
Appeal Decision

Site visit made on 20 October 2014

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 6 November 2014

Appeal Ref: APP/X5210/H/14/2225245

Glendola Leisure Holdings Ltd, 174 Camden High Street, London, NW1 0NE

- 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 Charles Slevin (on behalf of King Media Management Ltd) against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/3345/A, dated 13 May 2014, was refused by notice dated 16 July 2014.
 - The advertisement proposed is renewal of consent to display micromesh PVC screens/shrouds incorporating two external static illuminated advertisement panels attached to the façade fronting Camden High Street and Bayham Street for a period of 10 months.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal site has a planning history, which includes an identical proposal that was granted temporary consent for 8 months by the Council (2013/5984/A). The Council has set out that the consent was granted in error as the report had factual inaccuracies and should not be used as justification to grant further consent. However, the Council has not provided any more information in this regard. For the avoidance of doubt, I have considered the proposal on its individual merits.
3. The planning history of the appeal site also includes a previous appeal (APP/X5210/H/12/2169776, dated 16 May 2012) for installation of three temporary floodlights on scaffold structure above the shroud display. The proposal included an illuminated advertisement approximately 6.7 metres wide and 7.1 metres in height on the frontage of the appeal building. Whilst there are clear differences to the proposal that is before me and the previous appeal, given that they both include illuminated advertisements on the front of the appeal building of very similar size, I have given the previous Inspectors findings in this particular regard significant weight.

Main Issue

4. The main issue of the appeal is the effect of the advertisements on the character and appearance of the host building and the area, with particular regard to whether the proposed advertisement would preserve or enhance the character or appearance of the Camden Town Conservation Area.

Reasons

5. The Council has drawn my attention to the development plan policies that are considered to be relevant to the appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
6. The appeal site is located on Camden High Street and accommodates a prominent Victorian building set in a triangular block. The proposal includes the upper parts of the entire host building, which includes the Worlds End pub. The appeal site is in proximity to a very busy part of Camden High Street, the Camden Town Underground Station and the 'Britannia' junction. I observed on my site visit that the area is characterised by shops and other commercial enterprises. It was evident that existing signage and advertisements in the area are predominantly small in scale and are largely at groundfloor level. The appeal site is set within the Camden Town Conservation Area, which it was evident from my site visit is defined by the architectural style and layout of mainly substantial Victorian buildings with some modern infilling. Whilst the proposal as previously permitted has been in place, it was not during my site visit.
7. The Camden Planning Guidance 'Design' (2013) (CPG1) notes that when a building in a conservation area is undergoing construction works the advert should not cover more than 10% of each elevation. The proposed shroud would enclose the upper floors of the entire host building and would be significantly over the 10% coverage. I consider that due to the significant scale and extent of the shroud, its elevated position and the siting of the building in such a prominent location, that the proposal would be an excessively dominant feature. For these reasons, I consider that despite the shroud showing façade imaging of the building behind and its location in a commercial area, the proposal would cause harm to the character and appearance of the host building and the area.
8. I consider that this would be significantly exacerbated by the location of the illuminated panel on the front of the appeal site. The panel 'Banner A' would be 7.12 metres in height and 6.76 metres wide. The previous Inspector for an illuminated sign of similar size and in a very similar location on the host building set out the development '*...would form a dominant feature because of its height, large size and scale. It would cut across the building's architectural features and the design, positioning and means of illumination would have an adverse effect upon the entirety of the building*'. The previous Inspector goes on to conclude that '*...the illuminated sign would be visually intrusive especially from longer distances due to its elevated siting. When the advertisement's size is considered with the means of illumination, I find that the panel would, even for a temporary period, have an adverse visual impact upon the appearance of the host building and the character of the wider locality*'. I consider that these conclusions are equally applicable to this proposal and the proposed illuminated panel 'Banner A' would be unacceptable in its own right.
9. In a similar manner, I consider that the larger illuminated panel 'Banner B' that would measure 6 metres in height and 10 metres wide would form an overly dominant feature due to its significant size, elevated siting and illumination,

when viewed from Camden Road and Bayham Street. I consider that a planning condition limiting the time at which the illumination adverts for both 'Banner A' and 'Banner B' could operate would not sufficiently address the identified harm.

10. I am also mindful that despite whether or not the previous application for the same proposal was granted in error, it allowed the actual impact of the proposal on the character and appearance of the area to be observed. The Council, the Camden Town Conservation Area Advisory Committee and other interested parties are of the view that that it was unacceptable. I consider that this adds weight to my decision to dismiss the appeal.
11. The appellant has referred to several other shrouds that have been permitted in the area. However, these do not share the specific circumstances and prominent location within the street scene as the proposal and the appeal site. Consequently, I consider that the other examples provided by the appellant are not directly comparable and are afforded little weight. In any event, I am mindful that each proposal should be considered on its own merits.
12. I acknowledge the appellant's assertion that as a fall back a standard builder's shroud that would have a poorer appearance could be erected without consent. However, I have no further details of such a fall back before me and I cannot be sure that planning permission would not be required. In any event, the shroud would not include illuminated advertisements, which I have found would in their own right cause unacceptable harm. I have therefore afforded little weight to the fall back position.
13. I appreciate that the renovations would improve the appearance of the building in the longer term. Despite this, I am mindful that the building could be renovated in such a way that would not result in the identified harm with the same long term benefits.
14. In conclusion, the proposal by virtue of its size, position on the building, prominent siting and illumination would even for a temporary period cause unacceptable harm to the character and appearance of the host building and the area. It would also not preserve or enhance the character or appearance of the Camden Town Conservation Area.

Other matters

15. The appellant maintains that the advertisements are required to generate revenue to finish the necessary renovation works to the building and that the proposal would not cause any harm to public safety. I also understand that the renovation works as set out in the original schedule of works, were delayed due to bad weather and the liquidation of the appointed contractor. Whilst I acknowledge these matters, they do not address my concerns with regard to the character and appearance of the host building or the area and, on balance, do not outweigh the identified harm.

Conclusion

16. For the reasons set out above and considering all other matters raised, the appeal is dismissed.

Jonathan Manning INSPECTOR