

Wagamama, 9-11 Jamestown Road, Camden  
Wagamama Ltd  
Paul Semple  
March 2020



**WAGAMAMA,  
9-11 JAMESTOWN ROAD, CAMDEN.  
INTERNALLY ILLUMINATED FASCIA  
SIGN.**

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## 1. Introduction

1.1 This Statement of Case has been prepared to support an appeal by Wagamama Ltd against the refusal by the London Borough of Camden for the erection of an internally illuminated fascia sign to its restaurant at 9-11 Jamestown Road, Camden.

1.2 It is in six sections and comprises the following:

1.0 Introduction.

2.0 Site and surrounding area.

3.0 Planning History.

4.0 Relevant Planning Policy.

5.0 Grounds of appeal.

6.0 Summary.

## 2.0 Site and Surrounding Area

- 2.1 The Wagamama restaurant is situated on the ground floor of what is known as the Glass Building, a modern building designed on the basis of a series of interlocking drum forms that created a series of curved bays. Its primary frontage is to Jamestown Road, but the building has a shorter return frontage to Arlington Road.
- 2.2 Its height varies from three to five storeys and its façade is made up of slightly tinted green glass set within thin steel frames. The concrete floors between each storey are concealed from view by the use of opaque green glass which appear as distinctive bands across the building's street frontages.
- 2.3 The upper floors of the building provide accommodation for a mix of market and affordable housing. The Wagamama restaurant occupies the majority of whole of the ground floor frontage to Jamestown Road and part of the building's return frontage to Arlington Road. It is accessed by double doors on its splayed corner frontage to both roads and has another single entrance door along its frontage to Jamestown Road, as well as two emergency fire doors.
- 2.4 Wagamama shares the remainder of the Glass Building frontage to Jamestown Road with Mildred's a vegetarian and vegan restaurant, whose presence is advertised by an externally illuminated hanging sign.
- 2.4 Wagamama's own presence as a restaurant in the street scene is advertised by two narrow projecting internally illuminated signs. One is adjacent to its double door entrance at the corner of Jamestown Road and Arlington Road and the other adjacent to its eastern fire door onto Jamestown Road and close to Mildred's.
- 2.5 Its principal form of signage however is a fascia sign above its single door entrance from Jamestown Road. Currently non-illuminated, in its internally illuminated form it is this sign that is the subject of the appeal for refusal of advertisement consent.
- 2.6 The sign sits on the opaque band of glass that marks the separation of the ground floor of the building from the first floor above and comprises a metal and acrylic board that follows the curved frontage of the bay on which it is located and has the word "wagamama" in white on a black background with a red star motif above the lettering. It is 3.335 metres long,

1.175 metres high and projects 2.7 metres from the face of the building. It is 2.7 metres above street level. The letters to the signage are less than 75cm.

- 2.7 The immediate area around the Glass Building is mixed, with a variety of fast food and restaurants with residential accommodation above opposite it, a Holiday Inn and public house to the south west and residential flats along Arlington Road. To the north east Jamestown Road's runs into Camden High Street, with is very cosmopolitan mix of shops, pubs, restaurants and takeaways.
- 2.8 The majority of the Jamestown Road restaurants and fast food outlets have extensive fascia signs and /or projecting signs announcing their presence in the street scene.

### 3.0 Planning History

- 3.1 Advertisement Consent was granted for the erection of the the two internally illuminated projecting signs in July 2016 and planning permission for the single entrance door from Jamestown Road in February 2019.
- 3.2 In 2018 the appellant applied for advertisement consent for the erection of an internally illuminated fascia sign in the location subject of this appeal and the installation of a new fascia band running across the frontage of the restaurant along the line of the double height opaque windows that separate the ground floor and the first floor of the building.
- 3.3 This application could not be supported by officers and after various negotiations the application was withdrawn.
- 3.4 The application subject of this appeal was then submitted in June 2019, but again officers indicated that they could not support it and requested that the application be withdrawn. Whilst extensive discussions continued between the agents and the Council, the appellant decided to install the sign, but ensured it was non illuminated and therefore benefited from deemed consent under Class 5 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

