

Delegated Report

Expiry Date:

30/08/2017

Officer

Matthias Gentet

Application Number(s)

2017/3770/A

Application Address

Tower Mansions
134-136 West End Lane
LONDON
NW6 1SB

Application Type:

Advertisement Consent

1st Signature

2nd Signature
(If refusal)

Conservation

Recommendation(s):

Refuse Advertisement Consent

Proposal(s)

Display of an internally illuminated LED digital display board measuring 4.5m in height by 3m in width.

Consultations

Summary of consultation responses:

Consultations were not carried out for this application. No responses were received.

Site Description

The site is the north facing flank of a 5-storey red brick building with roof mansards set behind gables, sitting to the east of West End Lane, between the railway line to the north and Blackburn Road to the south. The elevation of the property is facing towards the adjacent railway line and highstreet.

The host building has a mix of uses with commercial at ground floor level and residential at upper floors. It is not listed and is not in a conservation area.

Relevant History

Site History:

2003/1025/A – (refused on 18/09/2003) - Display of a replacement internally illuminated advertisement hoarding approx 6m wide x 3m high on the north flank elevation on the building at 3rd floor level – **Dismissed on Appeal** reference: APP/X5210/H/03/1132370 on 11/02/2004;

9180142 – (refused on 14/11/1992) - The retention of a non-illuminated advertisement hoarding (prism unit) measuring 6.2 m x 3.2 m at a height of about 9.8 m above ground on the flank wall of the property – **Dismissed on Appeal** reference: APP/X5210/H/92/0898 on 20/11/1992.

AD1537 – (granted on 02/12/1980) - Display of an internally illuminated projecting box sign, measuring 0.70m. deep and 0.46m high, with height to the underside of 2.74m;

CA1536 – (granted on 22/07/1970) - An internally illuminated double sided projecting box sign to read "Rothmans King Size" in white and gold lettering on a blue panel all on a white background. Width 1'4" (0.41m), depth 2'0" (0.61m), overall projection 2'10" (0.86m), overall height 10'0" (3.05m). b) An internally illuminated double sided projecting box sign to read "Rothmans King Size" in amber lettering on a blue background with a white border. Width 2'8" (0.81m), depth 1'3" (0.38m), overall projection 2'10" (0.86m), overall height 9'11" (3.0m);

Adjacent Sites History:

No124

2009/2923/A – (**refused** on 06/10/2009) - Installation of digital LED screen (1.8m x 9.4m) at fascia level on corner of West End Lane and Blackburn Road to display advertisements (changing every 7-10 seconds).

No199-203

AD744(R) (**refused** on 23/03/1078) - Erection of hoarding and three advertisement panels each measuring 20 feet by 10 feet (6.1 metres by 3 metres).

No237

2006/4634/A – (**refused** on 02/01/2007) - Display of an internally illuminated advertisement hoarding measuring 4.65m x 3.65m at first/second floor level on the south elevation facing onto Sandwell Crescent – **Dismissed on Appeal** reference: APP/X5210/H/07/1200691 on 16/04/2007.

No245 (O/)

2016/6868/A – (**refused** on 27/02/2017) - Installation of double-sided structure to existing bus shelter no. 0107/0103 to display 2x internally illuminated digital screens – **Dismissed on Appeal** reference: APP/X5210/Z/17/3171290 on 30/06/2017.

No258 (O/)

2015/5204/A – (**refused** on 22/01/2016) - Display of digital screen and non-illuminated static poster panel to existing bus shelter no. 0107/0132 – **Dismissed on Appeal** reference: APP/X5210/Z/16/3146818 on 07/06/2016.

No315

9580184 – (**refused** on 17/11/1995) - The continued display of an advertisement hoarding measuring approximately 3 m high x 2.03 m wide at a height to the underside of 6.7 m on the flank elevation.

Other Sites in Camden:

No77

2017/1987/A – (**refused** on 30/06/2017) - Display of an internally illuminated LED digital display board to Tottenham Street elevation at first floor level.

