



Appeal Decision

Site visit made on 13 May 2014

by I Radcliffe BSc(Hons) MCIEH DMS

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

Decision date: 5 June 2014

Appeal Ref: APP/X5210/H/13/2205072
243 Gray's Inn Road, London WC1X 8RB

- 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 Mr Sam Dayeh against the decision of the Council of the London Borough of Camden.
 - The application Ref 2013/2348/A, dated 11 April 2013, was refused by notice dated 5 July 2013.
 - The advertisement proposed is an LED internally illuminated advertising display.
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Decision

1. The appeal is allowed and consent is granted for the display of the LED internally illuminated advertising display as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the visual amenity of the area.

Reasons

3. Reference has been made to policies CS14 of the Core Strategy and policies DP24 and DP25 of Camden's Development Policies. However, the Regulations require that decision be made only in the interests of amenity, and where applicable, public safety. Therefore, whilst I have taken these policies into account as a material consideration in the determination of this appeal, they alone cannot be decisive. Although the Council is operating a hoarding removal initiative, I have determined this appeal on the basis of the merits of the proposal.
4. The appeal site is located within an essentially commercial area just within the edge of the Bloomsbury Conservation Area. In the exercise of planning functions, the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing their character or appearance.
5. The special interest of the Conservation Area is derived in no small part from the distinctly urban grid pattern of broad streets enclosed by 3 to 4 storey Victorian terraces. The four storey building to which the sign would be attached, in keeping with the adjacent taller building to the south and the two tall office buildings on the opposite side of the road, is a commercial building.

Present signage to these buildings is small scale, and serves to identify the occupier of the building. The wider street scene along Gray's Inn Road is characterised by smaller scale Victorian terraces with shops at ground floor level. Signage to these buildings is typically limited to shop fascia level.

6. The single sided sign would be positioned on the flank wall of No 243 which is set forward of the adjacent building to the south. Measuring 3m in height, 2m in width and 0.25m in depth with a steel surround it would be mounted 1m above ground level. It would be 40% smaller than an earlier panel that was removed following action by the Council and would be less than half the area of the panel dismissed on appeal¹. On the approach from the south the sign would be viewed in the context of the adjacent large telephone exchange. Mounted in portrait orientation the sign would reflect the vertical emphasis of the tall windows in the exchange and the flank wall to which the sign would be attached. Set in from the sides of the flank wall and not projecting above the limestone course that separates the exchange's ground floor from the first floor the sign would be subservient in scale to the wall and the neighbouring building. As a result, whilst the sign would be technically contrary to the Council's Planning Guidance "Design" (CPG4) in that it would be forward of the face of an adjoining building it would not be unduly dominant.
7. In offset more minor views from the opposite side of Gray Inns Road to the south east the sign would also be seen in the context of the front of No 243. In these views, whilst it would project slightly above ground floor level it would appear in scale with the front of the host building. In terms of brightness the luminance of the lighted sign would be 1000cd/m² which is appropriate for a busy road close to the centre of London.
8. As a consequence, the sign would not harm the character or appearance of the Conservation Area. As a result, it would achieve the goal of preservation and pass the statutory test. The use of a condition to restrict the time the display is in use was suggested. However, given the busy urban nature of its central London location this is not necessary. No conditions other than the standard conditions are therefore required.
9. For the reasons given above, and having regard to all other matters raised, I therefore conclude that the appeal should be allowed.

Ian Radcliffe

Inspector

¹ Reference APP/X5210/H/12/2177868