## 4.0 Relevant Planning Policy

### **National Planning Policy Framework**

- 4.1 The NPPF states that investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policy should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Policies should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality and should promote competitive town centres that provide customer choice and a diverse retail offer, and which reflect the individuality of town centres. The appeal site lies within an urban area and clearly provides an urban centre commercial leisure facility that serves both the local area and the wider catchment population of this part of Camden.
- 4.2 Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
- 4.3 The NPPF acknowledges that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Only those advertisements which will clearly have an appreciable impact on the building or on their surroundings should be subject to the Local Planning Authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 4.4 Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

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

- 4.5 These regulations remain extant and were in force at the time of the submitted application. Paragraph 3 (1) of the Regulations states that advertisement controls are

exercisable only in terms of amenity and public safety, taking account of material factors  
*“(a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors.”*

- 4.6 Paragraph 3 (2)(a) states that “factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic architectural, cultural or similar interest”.
- 4.7 Public Safety issues are also referred to within the Regulations at 3 (2)(b)(i) where it is stated *“the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome”* should be considered.
- 4.8 Paragraph 3(4) indicates “unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed”.
- 4.9 As set out above, the Advertisement Regulations state that the provisions of the Development Plan are taken into account *‘so far as they are material’*. .

### **Planning Practice Guidance: Advertisements**

- 4.10. The Planning Practice Guidance on Advertisements consists of a series of subtopics with questions and answers. It sets out the requirements of the Control of Advertisement Regulations. For applications for express consent it reiterates that Regulation 3 requires Local Planning Authorities to control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

### **Development Plan**

- 4.11 The relevant Development Plan policies are to be found in the adopted Camden Local Plan 2017 (CLP) and the Council’s various Planning Guidance Notes on Adverts, Amenity and Design.
- 4.12 In determining the application the Council considered that Policy D1 of the CLP on Design in the Camden Local Plan was relevant. This requires that good design takes account of the surrounding area and preserves what is distinctive and valued about the



local area. It requires that careful consideration of features of local distinctive nessand the wider context is needed to achieve high quality development which integrate into its surroundings.

- 4.13 Policy D4 on adverts requires both them and signs to be designed to be complementary and preserve the character of the host building and the local area as well as protecting the form, fabric, design, scale of their setting and host building.

## 5.0 Grounds of Appeal

- 5.1 The signage scheme forms an integral part of the appellants investment in the business and is designed to increase its known presence in the street.
- 5.2 During the declining and continuing difficult economic climate, not helped by the economic uncertainties over exiting Brexit issues and now the current coronavirus pandemic, the appeal site has suffered from lost revenue and is now closed.
- 5.3 The fascia sign is intended to increase the restrurnats attractiveness and known presence to customers. It is even more important in these current times that the site maintains sufficient commercial street presence and announcement as a restaurant, otherwise it will continue to suffer seriously detrimental effects on its ability to attract customers, thereby subsequently further affecting sales, when it reopens, to the detriment of its continued economic viability. Both full and part-time staff are employed at the restaurant and are reliant on it, for their income. Any continued drop in sales will affect the ability of the unit to maintain staff levels and the ability to continue to trade.
- 5.3 The ultimate closure of this unit would have a detrimental impact upon the visual amenity of the host building and the overall appearance of particularly that section of Jamestown Road in which it is located. A vacant property at the appeal site would give a strong negative message to other operators and potential investors into this part of Camden and represent the loss of a distinctive restaurant offer.
- 5.4 The relevant considerations for determining proposals for advertisement consent comprise visual amenity and highway safety only. Visual amenity is not only related to the aesthetics of the specific signage but must relate to visual considerations of the surrounding area. The appeal elements of the signage scheme are merely ephemeral and will have no permanent, long-term, lasting impact upon the surrounding area or the building itself.
- 5.5 The size of the internally illuminated fascia sign is informed by the appellant's consideration of what is necessary in order to provide an appropriate street presence for the restaurant, given its street scene context, the overall scale of the building and the scale of the built components of the local street scene.
- 5.6 The overall signage strategy at the appeal site has been designed to properly identify and visually announce the presence of a restaurant within the building and this part of Jamestown Road.