Adjacent to Camden Town Underground Station, Camden High Street

2016/3005/A – (**refused** on 15/08/2016) - Display of an internally illuminated LED digital display sign and mural surround - **Dismissed on appeal** on 03/02/2017 ref: APP/X5210/Z/16/3160523.

Land at St Giles Circus, 126-136 Charing Cross Road

2016/2888/A – (**refused** on 11/08/2016) - Temporary display of internally illuminated LED display board signage (measuring 3m in height by 12m in width and 0.6m in depth) to Andrew Borde Street and Charing Cross Road elevation from 01/09/2016 to 23/05/2018 – **Dismissed on appeal** on 13/02/2017 ref: APP/X5210/Z/16/3158874.

Adjacent to Camden Town Underground Station, Camden High Street

2015/6179/A – (**refused** on 01/02/2016) - Installation of 1 x digital LED display screen (3.846m x 6.596m).

Bus Shelter outside 167-169 Camden High Street

2015/5215/A – (**refused** on 19/11/2016) - Installation of double-sided structure to existing bus shelter no. 0107/1029 for display of digital screen and non-illuminated static poster panel.

St Giles Hotel, Bedford Avenue

2015/3210/A – (**refused** on 24/08/2015 and dismissed on appeal on 18/11/2015) - Display of 1x digital display screen (6.0 x 39.8 metres) to Tottenham Court Road elevation at 1st and 2nd floor level.

On the corner of York Way and Freight lane

2014/4102/A – (**refused** on 18/07/2014 and dismissed on appeal on 08/01/2014) - Display of a free standing internally illuminated sign.

British Telecom, 138 Maida Vale

2014/4108/A – (refused on 18/07/2014 and dismissed on appeal on 04/12/2014) - Display of a free standing internally illuminated sign in the forecourt.

Enforcement Site History:

EN04/0646 - Compliance check regarding the advertisement hoarding.

Enforcement Other Sites History:

The following enforcement cases are to be taken into consideration as being relevant to the refusal of this proposal, representing and supporting the Council's initiative to remove unsightly hoardings:

Pitch outside Kings Cross Station

EN16/0004 - 2 digital boards to side elevations.

No218 Kilburn High Road

EN04/1150 - 2 x hoardings – **Appeal against discontinuance notice dismissed** on 13/06/2006.

No226 Camden High Street

EN15/0447 - Display of a large digital sign to side elevation without advert consent. Changed from a large poster board.

EN15/0910 - Erection of illuminated animated advertising sign at 1st floor level.

Land adjoining 279 Finchley Road

EN09/0102 – Display of two advert hoardings (**Appeal against discontinuance notice dismissed:** 26/02/2013)

Central School of Speech and Drama College Crescent

EN07/0473 – Display of two advert hoardings, each 1 x 48 sheet (**Appeal against discontinuance notice dismissed:** 21/05/2013)

Relevant policies

Local Plan draft 2017

A1 – Managing the Impact on Development

D1 – Design

D4 - Advertisements

T1 – Prioritising walking, cycling and public transport

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Camden Planning Guidance 2015

CPG1 (Design) Chapter 8

Fortune Green and West Hampstead (FGWH) Neighbourhood Plan 2015

National Planning Policy Framework 2012

The London Plan 2016

Planning Enforcement Initiative to remove unsightly advertisement hoardings in the Borough

Assessment

1. Proposal and Background

- 1.1 The proposed internally illuminated LED digital display board would measuring 4.5m in height by 3m in width, occupying an area of approximately 13.5sqm (advertising face) and 16.7sqm (with surround). It is to be located on the north facing West End Lane flank of the host building, overlooking onto the adjacent railing line and the highstreet, at second and third floor level, and will be displayed in a portrait position.
- 1.2 It is to replace an existing back lit advertising hoarding board of much larger size – measuring approximately 6.5m in width (inc. the surround) by 3.4m (inc. the surround), covering an area of approximately 22sqm (with surround) and 18.6sqm (advertising face), displayed in the landscape position.
- 1.3 The signage is also accompanied by a large metal platform with metal safety railings abutting underneath the hoarding board to allow access to the sign when the advertisements need replacing. The measurements of the projecting structure have not been provided. It appears to match the width of the back lit advertising hoarding board it is serving and -projecting away from the elevation by about 1m. [See screen shot below]



