

---

# Appeal Decision

Site visit made on 20 July 2015

**by Kenneth Stone Bsc(Hons) DipTP MRTPI**

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

**Decision date: 27/07/2015**

---

**Appeal Ref: APP/X5210/Z/15/3012037**

**37-38 John Street, London WC1N 2AT**

- 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 Hult International Business School against the decision of the Council of the London Borough of Camden.
  - The application Ref 2015/0501/A, dated 30 January 2015, was refused by notice dated 1 April 2015.
  - The advertisement proposed is 2 no. vertical banner advertisements.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) indicate that the powers under the regulations shall only be exercised in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. This is reflected in the advice in the National Planning Policy Framework (the Framework). Given the specifics of this case the effect on amenity is confined to visual amenity. The Regulations indicate that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interests.
3. Given that this is an appeal under the regulations, and the site is located within a conservation area, the statutory duty under Sec 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended is engaged, as it applies to any function exercised under the planning acts. This requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area. However, sec 66(1) of that Act is not engaged.
4. The main issue is therefore effect of the proposed advertisements on the character and appearance of the Bloomsbury Conservation Area (BCA).

## Reasons

5. The appeal relates to a five storey Georgian style building located at the junction of John Street and Theobolds Road opposite Gray's Inn Gardens. The

building has a rusticated stone finish at ground floor with the upper floors in brick topped with a parapet and behind which further accommodation is provided in a mansard roof. The elevations are arranged on a grand palatial scale and the windows on the upper floors are arranged in a symmetrical pattern, remaining of similar size up the elevation.

6. The area is characterised by its formally planned arrangement of streets and contrasting leafy squares, with the streets enclosed by buildings of similar scale, distinctly urban in character. The architectural quality, materials and scale of buildings along with the prevailing mix of uses, including institutional and educational uses, contribute to the character and appearance of the conservation area.
7. The proposed advertisements are banner signs 8.1m in height by 900mm in width, hung on two elevations at the corner of the building, stretching from some 4.75m from ground level to almost the parapet level, across three floors.
8. The proposed advertisements are located in a prominent location on the corner of the building at the junction of John Street and Theobald Road. The form of the advertisements, with their strong vertical emphasis, cut across and conflict with the horizontal alignment of the windows identifying the floor levels. The strident primary colour of the banners contrast with the more muted natural tones of the brickwork and have an alien appearance on the building, drawing further attention to the signs. The height and scale of the advertisements further add to their prominence and intrusive visibility.
9. I noted other examples of advertisements in the area but none exhibited all of the same characteristics of the signs the subject of this appeal. Whilst there may be examples of other banner size these were not of the same dimensions as those proposed or positioned in similar positions on buildings. Of those other high level signs they were not of a similar form or vertical emphasis. I am satisfied that there are significant differences between those advertisements identified by the appellant and those before me such that they did not provide a strong justification to approve those the subject of this appeal.
10. For the reason given above I conclude that the proposed advertisements would result in material harm to the character and appearance of the BCA, and therefore would be detrimental to the interests of amenity.
11. I accept that there is a reasonable need for shops and business to ensure their name and details are clearly displayed on premises, as noted in Council policy, but that must be considered in the context of the sensitivity of the location and the character and appearance of the area.
12. The parties have drawn my attention to policies they consider relevant to this appeal, and I have taken them into account as a material consideration. However, as noted above, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive. Given that I have concluded that the proposal would materially harm amenity, the proposal does conflict with policies CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of

the London Borough of Camden Local Development Framework Camden Development Policies.

13. For the reasons given above I conclude that the display of the two banner signs would be detrimental to the interests of amenity and the appeal should therefore be dismissed.

*Kenneth Stone*

INSPECTOR