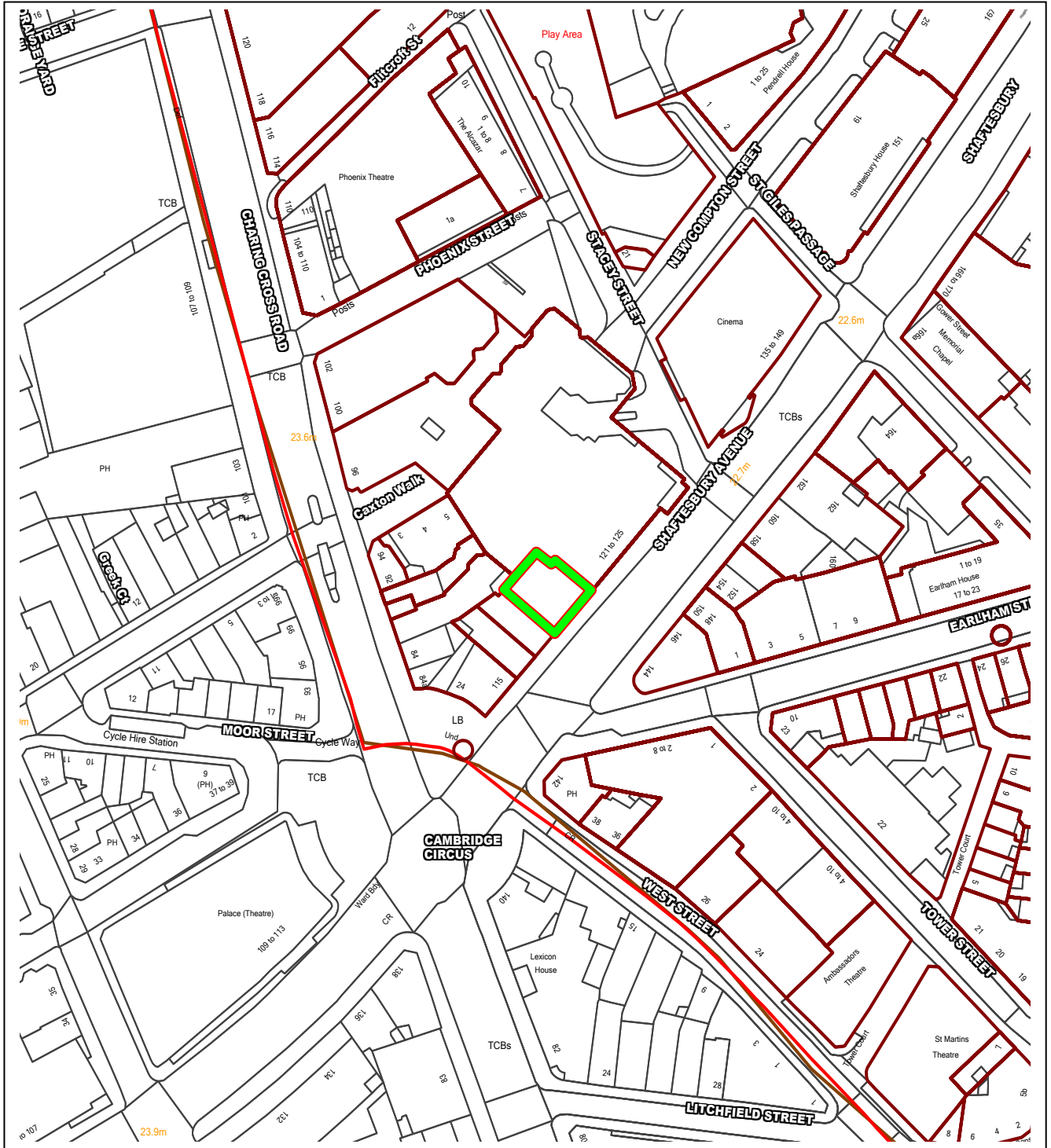


2021/3240/A - 119 Shaftsbury Avenue



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Photos 1 & 2 – views of externally illuminated fascia sign (trough-lit) at host premises



Photos 3 & 4 – views of neighbouring shopfronts (nos. 25-27 and 121 respectively)



