

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 28 March 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	5 Macclesfield Street, London, W1D 6AY,		
Proposal	1) Replacement shopfront and installation of new awning at front ground floor level. 2) Display of internally illuminated fascia sign measuring 1.43m x 1.69m, externally-illuminated mural measuring 6.2m x 8.6m to Dansey Place 3.8m x 4.5m to shopfront.		
Agent	Rolfe Judd Planning		
On behalf of	Shaftesbury Chinatown Limited and Rasa Sayang		
Registered Number	17/01062/FULL and 17/01603/ADV	Date amended/ completed	9 February 2017
Date Application Received	9 February 2017		
Historic Building Grade	Unlisted		
Conservation Area	Chinatown		

1. RECOMMENDATION

Refuse planning permission and advertisement consent – design grounds

2. SUMMARY

Two separate applications have been submitted. Planning permission is sought for alterations to the shopfront including an awning. Advertisement consent is sought for the painting a mural advertisement on the side elevation on Dansey Place and across part of the Macclesfield Street front elevation and an externally illuminated fascia sign.

The key issue for consideration in both applications is design and the impact of the works and adverts on the appearance of the building and to the character and appearance of the conservation area.

The proposed shopfront is unacceptable because of its uncharacteristic proportions, which are considered to be harmful to the appearance of the building and the conservation area.

Although a mural on the side elevation on Dansey Place passageway is acceptable, as proposed the mural would also cover part of the shopfront including the stallriser and shop window. It would be an uncharacteristic feature which would also be harmful to the appearance of the building.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

Soho Society:
No objection

Adjoining owners/occupiers and other representations received:
No. Consulted: 31
Total No. of replies: 0

Press advertisement / site notice: yes

6. BACKGROUND INFORMATION

6.1 The Application Site

5 Macclesfield Street lies within the Chinatown Conservation Area. It is not listed, but is identified in the Soho and Chinatown Conservation Area Audit as an Unlisted Building of Merit, that is, one which makes a positive contribution to the character and appearance of the conservation area.

The building forms one corner of the junction with Dansey Place, which joins Macclesfield Street through an arched opening.

This application site also lies in the Central Activities Zone and the West End Stress Area.

6.2 Recent Relevant History

None directly relevant

7. THE PROPOSAL

- i) Permission is sought for a replacement shopfront and installation of new awning at front ground floor level.
- ii) Advertisement consent is sought for display of an internally illuminated fascia sign measuring 1.43m x 1.69m, and an externally-illuminated mural measuring 6.2m x 8.6m to Dansey Place 3.8m x 4.5m to shopfront.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Not applicable.

8.2 Townscape and Design

i) Shopfront

The proportions of the proposed shopfront are considered to be unacceptable. A part of the shop window is proposed to be infilled in order to accommodate the mural. The resulting shopfront has awkward proportions, and an overly narrow window. It does not relate to the proportions of the building above, having a particularly awkward relationship with the window openings.

The proposed stallriser presents no improvement on the proportions or materials of the existing low concrete stallriser. The proposed shopfront is contrary to UDP policies DES 5 and DES9.

ii) Mural

The proposed mural advertisement is by Yip Yew Chong, a Malaysian street artist, and is typical of his work overseas. The applicant has provided the mural artist's CV, he has painted murals Singapore, though none to date in the UK.

The mural depicts a Singaporean street scene. Its purpose is to publicise the Malaysian restaurant on which it is painted through the medium of a large scale painted display. A secondary purpose is to enliven a somewhat run-down part of Chinatown.

The scale and quality of the work's execution are material considerations. It is these aspects which have a visual impact on the building and amenity of the surrounding area. The content of the display is of lesser significance, although still material insofar as it is necessary to acknowledge this to determine the extent of artistic/advertising content.

