

MEGARO HOTEL, 23-27 EUSTON ROAD, LONDON NW1 2SD

APPELLANT'S STATEMENT OF CASE ON GROUND (C)

The appeal relates to the presence of multi-coloured mural ("the Mural") painted onto the exterior of an unlisted property known as 23-27 Euston Road, London NW1 2SD ("the Property").

The local planning authority is the London Borough of Camden ("the Council").

The Hotel is located within the King's Cross Conservation Area ("the Conservation Area"), in respect of which the Council has not issued any direction(s) pursuant to article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) ("the GDPO").

The Mural benefits from planning permission by virtue of permitted development rights (per Section C2 of Part 2 to Schedule 2 of the GDPO).

The Mural amounts to no more than a 'colour scheme' and thus does not fall within the definition of 'advertisement' per section 336(1) of the Town and Country Planning Act 1990 (as amended).

The Appellant will demonstrate that the Council did not consider the Mural to be an advertisement prior to and for approximately one year after the Property was painted. To the contrary, various officers expressly stated that the Mural was not an advertisement.

The Appellant will also show that the Council's current position (as stated in correspondence), namely: that the Mural is an advertisement purely by increasing the prominence of the Property in the street-scene, is erroneous wholly misconceived.