- 1.4 It must be noted that the existing drawing reference: PY3151/001 doesn't show the exact size of the existing advertisement board which doesn't sit flush within both corners of the elevation detail but is actually wider than the width of the elevation. [See screen shot below]



- 1.5 Another relevant fact to be taken into consideration is the unauthorised status of the existing hoarding board. The application for its retention – reference: 9180142 – was refused and the appeal was also dismissed [see Relevant History above] for the following reasons:
‘The appeal panel appears as a most conspicuous and very obtrusive feature which detracts considerably from views of this attractive building since the presence of the panel draws the eye at the expense of the view of this unusual and attractive property. It is concluded that the display is seriously detrimental to the interests of amenity’.
- 1.6 A subsequent appeal in 2004, following the refusal of the an application of a similar proposal, was also dismissed – reference: APP/X5210/H/03/1132370 on 11/02/2004 [see Relevant History above] for which the Planning Inspector came to very similar conclusion, that *‘the building has an interesting and pleasing design. In this I concur with the findings of the previous appeal decision and the views of the Council and find that the appeal display causes very substantial harm to the appearance of the property and consequently that of the surrounding area. I conclude that the display of the wall mounted 48-sheet size internally illuminated display panel is detrimental to amenity.’*
- 1.7 The existing or as built drawing of the time do demonstrate the accurate size of the signage spreading beyond the edges of the host elevation.
- 1.8 It is unclear, judging by the planning history of the site, whether Enforcement actions were taken at the time. Enforcement Case reference: EN04/0646 would appear to still be open. However, it was confirmed by our Legal team that the Enforcement Notice was not served.
- 1.9 It must also be noted that the existing advertisement hoarding board and metal platform have now been taken down.

2. Assessment

- 2.1 The principle considerations in the determination of this application are:
- Impact on Amenity
 - Impact on Public Safety

3. Amenity

- 3.1 The Council’s design policies are aimed at achieving the highest standard of design in all developments The following considerations contained within policies A1 and D1 are relevant to the application: development should consider the principle of the development; and the impacts of the development on the character, setting, context and the form and scale of neighbouring buildings and surrounding area.

- 3.2 Camden Planning Guidance CPG1 (Design) states that 'hoarding advertising may not be acceptable where they obscure architectural features or landmarks (including windows or window recesses) and on side walls where they would be unduly dominant.
- 3.3 Camden Local Plan (2017) policy D4 states that the council will require advertisements to preserve or enhance the character of their setting and host building. Advertisements must respect the form, fabric, design and scale of their setting and host building and be of the highest standard of design, material and detail. The policy states that the council will resist advertisements that contribute to an unsightly proliferation of signage in the area; contribute to street clutter in the public realm; cause light pollution to nearby residential properties or wildlife habitats; or impact upon public safety.
- 3.4 Tower Mansions is considered to be of architectural merit. The property would appear to be a late 19th to earlier 20th century built, with semi-angular flat sections and returns, rounded projecting bay windows at second and third floor level, and small Dutch type gables accompanied by simplistic horizontal decorative mouldings and identical sash window throughout that, altogether, form a very attractive front elevation. The horizontal decorative mouldings continue along the north facing flank elevation of the building.
- 3.5 The roof has a series of impressive chimney stacks that add to the distinctive nature of the historical architectural design of the property. The unattractive, bulky and oversized signage and metal platform that have been in situ for many years without due permission, have obscured the horizontal brick details. The removal of the unauthorised fixtures has revealed the simple yet attractive side elevation as well as decluttering the said elevation and overall building.
- 3.6 Although the proposed internally illuminated LED digital hoarding board is significantly smaller and will not require a maintenance platform, its addition to the clutter free side elevation would still be a bulky and unattractive feature that would once again not only clutter the flank elevation, but also obscure the horizontal brick details that embellish the side of the building.
- 3.7 Notwithstanding the harm to the host building, the impact of the proposal on the surrounding area is significant. The proposed LED digital display board, by virtue of its size, design, location and method of illumination, would be a dominant fixture within the streetscape. Its prominence from the northern end of West End Lane would be highly intrusive. This part of West End Lane is formed of a mixture of architectural design – from 19th century to modern day architecture, and within a mix environment of commercial enterprises, offices and residential, –the vibrancy of the area and any proposal requires careful consideration. The introduction of an internally illuminated sign that would produce a high level of illumination along with an intrusive glare, would have a detrimental impact on the overall appearance of the area.
- 3.8 As such, while also taking the reasons as stated by the two Planning Inspectors following the two historical and unsuccessful Appeals that the proposed sign is considered entirely inappropriate for this location. Due to its large size, prominent location and LED method of illumination, it is considered that it would be highly detrimental to the character and appearance of the host building, the streetscene and wider vista, contrary to CPG1 (Design), and policies A1 and D1, and D4 of the Camden Local Plan.

