

Delegated Report		Analysis sheet	Expiry Date:	24/10/24
		N/A	Consultation Expiry Date:	N/A
Officer			Application Number(s)	
Connie Marinetto			2024/3655/A	
Application Address			Drawing Numbers	
University Of London Birkbeck College Malet Street London WC1E 7HX			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Display of 9 x banners around the site (retrospective).				
Recommendation(s):		Refuse 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:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>There is no statutory requirement to consult for this type of application, but the council does take account of any representations that may be received right up until an application is determined.</p> <p>No comments or objections were received from members of the public prior to determination.</p>					
Bloomsbury CAAC comments:	<p>An objection was raised by the Bloomsbury Conservation Area Advisory Committee (CAAC):</p> <p>'The Bloomsbury CAAC considers these banners to be way over the top, much too bright and much too large, and our strong preference would be for no banners at all.</p> <p>We note that they do not replace earlier banners and that there is therefore no precedence for them.</p> <p>The application comes in under the Control of Advertisements category and the banners are essentially advertisements.</p> <p>They are quite out of place on the restrained and dignified Holden buildings and particularly visually intrusive in Malet Street and Byng Place, both public thoroughfares with long street views and not in any sense part of a university campus.</p> <p>We note these banners were erected already on 13 August. If not removed before the end of six months enforcement action should be taken'.</p>					

Site Description

The application site comprises Birkbeck's main building, and the adjoining former 'student central' building located adjacent. The buildings front Malet Street, Torrington Square and Byng Place and make up Birkbeck University's main campus. The site is situated in the Bloomsbury Conservation Area. The buildings are by Charles Holden and while neither are listed, they are both identified as making a positive contribution to the Conservation Area. There are several Grade II listed buildings in the vicinity, including 27-32 Torrington Square and the School of Oriental and African Studies buildings which include the SOAS library and the Philips Building (Grade II*).

Relevant History

2007/0072/A – Display of externally illuminated projecting sign at ground floor level next to Malet Street entrance, halo lit letters sign at first floor level on flank wall of Torrington Square entrance, 2 non-illuminated banner signs at ground floor level either side of Torrington Square entrance, and halo lit letters at first to second floor level on South elevation of the building. **Refused 27/02/2007 and dismissed at appeal 28/06/2007.**

Relevant policies

National Planning Policy Framework (2023)

The London Plan 2021

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage
- D4 Advertisements

Camden Planning Guidance:

- Design (2021)
- Advertisements (2018)
- Amenity (2021)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Assessment

1. The proposal

1.1. Retrospective advertisement consent is sought for the display of 9x banner signs located around the Birkbeck University campus. 6 of the banners measure 1.8m x 10.5m and 3 of the banners measure 1.1m x 10.5m. The banners display the Birkbeck branding in bright colours including pink, blue and orange.

1.2. They are located in the following areas:

- 2x banners at the corner of Torrington Square and Malet Street, eastern side of the Site;
- 2x banners at the corner of Torrington Square and Malet Street, western side of the Site;
- 1x banners on Malet Street, on the south facing fascia facing Tottenham court road;
- 2x banners on the corner of Malet Street and Torrington Place; and
- 2x banners on the corner of Torrington Place and Torrington Square.

2. Assessment

2.1. The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications. The principal considerations material to the determination of this application therefore are:

- Visual Amenity: the design and impact of the proposal on the character and appearance of the host building, the local street scene, and the Bloomsbury Conservation Area.
- Public safety: the impact of the proposal on highway, pedestrian, and cyclist safety.

3. Visual Amenity

3.1. Policy D4 of the Camden Local Plan 2017 (Advertisements) states that adverts which preserve the character of the area, and preserve or enhance heritage assets and conservation areas will be supported, and requires that adverts respect the form, fabric, design, and scale of their setting. Supporting text for Policy D4 states *'Advertisements in conservation areas and on or near listed buildings require particularly detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features of buildings.'*

3.2. Policy D1 of the Local Plan (Design) is aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area and development should respect local context and character. Policy D2 (Heritage) seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Development must conform to conservation area appraisals and management strategies and must not harm an area's character or heritage assets.

3.3. In relation to banners, guidance contained within CPG 'Advertisements' 2018, states that *'Banner advertisements on buildings will only be permitted in the following circumstances: They relate to landmark or unique buildings, such as festival venues, museums, and do not detract from the appearance and form of the host building or the surrounding environment. In some commercial areas, flags or banners may be considered a suitable form of display. Within residential areas, conservation areas, and on or near listed buildings we will be primarily concerned with safeguarding the amenity, character and appearance of these areas and buildings and therefore it is unlikely that such advertisements will be supported'* (Page 7).

