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# Appeal Decision

Site visit made on 3 October 2011

**by P E Dobsen MA (Oxon) DipTP MRTPI FRGS**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 10 October 2011**

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**Appeal Ref: APP/X5210/H/11/2154410**  
**379 Kentish Town Road, London NW5 2TJ**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Trentwood Limited against the decision of the Council of the London Borough of Camden.
  - The application (Ref 2011/1190/A), dated 14 March 2011, was refused by notice dated 6 May 2011.
  - The advertisement proposed is an externally illuminated sign on the south facing flank wall at the third/fourth floor level of an end-of-terrace mixed use commercial and residential property.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed advertisement on the visual amenity of the area, which is adjacent to a Conservation Area (CA); in particular, whether it would contribute to an undesirable impression of visual clutter, harmful to the street scene, and contrary to the Council's policies.

## Reasons

3. The appeal site is the prominent and conspicuous upper flank wall of a part-commercial 5-storey building located on the west side of Kentish Town road, close to Kentish Town tube station. It falls within a predominantly commercial area, where mixed land uses and various forms of external advertising are common, particularly on the ground floors of commercial premises, and on hoardings near street level.
4. While the site is not located in a conservation area, it is very close to the Kentish Town CA (on the eastern side of Kentish Town Road), and can readily be seen from within it and from several nearby streets.
5. I note that a proposal for a somewhat larger, internally illuminated advertisement in much the same position on the building was recently (2010) dismissed on appeal. I understand that the current proposal has been designed in an attempt to overcome those grounds for dismissal. Despite measuring some 3.05 m. in height, 4.18 m. in width, and 0.2 m. in depth, it would be somewhat smaller, with less projection from the wall, and therefore less conspicuous in the street scene. It would also be externally illuminated, using power from new solar panels on the roof of the building.

6. I have considered the proposal in the light of the relevant policies in the Camden Local Development Framework Core Strategy and Development Policies documents (2010), as cited in the Council's refusal notice. These are supplemented by the extant Camden Planning Guidance (2006). National planning policies for outdoor advertising are contained in PPG 19, *Outdoor Advertisement Control* and I have given them due weight. I have also considered local objections to the proposal from local amenity societies, including Kentish Town Road Action, the Leighton Road Neighbourhood Association, and the Bartholomew Estate and Kentish Town Conservation Area Advisory Committee. There are no local representations in support.
7. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulate that control may only be exercised in the interests of amenity and public safety. Although some 3<sup>rd</sup> parties object on both grounds, I agree with the Council that the proposal would not be likely to distract the attention of drivers or other road users in the vicinity to the extent that that it should be refused for any public safety reasons.
8. However, I also agree with the Council and other objectors that, despite the reduction in size and changed method of illumination compared with the previous proposal, the proposed advertisement would harm the appearance of the building, and the street scene in this part of Kentish Town Road. Owing to its prominent location and height (at over 6m, well above street level), it would appear somewhat anomalous in a townscape context where most external advertising is at a much lower level. In my opinion, it would introduce a highly conspicuous element of visual clutter to the upper part of the building, and would do nothing to enhance its appearance. I note that the appellants have said that they intend to repair and re-paint the (currently somewhat dilapidated and neglected) flank wall as part of the proposal; however, that welcome improvement would not by itself justify the installation of this substantial advertisement at such a prominent high level.
9. I therefore find that the advertisement would harm the appearance of the building and the street scene, contrary to the relevant local policies. That is why the appeal must fail. I have considered the other points in the appellants' and in 3<sup>rd</sup> party representations, but there are none which alter or outweigh my conclusions on the main issue in the appeal.

*Paul Dobsen*

INSPECTOR