The Town and Country Planning Act 1990 at S336 Interpretation defines an advertisement as follows:

"any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used, or adapted for use, for the display of advertisements, and references to the display of advertisements shall be construed accordingly"

In this case, and noting the display's content, the ordinary meaning of advertisement is considered to draw attention to the premises on which it is painted, displaying a street scene typical of the cuisine's country of origin (while identified as a Singaporean street scene, Singapore is geographically and

culturally a part of Malaysia). This constitutes an announcement, which brings it within control of the Regulations. The Regulations deal with displays as diverse as saints' flags and neighbourhood watch signs. Thus commercial content is not necessary for a display to be an 'advertisement'.

Policy DES8 requires that advertising be well designed and sensitively located within the street scene, relate to the character, scale and architectural features of the building and, in the case of shop signs, be located at fascia level.

In this case the absence of overtly commercial content is considered to make the portion of the mural within the covered arch less harmful than the portion on the shop front. The wall on which is located is undistinguished and the view through the arch to Dansey Place is very poor. A mural proposed in this location only would be likely to be acceptable.

The mural on the shop front however is considered to be much more harmful to visual amenity. It forms part of the commercial presence of the shop in the street scene, and results in the entire façade of the shop being covered in advertising.

Advertising on shop fronts should be confined to fascia signs, projecting signs and awnings. The proposed extent of advertising here is uncharacteristic of Victorian shop fronts, and of shopfronts within the conservation area in general.

Fascia Sign

The proposed fascia sign is unacceptable in design terms. It is a highly unusual shape, being virtually square, and occupying only a small proportion of the shop fascia.

While the existing (unconsented) fascia sign is very poor, and harmful in itself to the amenity of the area, this is not sufficient reason to consent another harmful sign.

The last consented sign on this site was a depth of 970mm, compared to the existing sign which is 1690mm, and the proposed sign which is 1430mm. A fascia sign should ordinarily span the entire width of the shopfront, and should not be overly deep. Westminster's Shopfronts Blinds and Signs SPG states that:

"In Georgian, Victorian and Edwardian buildings, shopfronts are often set within a framework of classical elements of pilasters, columns and a frieze incorporating a fascia, usually topped by a cornice. It is important that these features are retained intact and, if damaged, replaced in replica."

The applicant stated that the unusually deep fascia is required because of a low ceiling within the shop unit. A more satisfactory resolution could be achieved be

raising the ceiling. A fascia sign of greater depth than the consented 970mm is not considered to be acceptable. The proposed fascia sign is contrary to policies DES 8 A) 1) a) b) and c).

8.3 Economic Considerations

The Shopfronts Blinds and Signs SPG states that 'making a shop 'stand out' in the context of the street, does not always make it more attractive to shoppers. Evident respect for the character of the street and the area, will generally produce a high quality retail environment which is likely to attract more shoppers”.

8.4 Access

No change is proposed to the existing access arrangements.

8.5 Other UDP/Westminster Policy Considerations

The applicant states that local stakeholders have expressed strong support for the proposals including the London Chinatown Chinese Association (LCCA) and Ward Councillors. Evidence of this support has not been seen by officers.

8.6 London Plan

This application raises no strategic issues.

8.7 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.8 Planning Obligations

Planning obligations are not relevant in the determination of this application.

