

Delegated Report		Analysis sheet		Expiry Date:		23/06/2022	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Sarah White				2022/1833/A			
Application Address				Drawing Numbers			
Railway Arches Adjacent To 47-49 Kentish Town Road London NW1 8NX				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Retrospective: Display of 6no. non-illuminated poster advertising boards which are 1.06m wide and 1.5m high.							
Recommendation(s):		Refuse Advertisement Consent and warning of prosecution action to be taken.					
Application Type:		Advertisement Consent					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining occupiers and/or local residents/groups		No. notified		No. of responses		No. of objections	
				01		01	
Summary of consultation responses:		<p>There is no statutory requirement to publicise applications for advertisement consent, however one objection was received raising the following points:</p> <ul style="list-style-type: none"> • Great architectural features such as railway arches should be kept free of visual clutter and commercial tat. • The advert is harmful by way of location, content and harm to the visual appearance and amenity of the area. <p><i>Officers response: Refer to paragraphs 2.1 – 2.10.</i></p>					
Site Description							
The application relates to the arches under the railway bridge on Kentish Town Road between nos.47 and 51. The application site is opposite the Regents Canal Conservation Area and next to locally listed Camden Gardens.							
Relevant History							
The application site has no relevant planning history.							
<i>Other sites:</i>							
The Stables Market (wall fronting Chalk Farm Road)							

2019/2456/A - Installation of 10 x non-illuminated advertisements within existing display boards to outer wall of stables Market fronting Chalk Farm Road. **Refused - 02/07/2019.**

Reason for refusal:

The proposed advertisements, by virtue of their size, design and visual prominence would introduce visual clutter, to the detriment of the special character and appearance of the host Grade II listed wall and Horse Hospital, the streetscene and the Regents Canal Conservation Area, contrary to policies D1, D2 and D4 of the Camden Local Plan 2017.*

Camley Street Railway Bridge Underpass

2022/1822/P - Installation of 10 panels for the display of public art from 01/06/2022. **Granted – 06/06/2022.**

Railway Bridge Wall, Kentish Town Road

2022/2954/A - Display of non-illuminated poster board measuring 1.7m high x 6.2m wide on the railway bridge (Retrospective). Refused- 07/03/2023.

Reason for refusal:

The proposed advertisement, by reason of its size and location, would result in prominent and incongruous visual clutter which would cause harm to the character and appearance of railway bridge wall, streetscene and wider area, contrary to policies D1 (Design) and D4 (Advertisements) of the London Borough of Camden Local Plan 2017 and policy D3 of Kentish Town Neighbourhood Plan 2015.

Highgate Road Railway Bridge (south side)

2022/5410/A – Display of 2 non-illuminated poster boards on the railway bridge (part retrospective). **Refused – 15/03/2023.**

Reason for refusal:

The existing and proposed advertisements, by virtue of their size and location, would result in prominent and incongruous visual clutter which would cause harm to the character and appearance of railway bridge walls, streetscene and wider area, including the Dartmouth Park Conservation Area, contrary to policies D1 (Design), D2 (Heritage) and D4 (Advertisements) of the London Borough of Camden Local Plan 2017, policy D3 of Kentish Town Neighbourhood Plan 2016, and policies DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

Dismissed at Appeal on 19 February 2024 (Appeal Ref: APP/X5210/Z/23/3318914).

Relevant Policies

Legislation

The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (“the Regulations”).

The power to control advertisements can only be exercised in the interests of amenity or public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

The provisions of s.38(6) of the 2004 Act do not apply to advertisement control and policies in the development plan cannot be considered by themselves to be decisive.

‘Advertisement’ is defined in section 336(1) of the Town and Country Planning Act 1990 (as

amended).

Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

The National Planning Policy Framework (NPPF) 2023

London Plan 2021

Camden local Plan 2017

Policy D1 Design

Policy D2 Heritage

Policy D4 Advertisements

Camden Planning Guidance

CPG Design (2021)

CPG Adverts (2018)

Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. The proposal

- 1.1. Retrospective advertisement consent is sought for the display of non-illuminated advertisement boards under the railway arches at Kentish Town Road on the eastern side of the road. The boards measure 1.6m in height and 6.2m wide, with space for 6no. poster sheets.
- 1.2. It is noted that the supporting statement submitted with the application states that the boards will be used “displaying local community information.” However, the adverts currently are promoting businesses and are not used for local community information as stated in the application. In addition, the content of an advert is not controlled under the legislation, and so the Council can only assess the location, impact on public safety and amenity, and whether it contributes to visual clutter. The suggested use for community information is therefore immaterial to the assessment of the application.

