



Appeal Decision

Site visit made on 18 July 2023 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2024

Appeal Ref: APP/X5210/Z/23/3318914

**Adjacent Highgate Road Bridge (south side), East and West Walls,
Highgate Road, Dartmouth Park, London NW5 1LE**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Ms Anna McAree on behalf of Network Rail Advertising against the decision of the Council of the London Borough of Camden.
 - The application Ref 2022/5401/A, dated 8 December 2022, was refused by notice dated 15 March 2023.
 - The advertisement proposed is 2 X timber display boards (non-illuminated) each measuring 6.2 metres X 1.6 metres for the display of 4-sheet community posters.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter and Main Issue

3. The proposed display board on the east wall of the railway bridge was already in situ at the time of my site visit. I have proceeded on this basis. The Council did not object to the proposals on public safety grounds. I have no reason to disagree. The main issue therefore is the effect of the advertisements on the visual amenity of the area, having specific regard to the Dartmouth Park Conservation Area (CA).

Reasons for the Recommendation

4. The appeal site is adjacent to the Highgate Road railway bridge. Highgate Road is a busy route through the area, with a mix of commercial and residential properties surrounding the site. A range of fascia signs and larger hoardings, some of which are illuminated, are present in the wider vicinity of the site albeit smaller and less obvious adverts prevail. The boundary of the CA follows the line of Highgate Road. As such the eastern wall of the appeal site lies within the CA while the western wall is outside. The historic nature and architectural interest of the buildings including their common features, such as exterior materials, contribute positively to the significance of the CA. These materials are reflected in the brick walls that flank the road, against which the proposed
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boards would be stationed. The Dartmouth Park Conservation Area Appraisal and Management Statement (January 2009) states that hoardings, because of their size and scale, are not considered acceptable forms of advertising within the CA and that the existing advertising hoardings on the eastern wall under the railway bridge are a negative feature.

5. The proposed display boards would be erected on both sides of Highgate Road and would be adjacent to existing advertisement hoards located on walls underneath the bridge. Even if the proposed display boards would be used for community advertising, together with the existing advertisements, they would result in a proliferation of adverts in and around the railway bridge. The boards would cause visual clutter that would not be sympathetic to the scale of their surroundings, and they would obscure important historic features of the CA and its setting in the shape of the aforementioned flanking walls. As such, the proposals would harm the visual amenity of the area. For the same reasons, the harm to visual amenity would extend to the setting of the CA and, in the case of the installation within the CA, would fail to either preserve or enhance its character or appearance.
6. The appellant refers to a similar display board that has been granted permission under a railway bridge on Camley Street¹. However, it is not clear whether this site is within or adjacent to a conservation area, or whether there are other existing advertisement hoardings. I am therefore not persuaded that it is sufficiently comparable to the appeal proposal which, in any case, has been dealt with in regard to its own specific situation. In addition, no compelling evidence has been provided to demonstrate that flyposting in the borough would be prevented by the presence of the proposed display boards.
7. The Council has drawn my attention to Policies D1 of the Camden Local Plan 2017 (LP), D3 of the Kentish Town Neighbourhood Plan 2016 (KPNP) and DC3 of the Dartmouth Park Neighbourhood Plan 2020 which all seek to protect visual amenity. I have also been referred to LP Policy D2 and KPNP Policy DC2 which require developments to preserve or enhance the CA, and to LP Policy D4 which requires advertisements to preserve the character and amenity of the area and conservation areas. As I have concluded that the proposed advertisements would harm visual amenity, the CA and its setting, they would not accord with these policies. I have had regard to them insofar as they are material to the main issue.

Conclusion and Recommendation

8. For the reasons given above, the proposed display boards would cause harm to the visual amenity of the area, contrary to the Regulations. I therefore recommend that the appeal is dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

¹ Planning application ref. 2022/1822P

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis I dismiss the appeal.

John Morrison

INSPECTOR