



Officer Report

Application Number:	HGY/2024/0078
Application Type:	Consent to display an advertisement
Address:	107 Muswell Hill Road, Hornsey, London, N10 3HS
Proposal:	Application of display of 2no. externally illuminated fascia signs, 2no. internally illuminated letter signs, 1no. externally illuminated projecting sign, 1no. internally illuminated menu box and replacement of awning.
Case Officer:	Mark Chan
Valid Date:	11/01/2024
Applicant:	Mr A Laurillard
Agent:	Mr Joseph Pugsley

RECOMMENDATION

Approve with Conditions

1. Site location

The site comprises a 1930's three-storey building with shops at ground floor and two floors of residential above. The site forms part of the same development as the Odeon cinema and consists of a run of six retail units (circa 8,000 sq ft) with two storeys of residential accommodation above which were built as one development and completed in 1936 in the distinctive Art Deco style popularised by Oscar Deutsch's entertainment chain and designed by their leading architect George Coles. The building is located on the western side of Muswell Hill Road next to the junctions of Fortis Green Road, Muswell Hill Broadway, and St. James's Lane.

Nos.107 - 143 Muswell Hill Road is a Grade II listed building while the adjoining Odeon Cinema is a Grade II* listed building. The adjoining cinema building has an important curved front elevation clad in black and cream faience tile, whilst its side and rear elevations facing the rear car park are relatively utilitarian and clad in blank brickwork. The site is also within the Muswell Hill Conservation Area.

The building has been extended under planning applications ref: HGY/2013/1169 and HGY2013/1170 to create additional retail floorspace and provision of eight residential units within a rear extension and a single storey roof extension at third floor level. That development included a new freestanding lift and stair core to rear and creation of new internal lift shaft.

The area has a mixed character with residential use on the upper floors and commercial mainly on the ground level. The site is within the Muswell Hill District Centre and forms a part of the Muswell Hill Town Centre secondary frontage which businesses have signage and rely on passing trade. The local signages, including the existing signages, are generally illuminated.

2. Description of Proposal

The applicant is seeking advertisement consent for the display of 2no. externally illuminated fascia signs, 2no. internally illuminated letter signs, 1no. externally illuminated projecting sign, 1no.

internally illuminated menu box and the replacement of an awning. Following advice from the Council's Officers, the proposal has been amended to the following:

The 2no. fascia signs will be mounted on top of the main entrance to the commercial unit which is located at the glazed extension of the subject building. The fascia signs will have white lettering 'Thai Tapas' and 'Thai Restaurant' respectively on a light green 'Willow Tree' coloured background and externally static illuminated by spotlights at 30 cd/m². The signs will be approximately 1.44m wide, 0.35m tall and 0.1m deep and 2.75m above ground level from base.

The 2no. letter signs will replace the existing letter signs and installed in the front elevation of the commercial unit; one at the glazed extension and another one at the original building. Both letter signs will have white internally illuminated lettering 'Giggling Squid' made from powder coated aluminium box letters and white acrylic inserts. The signs will be static illuminated at 30 cd/m². The larger sign will be approximately 5m wide, 0.6m tall and 3.35m above ground level whilst the smaller sign at the original building will be 3.1m wide, 0.38m tall and 3.82m above ground level. Both signs will be 0.1m deep.

The projecting sign will replace the existing hanging sign and installed in the front elevation and perpendicular to the original building. The sign will have white lettering on a light green 'Willow tree' coloured powder coated aluminium sign board. The signs will be externally static illuminated at 30 cd/m². It will be approximately 0.6m wide, 0.72m tall, 0.1m deep and 3.17m above ground level.

The illuminated menu box will replace the existing and installed in the front elevation of the original building. The box will be light green 'Willow tree' in colour and made of powder coated aluminium. It will be internally static illuminated at 30 cd/m² and be approximately 0.36m wide, 0.5m tall, 0.05m deep and 1.12m above ground level.

