sui Generis) (retrospective).

Drawing Nos: 02 (Existing & Proposed Use Class Allocation)  
Design & Access Statement prepared by Change the Use

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:  
02 (Existing & Proposed Use Class Allocation)  
Design & Access Statement prepared by Change the Use

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The use hereby permitted shall not be carried out outside the following times 9.00 to 21.00 Mondays to Sundays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and TC4 of the London Borough 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 search for 'environmental health' on the Camden website 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



**DRAFT**

**DECISION**

Application ref: 2019/3123/P  
Contact: Alyce Keen  
Tel: 020 7974 1400  
Date: 19 September 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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DESIGN TIME LTD  
Studio 18  
46 The Calls  
Leeds  
LS2 7EY  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted and Warning of Enforcement Action

Address:

**52 Tottenham Court Road**  
**London**  
**W1T 2EH**

Proposal:

Installation of new mechanical extract and AC unit to rear flat roof plus associated extract grille to shopfront (retrospective).

Drawing Nos: 6598-01 (Existing Details) & 6598-02 (Proposed Details).  
Design & Access Statement prepared by Change the Use.  
Noise Impact Assessment prepared by KP Acoustics dated 04/07/2019.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:  
6598-01 (Existing Details) & 6598-02 (Proposed Details).  
Design & Access Statement prepared by Change the Use.  
Noise Impact Assessment prepared by KP Acoustics dated 04/07/2019.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Within 3 months of this decision, the acoustic mitigation measures set out in Section 6 of the acoustic report hereby approved (ref: 19377.PCR.01) shall be implemented and a revised noise report demonstrating the compliance of the external noise levels from the combined plant shall be submitted to and approved in writing by the Council. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity. The post installation noise assessment shall be carried out as required to confirm compliance with the acoustic mitigation measures set out in Section 6 of the acoustic report. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with policies A1, A4 and TC4 of the Camden Local Plan 2017.

- 5 Within 3 months of this decision, the plant and ventilation system and associated ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with policies A1, A4 and TC4 of the Camden Local Plan 2017.

- 6 Within 3 months of the date of this decision, details of the installation, operation, and maintenance of the odour abatement equipment and extract system shall be submitted to and approved in writing by the Council. Such details shall include the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the assessment of odour for planning 2018 by the Institute of Air Quality Management. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour in accordance with policies A1 and TC4 of the 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 search for 'environmental health' on the Camden website 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 Within 3 months of this decision, the acoustic mitigation measures, vibration isolators and odour control measure details will need to be submitted to Council for approval. If these details are not submitted to the Council within 3 of this decision, then Council's Enforcement Team will proceed with enforcement action.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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

DESIGN TIME LTD  
Studio 18  
46 The Calls  
Leeds  
LS2 7EY  
United Kingdom

Application Ref: **2019/3582/A**  
Please ask for: **Alyce Keen**  
Telephone: 020 7974 **1400**

19 September 2019

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990

### Advertisement Consent Granted

Address:  
**52 Tottenham Court Road**  
**London**  
**W1T 2EH**

Proposal:

Display of externally illuminated lettering on fascia sign and non-illuminated projecting sign on front elevation (retrospective).

Drawing Nos: 6598-02 Proposed Details

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.

- 6 The external lighting shall be statically illuminated and remain white in colour. The intensity of the illumination of the external lighting shall not exceed 2500 candelas per square metre during the day and 400 candelas per square metre during the hours of darkness in line with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements' 2015.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies A1, D1, D2, D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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**