
Appeal Decision

Site visit made on 29 November 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2022

Appeal Ref: APP/X5990/Z/22/3304274

48 Carnaby Street, London W1F 9PX

- 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 Mr Craig Devenport, Airwair International Ltd against the decision of City of Westminster Council.
 - The application Ref 22/03760/FULL, dated 8 June 2022, was refused by notice dated 22 July 2022.
 - The development proposed is the installation of a new shopfront.
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Decision

1. The appeal is allowed and permission is granted for the installation of a new shopfront at 48 Carnaby Street, London W1F 9PX, in accordance with the terms of the application, Ref 22/03760/FULL, dated 8 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan 106
 - Shop Front Elevation as Existing DM.09.01
 - Shop Front Details DM.09.02
 - Shop Front Details & Shop Front Panels DM.09.04

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area including the effect on the Soho Conservation Area (CA).

Reasons

3. The proposal is for a replacement shopfront for No 48, a retail unit within a four-storey unlisted building on the south-west side of Carnaby Street. The existing shopfront, installed recently following permission in March 2022¹, includes Dr. Martens in illuminated yellow lettering on the black fascia with black painted fake stone pilasters on either side and a black stallriser. The new glazed shopfront would retain a black surround but include new offset glazed doors with a projecting yellow portal surround extending up into the fascia. This would certainly attract attention to the store and its entrance, but similar

¹ Reference 22/00555/FULL

if not quite so prominent entrances are already in place next door at Vans and along the street at Mac. The portal surround would be a highly prominent feature but would not project out further than the pilasters on either side.

4. The street lies within the Soho CA but is famous as an expensive, upmarket retail destination. Most shopfronts in the vicinity are modern, with several at the cutting edge of fashionable shopfront design including bright primary colours (eg Pepe Jeans, Swatch, Benefit, Rixo) a sparkling fascia (Too Faced) and illuminated strips/borders (Levi's but most notably Puma). In the company of these and other shopfronts, all jostling for attention, the oversized and slightly projecting bright yellow portal around the entrance doors would not appear jarring, unduly prominent or out of place.
5. The Soho & Chinatown CA Audit observes² that shopfronts of all eras, including well-designed, contemporary shopfronts, contribute to the character and appearance of the two CAs as a whole. Whilst many shopfronts are of historic or architectural interest, the area's role as a retail and entertainment centre has meant it has a particularly rich and eclectic mixture of shopfronts, which are a key part of the character of the area. These comments are certainly true in the case of the vibrant shopping area of Carnaby Street.
6. For these reasons the proposal would not significantly harm the character and appearance of the area, and would preserve the character and appearance of the Soho CA. It would comply with Policies 38, 39 and 40 of the City Plan 2021 which require high quality urban design, optimising the positive role of the historic environment, and sensitive design having regard to the character of the surrounding townscape.

Conclusion

7. The Council has not suggested any conditions should the appeal be allowed, despite a reminder. However, the standard implementation time limit should be imposed and a condition to define the plans that have been approved in the interests of certainty.
8. Having regard to the above there is no reason to withhold permission and the appeal should therefore be allowed.

David Reed

INSPECTOR

² Paragraph 4.50