Lastly, a replacement awning of the same dimensions as the existing will be installed in the front elevation of the original building. it will be a stripped canvas awning with light green 'Willow Green' and 'Fennel White' background and white texts. The awning will not be illuminated and be approximately 5.16m wide, 0.96m tall and have a maximum projection of 1.85m from the front façade of the building.

3. Relevant Planning and Enforcement history

The most recent relevant planning applications are summarised as follows:

HGY/2016/3822 – Listed building consent in connection with the non-material amendment application (HGY/2016/3792 submitted registered on 18/11/16) submitted to reduce the planter size and removal of obscure glazing to the window and provision of louvered panel to back of trellis. The scheme is complete in part on site. The flat and associated works externally was completed in summer 2016.. Approved 13/01/2017.

HGY/2016/3792 – Non-material amendment following grants of planning permission HGY/2015/2147 & HGY/2013/1169 for the removal of the obscure glazing to the front elevation and amendments to the planter. Approved 15/12/2016.

HGY/2015/2160 – Display of 4 x non illuminated fascia signs. Approved 18/09/2015.

HGY/2015/2147 – Change of use from staff room facility to a three bedroom flat. Approved 02/12/2015.

HGY/2015/1837 – Alterations to shopfronts to include bi-fold doors, ventilation louver, fabric awning, painting in Dulux Heritage Lord K Green and signage. Approved 18/08/2015.

HGY/2015/1797 – Listed building consent for alterations to shopfronts to include bi-folding doors, ventilation louvre, fabric awning, painting in Dulux Heritage Lord K Green and signage. Approved 14/08/2015.

HGY/2015/1836 – Display of 2 x externally illuminated fascia signs, 1 x externally illuminated hanging sign and one x internally illuminated menu board. Approved 13/08/2015.

HGY/2013/1170 – Listed Building Consent for erection of rear and side extensions to create additional retail floor space and provision of eight residential units in third floor and rear extensions. construction of new freestanding lift and stair core to rear, creation of new internal lift shaft, closure of existing car park entrance, slip road and short term parking, and creation of two-way road access to car park and hard landscaping of existing site frontage Approved 18/11/2013.

HGY/2013/1169 – Erection of rear and side extensions to create additional retail floorspace and provision of eight residential units within a rear extension and a single storey roof extension at third floor level. Construction of new freestanding lift and stair core to rear, creation of new internal lift shaft. Public realm works including closure of existing car park entrance, slip road and short term parking, and creation of two way road access to car park from Fortis Green and hard landscaping of existing site frontage. Approved 18/11/2013.

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Transportation Group: No objection.

LBH Conservation Officer: No objection in principle subject to amendments

5. Local Representations

The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 2

Objecting: 2

Supporting: 0

The following comments were raised in the representations received:

- The illumination level of the signs is disturbing to neighbour
- Concerns about the hours of operation of the illuminated signs (Comment: The daily hours of illumination of the proposed signages will be controlled by condition from 9:00 – 23:00)
- Clear glass on the side may allow direct view from the restaurant into neighbouring property's habitable rooms (Comment: the agent has confirmed that etched film has been applied to the side elevation glazing to resolve this concern).

6. Assessment of planning issues

Regulation 3(1) of The Town and Country Planning (Control of Advertisement) Regulations 2007 states that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The definition of "amenity" includes both visual and aural amenity. Therefore, as well as visual amenity, the noise generated by advertisements should be considered. "Public safety" is not

confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included.

The revised NFFP (2023) states in Paragraph 136 that “the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

The main considerations in the assessment of this application are therefore amenity and public safety in respect of the Council’s Local Plan Policies as outlined below.

Amenity

Policy DM3 ‘Public Realm’ states that proposals for all advertisements should be designed to a high standard and, in particular, should:

- a. Contribute to a safe and attractive environment;
- b. Be of a high quality and sensitive to its visual appearance on the building on which it is to be sited and the surrounding street scene, especially in the case of listed buildings and conservation areas;
- c. Avoid unsightly proliferation or clutter of signage in the vicinity;
- d. Not cause a hazard to pedestrians or road users, including by siting and design;
- e. Be sited to avoid visual intrusion of light pollution into adjoining residential properties;
- f. Where appropriate, be constructed of materials and finishes which discourage both graffiti and fly posting.