4. Public Safety

4.1 Policy A1 states that the Council will expect works affecting highways to:

- make improvements to the pedestrian environment;
- ease and safe to walk and cycle through.

- 4.2 CPG1 (Design) states that advertisements will not be considered acceptable where they impact upon public safety, such as being hazardous to vehicular traffic (e.g. emit glare), and that the Council is to ensure that an advertisement does not become unduly dominant in the streetscene, disturb adjoining residents at night, or cause safety hazards to drivers.
- 4.3 Policy D4 (Advertisements) of the Draft Local Plan states that advertisements will not be considered acceptable where they impact upon public safety, including when advertisements:
- obstruct or impair sight lines to road users at junctions and corners;
 - reduce the effectiveness of a traffic sign or signal;
 - result in glare and dazzle or distract road users;
 - distract road users because of their unusual nature;
 - disrupt the free flow of pedestrian movement; or
 - endanger pedestrians forcing them to step on to the road.
- 4.4 The proposal would introduce a large scale digital advertising display on the northern façade of the property that would be invisible to northbound traffic on West End Lane. However, it would be visible in the offside view to southbound traffic on West End Lane which is a busy thoroughfare that see road users (private cars, public transport, haulage, cyclists alike).
- 4.5 The scale of the proposal (3m x 4.5m) raises concerns that southbound road users could be distracted by digital advertising at a point where they need to be focussing on the road ahead. The consequence of this is that southbound road users would most probably be distracted by the proposed digital advertising displays at a point where they need to be focussing on the road ahead as they approach the signalised pedestrian crossing. This could lead to dangerous situations due to road users becoming distracted and vulnerable road users such as cyclists and pedestrians would be at risk.
- 4.6 This is of particular concern where pedestrians would be crossing the road in the vicinity of the signalised pedestrian crossing. Again, this could lead to dangerous situations.
- 4.7 The proposal would not obstruct views of traffic signals or traffic signs, and it would not have any impact on visibility splays or inter-visibility at the signalised pedestrian crossing. However, the proposed location is considered to be hazardous to road users. The scale of the proposal in such close proximity to traffic signals would as already mentioned constitute a significant distraction to road users at a location where their primary focus would actually need to be on the traffic signals.
- 4.8 TfL guidance for Digital Roadside Advertising suggests that proposals within 20m of traffic signals will generally be refused. The proposal clearly fails to adhere to the TfL guidance in this regard.
- 4.9 It is considered that due to the siting, size and method of illumination the proposed sign would represent a dangerous hazard in this busy location which experiences an exceptionally high volume of vehicular traffic, cyclists and pedestrians As such it is considered contrary to policies A1 and D4 of the Camden Local Plan 2017.

5. Conclusion

- 5.1 The proposed internally illuminated LED digital display board, by reason of its large size, scale, inappropriate siting and method of illumination would appear incongruous and visually dominant, harming the character and appearance of the host building, streetscene and wider vista. The sign is also considered likely to distract drivers and other road users on this busy thoroughfare, endangering pedestrian and highway safety.

6. Recommendation

6.1 Refuse Advertisement Consent.