9 BACKGROUND PAPERS

1. Application form
2. Soho Society consultation response

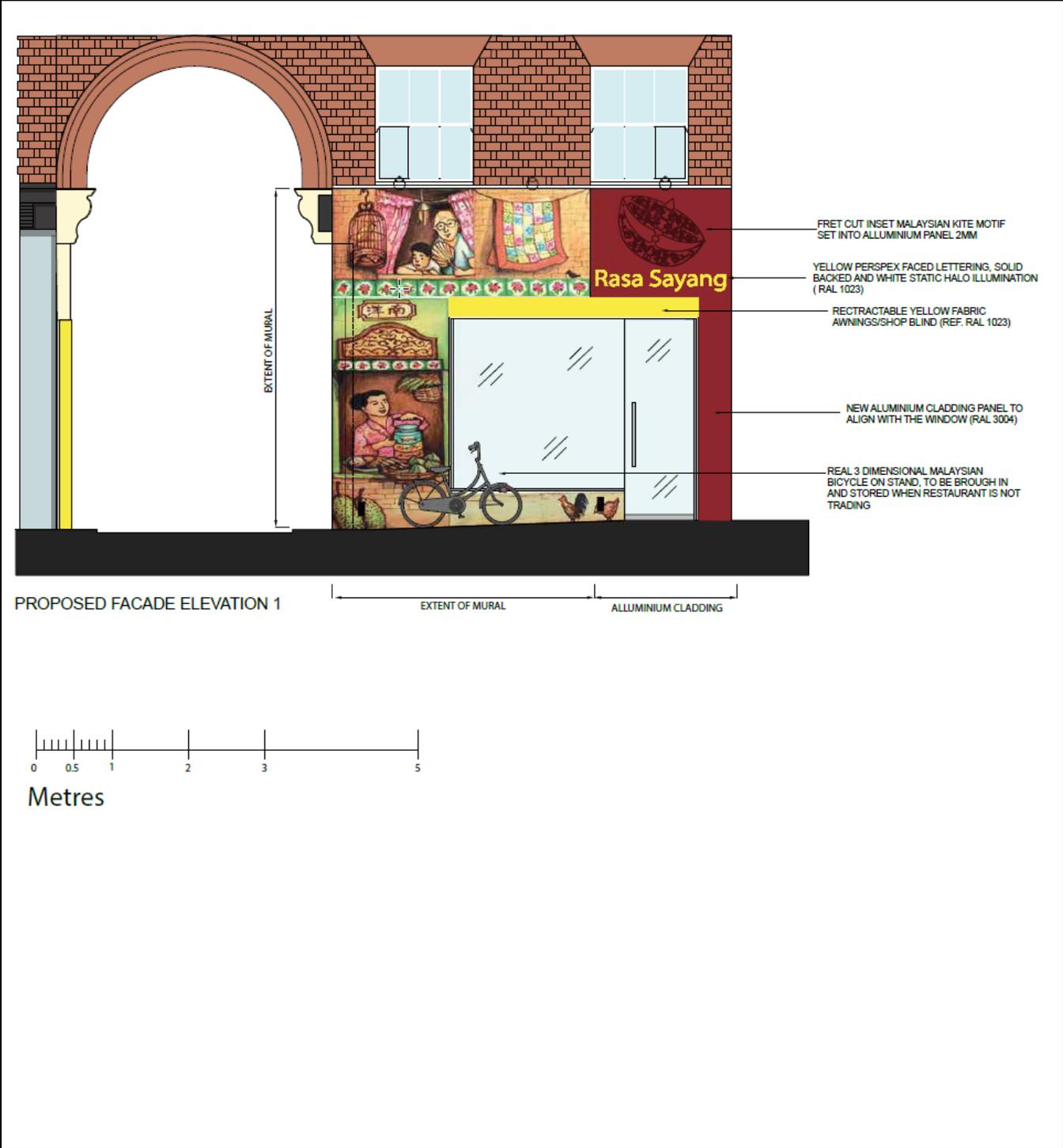
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