Policy DM8 supports advertisements proposals as long as they are high quality and sensitive to their surroundings, do not contribute to visual clutter and do not cause visual intrusion by virtue of light pollution into adjoining residential properties.

The proposed advertisements on the original building would have a traditional appearance in keeping with existing adverts on the building with a fascia signs, menu box, projecting sign and non-illuminated awning. This is considered to respect the listed building and conservation area.

The internally illuminated letter sign (Sign 1) at the new extension is large. However, it is not as tall the existing “Bills” signage and also not as wide. Secondly, the shopfront is set back over 10m from the back edge of the pavement and would be viewed from a distance and thus can be larger in size in this case for the proposed signage to appear similarly sized as the other signage on the pavement line.

The internally illuminated letter sign (Sign 2) at the original building is smaller than Sign 1. It is noted that previous sign was made of internally illuminated light bulbs. There are also many examples of internally illuminated signs in the area; for example the ‘Planet Organic’ sign that is adjacent to the site is very similar to Sign 2. The rails that would support the sign has been amended to so that it is shortened and do not protrude beyond the letters.

The proposed signage is considered to be of acceptable appearance and material composition as well as sympathetically sized in relation to proportions of the shopfront, the host building and this retail parade. As a result, the character and appearance of the conservation area would be left preserved.

Overall, the number and location of the adverts is not considered to result in visual clutter and the low level of illumination (30 cd/m²) would not result in light pollution to neighbouring properties. Signage illumination will be contained to appropriate levels to ensure no adverse impact on

amenity. The daily hours of illumination of the proposed signages will be controlled by condition from 9:00 – 23:00. There will be no detrimental effect from the new signage for local residents.

It is noted from the representation received that the installation of clear glass on the side of the unit may allow direct view from the proposed restaurant into neighbouring property's habitable rooms. However, as this is an advertisement consent application that involves the installation of signages, the concern raised above cannot be address nor controlled by this application.

Public safety

Local Plan Policy DM2 seeks to ensure safe and accessible pedestrian routes and for proposals to not impede pedestrian permeability. In relation to advertisements Policy DM3 and DM8 seeks to ensure these do not cause a hazard to pedestrians or other road users. London Plan policy D8 also relates to pedestrian safety and states that applications which seek to introduce unnecessary street furniture should be refused.

The Council therefore needs to be convinced that pedestrian movement is not impeded with such development and that it does not attract attention which may endanger vehicle users.

The signage does not raise any safety concerns given it is of similar scale to the current/previous signage.

The proposed signage would not interfere with the use of the adjacent shop, bus stop and traffic signage.

It is of similar scale to the previous signage and as such there would be no adverse impact on the adjacent street/main road. The illuminance level would not affect public safety and would be subject to a condition.

The signage would not generate any obstruction to pedestrian movement on adjacent footway and as such there would be no consequence for the flow of pedestrians, including wheelchair and disabled users.

7. Conclusion

For the reasons outlined above, the proposed signage is found to be acceptable in terms of amenity and public safety. The signage would not harm the character and appearance of the conservation area. There is no conflict with any national, London or Local Plan policy and the application should therefore be approved.

Conditions:

- 1
 - A. That the display of the advertisement (s) shall be permitted for a period of five years from the date of this decision.
 - B. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition.
 - C. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
 - D. Where any advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public.
 - E. 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.
 - F. 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: The conditions are imposed by virtue of the Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 Before the advertisement(s) hereby approved is/are displayed, the existing advertisements shall be removed.

Reason: In order to prevent the excessive proliferation of obsolete signs to the detriment of the amenity of the area.

- 3 The brightness of the signages hereby approved should be limited to 30 cd/m² and the daily hours of illumination should be restricted to 09:00 - 23:00.

Reason: The conditions are imposed by virtue of the Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.