
Appeal Decision

Site visit made on 6 July 2016

by C J Ford BA (Hons) BTP Dist. MRTPI

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 20 July 2016

Appeal Ref: APP/X5210/Z/16/3146087
161 Kentish Town Road, London, NW1 8PD

- 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 Barry O'Brien (Poster Sites Southern) against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/6215/A, dated 2 November 2015, was refused by notice dated 8 January 2016.
 - The advertisement proposed is 1 x 16 sheet 10' x 7'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal in the header above is taken from part 7 of the original application form. However, part 11 of the form and the submitted drawings more accurately describe the proposal as a non-illuminated hoarding measuring 3100mm high and 1600mm wide.
3. The submitted drawings and supporting photograph show an existing hoarding, broadly in the same position as the proposal which measures 3760mm high and 1475mm wide. At the time of the site visit that hoarding had been removed.

Main Issue

4. The main issue in this case is the effect of the proposed advertisement on the visual amenity of the area, with particular regard to the character and appearance of the host building and its surroundings.

Reasons

5. The appeal site is a three storey end of terrace building with a mansard roof. It occupies a corner plot position alongside the junction of Kelly Street with Kentish Town Road. The flank wall of the building, facing onto Kelly Street, has four 'dummy' recessed windows in the brickwork; two at the first floor and two at the second. The appeal building adjoins the boundary of the Kelly Street Conservation Area (CA) to the west, the character of which is strongly defined by its rhythmic two storey Grade II listed terraces.

6. The proposed hoarding would be positioned on the flank wall, close up to the front corner of the building. It would extend from the top of the adjoining first floor dummy window to the top of that at the second floor. It would occupy a prominent position both in relation to the street scene of the adjoining CA and in views from Kentish Town Road when approaching from the north.
7. Ground floor shop front signage is a characteristic feature of this part of Kentish Town Road, as is reflected by the appeal building. A limited number of small projecting signs are also found positioned at or a little above shop fascia level. However, apart from a name sign to 'The Abbey Tavern' which appears to be an integral part of the building's historic design, there is a noticeable absence of high level signage in the surrounding area, particularly hoardings.
8. Owing to the size and high level positioning of the proposed hoarding, it would appear unduly dominant both in relation to the character and appearance of the host building and the lower two storey residential properties in the adjoining CA. Within the wider area, it would be a departure from the prevailing forms of advertisements and appear as an incongruous element of visual clutter.
9. It is recognised the proposal is smaller in scale to the hoarding that was in position at the time the application was made and is considerably smaller than a previously refused proposal, (Council Ref: 2006/5584/A). It is also understood the former was a longstanding feature of the area. Nevertheless, it appears it only had deemed consent, derived from the passage of time. The appeal relates to a formal application for express consent and as such it must be considered on its own merits.
10. In the grounds of appeal the appellant suggests the sign could be positioned lower and displayed landscape rather than portrait. However, it falls beyond the scope of this appeal to consider a substantively different scheme from that originally put before the Council.
11. The parties have drawn attention to Development Plan policies, the National Planning Policy Framework and guidance which they consider are pertinent to this appeal. In particular, it is noted that Policy CS14 of Camden's Core Strategy 2010 seeks to preserve and enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. The policies and guidance have been taken into account, so far as they are material.

Conclusion

12. For the reasons given above, the proposed advertisement would have an unacceptably harmful effect on the visual amenity of the area, with particular regard to the character and appearance of the host building and its surroundings. It would be harmful to the setting of the Kelly Street CA, the listed buildings therein and it would conflict with relevant policies. It is therefore concluded that the appeal should be dismissed.

C J Ford

APPOINTED PERSON