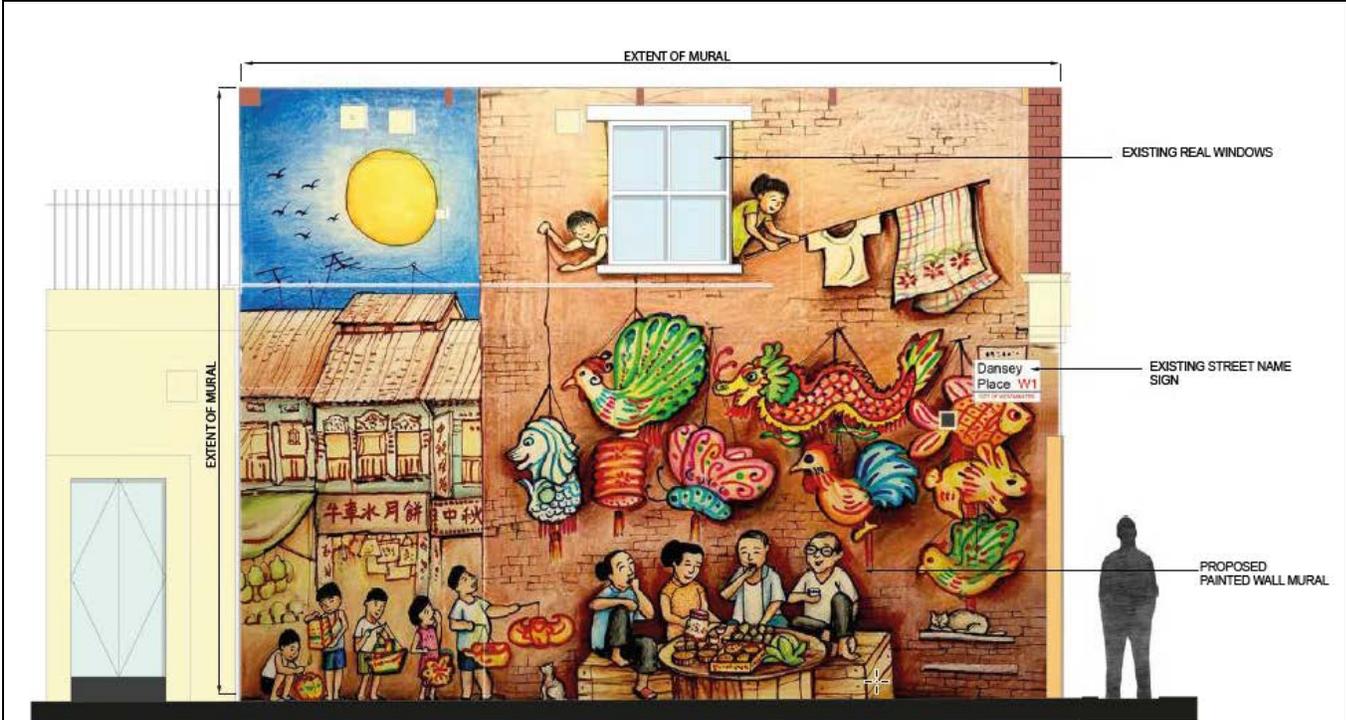
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IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk
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10 KEY DRAWINGS





PROPOSED FACADE ELEVATION 2



Metres

DRAFT DECISION LETTER

Address: 5 Macclesfield Street, London, W1D 6AY,

Proposal: Replacement shopfront and installation of new awning at front ground floor level.

Reference: 17/01062/FULL

Plan Nos: E004 rev B; E005 rev A; E007 rev B; E008

Case Officer: Toby Cuthbertson

Direct Tel. No. 020 7641 8705

Recommended Condition(s) and Reason(s)

Reason:

Because of its proportions and design the proposed shopfront would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Chinatown Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 5 (C), DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AD)

Informative(s):

DRAFT DECISION LETTER

Address: 5 Macclesfield Street, London, W1D 6AY,

Proposal: Display of internally illuminated fascia sign measuring 1.43m x 1.69m, externally-illuminated murals to either side of entrance to Dansey Place measuring 6.4m x 8.6m and 6.2m x 8.6 and externally illuminated mural to shopfront measuring 3.8m x 4.5m.

Plan Nos: E004 rev B; E005 rev A; E007 rev B; E008

Case Officer: Toby Cuthbertson Direct Tel. No. 020 7641 8705

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

Reason:

Because of its extent and appearance the proposed mural would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Chinatown Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 5, DES 7 DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AD)

Reason:

Because of its proportions the proposed fascia sign would harm the appearance of the building and the appearance (amenity) of the area. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Chinatown Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 8 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X15AD)

Informative(s):

1 A mural may be acceptable on the Dansey Place elevation only. The decoration of the front of a building with a mural is unacceptable in principle.

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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.