
Appeal Decisions

Site visit made on 15 June 2022

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2022

Appeal A Ref: APP/X5990/H/22/3292300

28A Leicester Square, London WC2H 7LE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Simmons Bars against the decision of City of Westminster Council.
 - The application Ref 21/07512/ADV, dated 1 November 2021, was refused by notice dated 21 December 2021.
 - The advertisements proposed are illuminated fascia and projecting signage.
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Appeal B Ref: APP/X5990/W/22/3292297

28A, Leicester Square, London, WC2H 7LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Simmons Bars against the decision of City of Westminster Council.
 - The application Ref 21/07511/FULL, dated 1 November 2021, was refused by notice dated 21 December 2021.
 - The development proposed is shopfront alterations.
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Decisions

1. Appeal A is allowed and express consent is granted for the installation of illuminated fascia and projecting signage at 28A Leicester Square, London WC2H 7LE in accordance with the terms of the application, 21/07512/ADV, dated 1 November 2021. The consent is for five years from the date of this decision and is subject to the 5 standard conditions set out in the Regulations.
2. Appeal B is allowed and planning permission is granted shopfront alterations at 28A Leicester Square, London WC2H 7LE in accordance with the terms of the application, Ref 21/07511/FULL, dated 1 November 2021.

Preliminary Matters

3. The shop front, fascia and projecting sign subject of the Appeals were all in situ in accordance with the submitted plans at the time of my site visit. I have considered the proposals on this basis.

Main Issues

4. The main issue in Appeal A is the effect of the adverts on the amenity of the appeal building and the surrounding area, including the effect on the character or appearance of the Leicester Square Conservation Area (the CA). For Appeal B, the main issue is the effect of the shop front on the appearance of the appeal building and whether it would preserve or enhance the character or appearance of the CA.

Reasons

5. The appeal site relates to a ground floor entrance into a basement bar /

nightclub within Leicester Square which contains a range of commercial, leisure and entertainment uses. Leicester Square and the CA has a vibrant character strongly influenced by those uses and the people that come to the Square throughout the day and night. Buildings around the Square are of a varied style and design and there are a range of shopfront designs. Adverts also vary in size, design, illumination and placement in the Square and on nearby streets. They are principally associated with the ground floors of commercial premises. The adverts contribute to the visual character of the area.

6. The appeal premises is one of two frontages associated with the six-storey building. The larger of the two serves a public house. This split and the unequal relationship would be maintained by the proposals with the signs and shop front sitting below the shallow stone cornice that projects under a pyramidal detail set around first floor level. The new shop front is modest in size and in the same location as the former shop front. Barring the use of materials, it follows the established layout and general design. The use of blue coloured metro tiles with white grouting does stand out next to the shop fronts either side of the appeal premises. However, the previous shop front was also of a stark colour, in contrast with the public house façade and the upper floors. Against this context, and that of other shop fronts in the Square and the CA, I consider the character and appearance of the appeal building, and that of the CA would be preserved by the scheme subject of Appeal B.
7. The adverts have replaced signs that were attached to the façade of the appeal premises. The new adverts would be illuminated, which, in the context of the illuminated adverts in the Square that operate during the day and night, would not be harmful. The location of the adverts would respond to the general position of adverts on commercial premises in the Square and the CA. Overall, the adverts contribute to the vibrant nature of the appeal building and the CA. As such, the scheme subject of Appeal A is acceptable in terms of amenity.
8. I conclude that the shopfront alterations subject of Appeal B do not harm the appearance of the appeal building and they preserve the character and appearance of the CA. Thus, the alterations accord with Policies 38, 39 and 40 of the City Plan 2019-2040 (City Plan) which jointly seek all development to have regard to the character and appearance of the existing area, materials, architectural features and heritage assets, so that they are conserved in a manner appropriate to their significance. For the same reasons, the alterations accord with Chapters 12 and 16 of the National Planning Policy Framework.
9. I also conclude that the adverts subject of Appeal A do not harm the amenity of the appeal building and the surrounding area, and therefore preserve the character and appearance of the CA. I have taken into account City Plan Policies 38, 39 and 43(G) which seek to protect amenity and are therefore material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with this policy.

Conclusions

10. For the reasons given above, I conclude that the Appeals A and B should be allowed.

Andrew McGlone

INSPECTOR