- 5.7 Taking all of the above into account therefore, the appeal relates to the visual amenity impact of the introduction of the fascia sign. It is argued that it results in an appropriate display which does not have an adverse impact upon the amenity of the site and surroundings and preserves the character, appearance and setting of the building within the street scene.
- 5.8 The sign sits comfortably within the opaque linear glazed separation of the ground floor from the first floor of the building and respects the scale of this element of the building and its overall appearance. It is argued that it also respects the form of the building by wrapping around its curved frontage and replicating the strong horizontal lines of this part of the building by being linear in nature. This is evident by seeing the sign, in its non-illuminated form, sited on the building,
- 5.9 The proposed internal illumination lighting of it is modest and being a slim line sign does not cause material detriment to the visual amenities of the host building or the wider area during daylight hours. Furthermore, when illuminated, the fascia sign provides a suitable, bespoke signage announcement for the restaurant during its trading times and particularly hours of darkness. In reality such a sign adds visual interest and vitality to the host building and the local commercial street scene. On the basis that the signage scheme is effectively an ephemeral display, a temporary advertisement consent is justified in this case.
- 5.10 The Town and Country Planning (Control of Advertisement) Regulations are clear that advertisement controls are only exercisable in terms of amenity and public safety, with the provision of the development plan only considered as far as they are material. The Council have raised no public safety issues in refusing advertisement consent. The NPPF is unambiguous that only those advertisements which will clearly have a significant impact on the building or on their surroundings should be the subject of a detailed assessment by the Local Planning Authority.
- 5.11 The NPPF encourages Local Planning Authorities to approach decision making in a positive way, looking for solutions rather than problems. The NPPF requires local planning authorities to work proactively with applicants to secure developments that improve the economic conditions of an area. The NPPF is unambiguous that local planning authorities should have a clear understanding of needs within the economic markets operating in and across their area, through working closely with the business community to understand their changing needs and identify and address barriers to investment.

## 6.0 Summary

- 6.1 Wagamama's occupies the ground floor of a distinctive building. It suffers from a lack of signage announcing its presence and actual location within the street scene. The only previously permitted signage has been two small internally illuminated sign set at either end of its very extensive frontage to Jamestown Road, neither of which are particularly conspicuous in views up and down Jamestown Road.
- 6.2 Other restaurant businesses and fast food outlets in the street have externally illuminated fascia and projecting signs fixed to the front elevations of their buildings to announce their presence and location. Wagamama has sought Advertisement Consent for an illuminated fascia sign signage to also announce its location within Jamestown Road, but the council have held that a illuminated fascia sign would lead to a bulky and incongruous feature on the host building and within the street scene.
- 6.3 It is argued however that the fascia sign, as evidenced by its situation on the host building in its non-illuminated form, sits comfortably within the opaque glazed separation of the ground floor from the first floor of the building and respects the linear scale of this element of the building and its overall appearance. It is argued that it also respects the form of the building by wrapping around its curved frontage and replicates the strong horizontal lines of this part of the building, by being linear in nature.
- 6.3 In such uncertain economic times, caused initially by concerns over Brexit, but now by the immediate and long-term impact of the coronavirus pandemic that has resulted in the closure of all bars, restaurants and other hospitality and leisure businesses, the immediate short term future of many of such businesses is now in doubt. Without suitable signage announcing its presence on Jamestown Road there is a real concern that the restaurant will not attract enough passing trade to survive when the strict restrictions on it opening are relaxed.
- 6.4 The NPPF requires planning policies and decisions to help create conditions in which businesses can invest, expand and adapt and to be flexible enough to accommodate needs not anticipated in the plan and to enable a rapid response to changes in economic circumstances.
- 6.5 It is argued that the proposed fascia sign is not excessive or harmful to the building and for these reasons and those detailed above, the Inspector is respectfully requested to grant Advertisement Consent.

Wagamama, 9-11 Jamestown Road, Camden.



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