

GROUNDS OF APPEAL

APPEAL REF: APP/X5210/H/16/3153195

APPEAL BY: MR JOEL NEWMAN

APPEAL SITE: REGINA HOUSE, 124 FINCHLEY ROAD, LONDON NW3 5HT

APPEAL ADVERT: RETENTION OF INTERNALLY-ILLUMINATED L.E.D. ADVERTISING SIGN WITH FRAME SURROUND, MEASURING 3.5M X 2.5 METRES WIDE.

GROUNDS OF APPEAL:

This is an appeal against the Council's failure to determine the application within the statutory period of 8 weeks following the submission of the application dated 30 March 2016.

It is understood following discussions with the LPA that they are minded to refuse consent based on amenity grounds (there are no public safety issues).

There is relevant material history in relation to this sign as an appeal consent dated 10 March 2014 (ref APP/X5210/H/13/2203816) granted consent for an internally-illuminated L.E.D. advertising sign measuring 3m x 2m in this position on the end wall of the appeal site. I attach a copy of the appeal consent and the 2 drawings approved.

The consent was implemented but a white frame surrounded the sign. This is the feature the council have taken issue with.

The appellant states that the original approved drawings did include a frame surround, but either way feels that this is a minimal feature which does not adversely affect amenity in any significant way given the earlier appeal consent.

As this is an appeal against non-determination the full case of the LPA is not known and clearly the appellant would wish to comment further when the LPA state its case, reserving the right to make a costs award should this be required.

The appellant feels that given the findings of the earlier appeal consent as set out in the appeal report, the addition of the white frame surround does not affect amenity in any material way or harm amenity sufficient to refuse consent on amenity grounds.