- 3.4. The CPG 'Advertisements' 2018 further states that '*Advertisements and signs should respect the form, fabric, design, and scale of the host building and setting. All signs should serve as an integral part of the immediate surroundings and be constructed of materials that are sympathetic to the host building and the surrounding area*' (Page 3). With regards to signage in conservation areas, the CPG states '*Advertisements in conservation areas and on or near listed buildings require detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements, of whatever type, on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features of buildings.*'
- 3.5. The Bloomsbury conservation area appraisal and management strategy (2011) states that '*A proliferation of signage, even of an appropriate design, could harm the character of the Conservation Area.*' (Page 124).
- 3.6. The site is located in the Bloomsbury Conservation Area and there are listed buildings in close proximity including 27-32 Torrington Square and the School of Oriental and African Studies buildings which include the SOAS library and the Philips Building (Grade II*), all of which are directly opposite the site. The Council has a statutory duty to have special regard to the desirability of preserving a listed building and preserving or enhancing a Conservation Area under The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).
- 3.7. It is important that adverts are sensitive to the age, style, and character of the building. The banners are considered to be of an inappropriate scale which appears particularly dominant, incongruous and disruptive. The banners would fail to respect or preserve the architectural features of the campus buildings, both of which are positive contributors designed by Charles Holden. As a result, they are considered to detract from, and result in a harmful addition to the buildings, the street scene, adjacent listed buildings, and wider Conservation Area. The applicant has cited other banners in the vicinity as an example, including those displayed at SOAS and UCL as supporting examples. It is noted that the UCL banners, which were unauthorised, are no longer displayed. The existing signage at SOAS does not form a precedent as it is unauthorised. No similar banners have been authorised in the vicinity. The proposal would potentially create an undesirable precedent for similar adverts in the area and wider borough.
- 3.8. It is noted that an application (2007/0072/A) which sought consent for similar signage (2x banner signs measuring 0.75m x 3m) was refused and dismissed at appeal (APP/X5210/H/07/1201398), at the part of the Birkbeck site facing Torrington Square. The appeal inspector noted that '*the signs would occupy most of the width of the side pillars and would introduce undesirable clutter around the entrance. In my view they would create an untidy appearance to the detriment of the building and to the amenity of Torrington Square.*' This proposal would have a similar effect by introducing clutter at high level, and the negative impacts would be exacerbated by the high visibility of the signage.
- 3.9. The advertisements are considered to be detrimental to the building's character, the wider streetscape, and the Conservation Area. The Council's Conservation Officer has reviewed the proposals and stated that '*they are inappropriate to the context, harmful to the character and appearance of the conservation area and damaging to the appearance of the positive contributors. The justification of "attracting additional students" is not acceptable.*' The officer further stated that '*we would not accept any banners in this position.*'
- 3.10. As a result, the proposed advertisements, by reason of their scale, siting and design would appear as a dominant and incongruous feature that harms the character and appearance of the host buildings, street scene, the setting of the nearby Grade II listed buildings and Bloomsbury Conservation Area, in conflict with policies D1, D2, and D4 of the Camden Local Plan 2017, the Bloomsbury Conservation Area Appraisal and Management Strategy (2011), and the Camden Planning Guidance on Advertisements (2018).

4. Public Safety

4.1. Policy D4 of the Camden Local Plan 2017 states that “*Highway safety, with focus on vulnerable road users should be considered. Advertisements will not be considered acceptable where they impact upon public safety including result in glare and dazzle or distract road users because of their unusual nature, disrupt the free flow of pedestrians or endanger pedestrians*”.

4.2. It is not considered that the advertisements have a negative impact on vehicular or pedestrian traffic. The size, angle, direction, and type of the proposed advertisements would not be considered to negatively impact vehicles or pedestrians, nor would they introduce any undue distraction or hazard in public safety terms. Therefore, in terms of public safety, the proposal is considered acceptable.

5. Recommendation

5.1. It is therefore recommended that advertisement consent is refused on the following grounds:

- The advertisements, by reason of their scale, siting and design would appear as dominant and incongruous features that harm the character and appearance of the host buildings, street scene, the setting of the nearby Grade II listed buildings and Bloomsbury Conservation Area, contrary to policies D1 (Design), D2 (Heritage) and D4 (Advertisements), of the Camden Local Plan 2017.

5.2. Initiate prosecution action.