

LDC (Proposed) Report		Application number	2020/5035/P
Officer		Expiry date	
Sofie Fieldsend		25/12/2020	
Application Address		Authorised Officer Signature	
50-60 Southampton Row London WC1B 4AR			
Conservation Area		Article 4	
No		No	
Proposal			
Artwork installation on Southampton Row elevation			
Recommendation:	Grant Certificate of Lawfulness for Proposed Development		

Legal Context-

Town and Country Planning Act 1990 (as amended)

Section 55 of the Town and Country Planning Act 1990 states that "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Paragraph (2)(a) of Section 55 of the Town and Country Planning Act 1990 states:

‘The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land –

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which –

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,

.... .’

Proposal-

The proposal is to paint a mural/artwork on the Southampton Row elevation of the building which is currently in use as a hotel (Class C1).

The mural proposed is considered to fall outside the meaning of an advert and is viewed as a stand-alone piece of art which reflects the character of the area and does not include any advertising material linked to promotion of the hotel. It shows images referencing significant and iconic landmarks and historic events and figures from the area of Holborn/Covent Garden/Bloomsbury.

If an advert of this scale and location was proposed, it would not be permitted development and it would not be supported. The artwork will be painted on the building's surface and no additional construction is proposed to facilitate its installation.

The proposed mural as described in the submitted application would not involve a material change of use or lead to an intensification of the site. However it is considered to constitute 'development' as it would materially affect the external appearance of the building, on account of its colourful nature and large scale covering a sizeable proportion of the side elevation of a very prominent building.

Part 2 Class C of the General Permitted Development Order 2015 (GPDO) covers exterior painting. Permitted development includes the painting of the exterior of any building or work, unless it is painting for the purpose of advertisement, announcement or direction. In Class C, "painting" includes any application of colour.

As discussed above the mural is not an advertisement and solely includes painting of a wall surface. Hence it would be regarded as 'permitted development' as defined by Part 2 Class C of the GPDO and would not therefore require planning permission.