Delegated Report		Analysis sheet	Expiry Date	27/08/2021
(Members Briefing)		n/a	Consultation Expiry Date	08/09/2021
Officer			Application Numbers	
Tony Young			2021/3240/A	
Application Address			Drawing Numbers	
119 Shaftsbury Avenue London WC2H 8AE			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Display of externally illuminated (trough-lit) fascia lettering sign to ground floor shopfront (retrospective).				
Recommendation	Grant Advertisement Consent			
Application Type	Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informative:						
Consultations						
Adjoining Occupiers & local groups	No. notified	0	No. of responses	1	No. of objections	1
			No. Electronic	0		
Publicity:	n/a					
Summary of all external consultation responses	<p>Seven Dials Conservation Area Advisory Committee <u>objected</u> to the proposal, summarised as follows:</p> <p><i>The proposed alterations diminish the quality of the existing high quality historic shopfront and subsequently cause harm to the conservation area, therefore being unacceptable in amenity terms.</i></p> <ol style="list-style-type: none"> 1. <u>Fascia Band</u> - 'Fascia bands' are usually manufactured in plastic and are subsequently of a poor design quality while simultaneously obscuring the materiality and detail of the original shopfront. In this case the shopfront is of a high quality and state of preservation, and unusually is not obscured by inappropriate additions or signage. The use of the fascia band will obscure the original details and materiality of the fascia of the shopfront while also introducing an inappropriate material. We therefore object and recommend that the advertisement be either painted onto the fascia or stickered onto the inside of the glass in an appropriate manner; 2. <u>LED Spit to Rear of Glass</u> - The use of illuminated signage and advertisement is widely considered to be inappropriate in a conservation area. The proposed illuminated logo constitutes advertisement and is also inappropriate in scale. We object to this in principle. Paragraph SD19 of the Seven Dials Conservation Area Management Strategy states: 'Similarly shop signage should be appropriate for the Conservation Area, respecting the proportions of the shop frontages, and maintaining the division between units and reflect the plot widths of buildings. Internally illuminated box signs are unacceptable and generally signage should be non-illuminated or externally illuminated. Signage will usually consist of one fascia sign and one projecting sign. Shop signs should not normally be above ground floor level.' 3. <u>Projecting Sign</u> - In our view the design of the projecting sign is inappropriate given the state of preservation of these historic shopfronts. A projecting sign in this location should ideally consist of an externally illuminated sign hanging from a bracket affixed to the wall. The application does not describe materiality but it is assumed to be acrylic which is an inappropriate material in amenity terms. <p><u>Recommendations</u> - The Seven Dials CAAC will rescind their objection on the condition that the applicant:</p> <ol style="list-style-type: none"> a. Display their main advertisement ('German Doner Kebab' and logo) by means of an appropriately designed and sized sticker in the window, or by lettering painted upon the existing exposed fascia board. b. Remove the proposed illuminated logo. c. Replace the projecting sign by one of an appropriate hanging equivalent, or alternatively remove it entirely. 					

Officer response:

1. Fascia sign - see assessment in Section 2 below;
2. LED sign – benefits from deemed advertisement consent (see paragraph 3.1 below); and
3. Projecting sign - benefits from deemed advertisement consent (see paragraph 3.2 below).

Site Description

The application site comprises a 5-storey terrace building located in Central London with retail units at ground floor level and office space on the upper floors. The surrounding area is a mixture of commercial and residential uses, consisting of similar sized buildings and uses. The site is a positive contributor and is located within Seven Dials Conservation Area.

Relevant History

ASX0004224 - Retention of an illuminated fascia and projecting sign. Advertisement consent refused and appeal allowed 30/10/2000.

ASX0004279 - Display of externally illuminated fascia, externally illuminated projecting sign, 2 awnings and an illuminated menu box. Advertisement consent granted 20/06/2000

Enforcement

EN000543 - Retention of an illuminated fascia. Case closed 11/02/2002

Relevant policies**National Planning Policy Framework 2021****London Plan 2021****Camden Local Plan 2017**

- A1 - Managing the impact of development
- D1 - Design
- D2 - Heritage
- D4 - Advertisements

Camden Planning Guidance

- CPG Design (January 2021) - chapters 1 (Introduction), 2 (Design excellence), 3 (Heritage) and 6 (Shopfronts)
- CPG Amenity (January 2021) – chapters 1 (Introduction), 2 (Overlooking, privacy and outlook) and 4 (Artificial light)
- CPG Advertisements (March 2018) – paragraphs 1.1 to 1.11; and 1.13 to 1.18.

Seven Dials Conservation Area Statement appraisal and management strategy (adopted 1998)**Assessment****1. Proposal**

1.1 Advertisement consent is sought retrospectively for the display of an externally illuminated fascia lettering sign on the ground floor shopfront at the application site. Slim, white lettering (measuring approximately 1.8m wide x 0.4m high x 0.03m deep) is positioned centrally on a black fascia board (measuring approximately 5m wide x 0.43m high) and is externally illuminated by a single trough light.

2. Assessment

2.1 The principle consideration in the assessment and determination of the application are:

- the impact of the proposal on visual amenity (including neighbouring amenity in so far as the Control of Advertisement Regulations 2007 allow); and
- the impact of the proposal on highway, pedestrian and cyclist's safety.

2.2 The Town and Country Planning (Control of Advertisements) Regulations 2007 only permits the Council to consider amenity and public safety matters in determining advertisement consent applications.