2. Design and Heritage

- 2.1. The Council’s design policies are aimed at achieving the highest standard of design in all developments. Policy D1 outlines that development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features.
- 2.2. Policy D2 states that in order to maintain the character of Camden’s conservation areas, the Council will not permit development that fails to preserve or enhance the character and appearance of that conservation area. The policy also outlines that Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list).
- 2.3. Under Policy D4 the Council will require advertisement to preserve or enhance the character of their setting and host building, respect the form, fabric, design of their setting and host building, and be of the highest standard of design, material and detail. The policy goes on to

state that Council will resist advertisements that contribute to an unsightly proliferation of signage in the area.

- 2.4. Hoardings will not be considered acceptable include where they obscure architectural features or landmarks, on side walls where they would be unduly dominant.
- 2.5. Whilst the advert is not located within a conservation area, it is visible from the Regents Canal Conservation Area which is located directly to the south and west of the site. The advert also forms a backdrop to the adjoining locally listed garden space Camden Gardens. Council's Conservation Officer has advised that the railway arches are considered to be a non-designated heritage asset as they form part of historic railway infrastructure from the mid-nineteenth century and provide a position contribution to the character and appearance of the wider area.
- 2.6. The advert is approximately 6.2m wide and 1.7m tall (in total) as shown in the images below. The scale of this advert is very large, with the advert extending across most of the width of the arch.
- 2.7. The advert obscures a significant portion of the historic brickwork in this location, which is an important architectural feature of the railway arches. The advert adds clutter to the façade of the arch and appears as an incongruous addition in the context of the otherwise largely unobscured brickwork. The visual dominance of the advert and the obscuring of the historic brickwork causes harm to the character and appearance of this non-designated heritage asset.
- 2.8. The visual prominence of the advert also causes harm to the setting of the adjacent Regents Canal Conservation Area and local listed Camden Gardens, again appearing as an incongruous addition when viewed in this wider context.





2.9. Overall, it is considered that the advertisement, by virtue of its size, siting, and prominent location on the building adds visual clutter and appears as an incongruous and unduly dominant addition, which impacts on the visual amenity of the host building, being a non-designated heritage asset, street scene, and the wider setting of Regents Canal Conservation Area and locally listed Camden Gardens located opposite, contrary to Policies D1 (Design), D2 (Heritage), and D4 (Advertisements) of the Camden Local Plan 2017.

2.10. It is noted that there are no public benefits to the proposal which would outweigh the harm caused to the character and appearance of the setting of the Regents Canal Conservation Area.

2.11. In terms of wider amenity, it is noted that the signage would be non-illuminated and is not located in a residential area, therefore impacts on neighbouring occupiers would be negligible.

3. Public Safety

3.1. The main impacts on public safety arise from: (i) highway and pedestrian safety; (ii) railway safety; (iii) waterways, docks and harbours safety; (iv) aircraft; and (v) public safety.

3.2. The signage is located parallel to Kentish Town Road which is an 'A' road. The signs are static and do not include any audio features, moving components or lighting that could be distracting to road users. The signage is attached to the side of the railway arch and does not create an obstacle for pedestrians or other uses of the adjacent footpaths.

3.3. As such, it is not considered that the proposed signage would have adverse impacts on highway, pedestrian, or public safety.

4. Summary and Conclusion

4.1. In summary, the advertisement causes harm to the visual amenity of a non-designated heritage asset and the setting of Regents Canal Conservation Area and local listed Camden Gardens. As such, refusal is recommended.

5. Recommendation: Refuse advertisement consent:

5.1. The advertisement, by virtue of its size and location, would result in prominent and incongruous visual clutter which would harm the character and appearance of the railway arch, streetscene and the wider setting of Regents Canal Conservation Area and locally listed

Camden Gardens, contrary to Policies D1 (Design), D2 (Heritage) and D4 (Advertisements) of the London Borough of Camden Local Plan 2017.

5.2. Intiate prosecution action.