



Appeal Decision

Site visit made on 24 March 2009

by Terry Emm

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

The Planning Inspectorate
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Decision date:
30 March 2009

Appeal Ref: APP/X5210/H/08/2091485
187 Camden High Street, London NW1 7JY

- 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 Richard Moseley against the decision of the Council of the London Borough of Camden.
- The application Ref 2008/4116/A, dated 11 August 2008, was refused by notice dated 14 October 2008.
- The advertisement proposed is a scaffolding shroud incorporating an externally illuminated hoarding.

Decision

1. The appeal is allowed and consent granted for a scaffolding shroud incorporating an externally illuminated hoarding, as applied for. The consent is for 1 year from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following special conditions:-
 - (1) The sign permitted by this consent shall not be displayed in illuminated form before 07:00 hours (ie after midnight) on any day.
 - (2) The sign shall not be displayed on the site after the expiry of 1 year from the date of this decision, unless a further period of consent has been granted by the LPA.

Reasons

2. I consider the main issues to be:
 - the visual impact of the proposed sign on the host building and the streetscape in general; and
 - whether the sign would be prejudicial to public safety.
3. The appeal premises comprise a 3-5-storey late Victorian building with retail use on the ground floor and offices above. It is situated in a prominent position at the junction of Camden High Street and Parkway on the southern side of a major multiple junction. The locality is a busy commercial area of substantial mainly Victorian buildings with some 20th century infilling. It is characterised by small shops and other businesses on the ground floors displaying the customary associated signage.
4. The proposal is to erect a scaffolding shroud for the duration of the building's refurbishment for residential use of the upper floors. The shroud would display

- a 1:1 image representation of the refurbished building with a wrap around corner advertisement measuring 14m x 9m. The overall size of the shroud on the Parkway frontage would be 22m x 12m of which the advertisement would occupy 11m x 10m. On the High Street frontage the shroud would measure 8.5m x 12m with an advertisement area of 4m x 10m. The advertisement would thus take up roughly half the shroud area.
5. The Council consider the advertisement to be out of scale with its surroundings. This would be a very large advertisement and a case can be made for making it smaller. But this is a streetscene of bulky 4-storey buildings and in my view the proposed advertisement is not so large as to be detrimental to the visual amenity of the locale.
 6. This is a vibrant bustling commercial area and to my mind the proposed scheme would form an acceptable temporary addition to the townscape. Given the need for a safety shroud, I believe that the proposed sign would be an improvement on the otherwise alternative utilitarian vista, bringing colour and interest to the townscape while refurbishment work is being undertaken. For the duration of the refurbishment the sign would preserve the character and appearance of the Conservation Area as a whole.
 7. Although public safety was not a reason for refusal by the Council, Transport for London (TfL) have objected to the appeal proposals. The appellant has been given the opportunity to comment on public safety issues and I shall therefore take them into account.
 8. TfL are concerned that the sign would be a distraction to the large numbers of pedestrians using the crossings. Paragraph 15 of PPG19 states "*LPAs will therefore not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.*" The vital consideration is whether an advertisement "*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....*". Whilst the proposed sign would be large, and to some extent uncommon, it would not be contrary to the advice contained in PPG19.
 9. TfL's other objection relates to the installation and maintenance of the sign. However, in my view any consequential obstruction of the highway is a matter for other legislation.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the display of the sign would not be detrimental to the interests of amenity or public safety.

Terry Emm

Inspector