



# Appeal Decision

Site visit made on 8 October 2008

by **Noel Hutchinson**

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

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Decision date:  
**27 OCT 2008**

**Appeal Ref: APP/X5210/H/08/1203265**  
**Scala, 275 Pentonville Road, London N1 9NL**

- 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 Continental Advertising Ltd against the decision of the Council of the London Borough of Camden.
- The application Ref 2008/1016/A, dated 25 July 2007, was refused by notice dated 7 May 2008.
- The advertisement proposed is an illustrated scaffold safety shroud with external illumination depicting a 1:1 representation of the building incorporating an advertisement measuring 210 m2. The display to be for a period of not more than 12 months from the commencement of repair and renovation works.

## Decision

1. I dismiss the appeal.

## Main issues

2. I consider the main issues to be whether the illuminated shroud display would affect the character and appearance of the conservation area and whether it would create a distraction to road users.

## Reasons

3. The appeal premises are sited on the corner of the junction between Pentonville Road and Kings Cross Bridge Road. It is a substantial building with its major frontage onto Kings Cross Bridge Road. The premises are within the Kings Cross Conservation Area, where it is necessary to pay special attention to the desirability of preserving or enhancing its character and appearance. While this does not preclude the display of advertisements on commercial premises in areas reflecting a fair degree of commercial activity, a strict control will be maintained to protect the appearance of the area.
4. The proposed advertisement display would be for a limited period as part of the screening of the building during its refurbishment. While the long term display of large advertisements is unlikely to be acceptable within the conservation area the proposal should be considered against the visual disruption caused by building works and scaffolding.
5. The scaffolding will be extensive, covering both road facades and permitting access for repair work to be carried out. This will include repairs to the roof, repair and painting of masonry and window painting and weatherproofing. The proposed shroud would exhibit a 1:1 image of the building with an

advertisement panel on the north western corner 15m high by 14m across, representing 16% of the total shroud area. It would be a temporary display for a maximum of 12 months.

6. However the two streets are relatively narrow, which together with the height of many buildings flanking them contributes to a sense of enclosure. Although much of the advertisement would be visible when approaching from along Caledonian Road views of the proposed display in Pentonville Road would be limited to the short distance from Kings Cross station and the angled junction with Euston Road. In my opinion a large advertisement displayed on the corner of the building well above ground level, within this relatively enclosed area would appear particularly dominant and somewhat oppressive. It would also stand out as a particularly conspicuous form of commercial development in an area with generally sober forms of signing and other advertisement displays reflecting modest levels of retail activity. For these reasons I consider that even for the limited period sought, the display of the advertising shroud would be harmful to the character of the conservation area.
7. With regard to public safety the vital consideration in assessing an advertisement's impact is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and other's safety. The height of the proposed display above ground level would raise it above the various traffic signals and other highway direction signs. Advertising within urban areas is a familiar sight to motorists, including examples of shroud displays and I see no reason to consider that the proposed display would appear as a sudden or such unusual commercial feature that it would be likely to create a significant distraction to drivers. For these reasons I do not consider that it would create a hazard to public safety.
8. For the reasons given above I conclude that while the display of the externally illuminated shroud advertisement would not be detrimental to the interests of public safety, it would be detrimental to amenity.

*Noel Hutchinson*

INSPECTOR