Amenity - visual impact and impact on residential amenity

- 2.3 Local Plan Policy A1 (Managing the impact of development) confirms that artificial lighting should only illuminate the intended area and not affect the amenity of neighbours.
- 2.4 Section 12 (Achieving well-designed places) of the NPPF states in Paragraph 136 that the quality and character of places can suffer when advertisements are poorly sited and designed.
- 2.5 CPG Design and Local Plan Policy D1 (Design) advise that advertisements should relate well to the character, scale and architectural features of a building and respect the local context. This is supported by Local Plan Policy D2 (Heritage) and the Seven Dials Conservation Area Statement which states that its designation as a conservation area provides the basis for policies designed to preserve or enhance the special interest of such an area.
- 2.6 CPG Adverts states that any advertisements in a conservation area must not harm the character and appearance and must not obscure or damage specific architectural features of buildings.
- 2.7 Local Plan Policy D4 (Advertisements) confirms that shopfront advertisements will only be acceptable at ground floor level, fascia level or below. Advertisements should not become unduly dominant in the street scene, cause light pollution or public safety hazards to pedestrians and drivers.
- 2.8 It is acknowledged that all advertisements are intended to attract attention and for this reason are commonplace in various forms in Central London and in commercial high streets, such as, at the application site in Shaftesbury Avenue.
- 2.9 The proposed externally illuminated fascia lettering sign is appropriately sized relative to the scale of the shopfront and is suitably positioned at fascia level above the main entrance of the commercial unit. The lettering is slim and well-proportioned in so far as it discreetly occupies a small, central part of the black fascia board. A maximum depth of 0.03m for each letter ensures that the sign does not protrude outwards by very much from the fascia board and the white colour contrasts well with the mainly black colour of the frontage.
- 2.10 The sign is illuminated externally by a single trough light which is an appropriate method of illumination for signage within a conservation area. The trough light only extends the length of the lettering itself (and not the full length of the fascia board) and is directed downwards onto the lettering so as to avoid any possible adverse effects of glare or light pollution. Additionally, the luminance level is 300 cd/m² which is an appropriately low level for within a conservation area.
- 2.11 While it is noted that individual letters are made from perspex material, and hand-painted letters would be preferred, the material used is not widely noticeable or out-of-keeping with the streetscene, especially given the size and slim proportions of the letters, nor does the sign obscure any architectural features of the shopfront. As such, the sign does not appear visually prominent or harmful in views from within Shaftesbury Avenue or the wider Seven Dials Conservation Area, but rather, it appears as a visually unobtrusive and common form of advertising suitable in this context.

2.12 Overall, therefore, the proposal would not be harmful in visual amenity terms within the streetscene or wider conservation area, nor have any significant impact on residential amenity, in accordance with Section 12 of the NPPF, Local Plan Policies A1 (Managing the Impact of Development), D1 (Design), D2 (Heritage) and D4 (Advertisements) of the Camden Local Plan 2017.

Public Safety

2.13 Policy A1 (Managing the impact of development) requires development proposals to avoid disruption to the highway network, its function, causing harm to highway safety, hindering pedestrian movement and unnecessary clutter as well as addressing the needs of vulnerable users.

2.14 More specifically, CPG Advertisements advises that advertisements will not be considered acceptable where they impact upon public safety, such as being hazardous to vehicular traffic (e.g. block sight lines, are more visible than traffic signals, emit glare) or pedestrian traffic (e.g. disrupt the free flow of pedestrian movement).

2.15 In terms of public safety, the proposed sign does not obstruct or distract road users or pedestrians given its appropriate height at fascia level, relatively low luminance level, slim profile and dimensions, and the static nature of illumination. As such, there are no public safety concerns associated with the proposed advertisement.

3. Other matters

LED signage inside glazing

3.1 The display of various illuminated signage internally behind the shopfront glazing is considered to benefit from deemed advertisement consent, as defined by Schedule 3, Part 1, Class 12 of the Town and Country Planning (Control of Advertisements) Regulations 2007, and therefore, does not require formal determination or express consent by the Council in the form of an advertisement consent application.

Non-illuminated projecting

3.2 Similarly, the display of a non-illuminated projecting sign is considered to benefit from deemed advertisement consent, as defined by Schedule 3, Part 1, Class 5 of the Town and Country Planning (Control of Advertisements) Regulations 2007, and therefore, also does not require formal determination by the Council.

Recommendation

It is recommended that advertisement consent be granted.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th July 2022, 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 and search for 'Members Briefing'.

Application ref: 2021/3240/A
Contact: Tony Young
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 27 June 2022

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

RR Planning Limited
82A Otley Road
Headingley
Leeds
LS6 4BA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:
119 Shaftsbury Avenue
London
WC2H 8AE

DECISION

Proposal: Display of externally illuminated (trough-lit) fascia lettering sign to ground floor shopfront (retrospective).

Drawing Nos: 702-PA.01 rev P1; (GDK-sha-616-)E:01, E:02 rev B; 12.EX-13A.

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
- (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.

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 2021.

You can find advice in regard to your rights of appeal at:

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

Yours faithfully

Chief Planning Officer