

<b>Delegated Report</b>			<b>Expiry Date:</b>	<b>15/11/2018</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Matthew Dempsey			2018/3883/A	
<b>Application Address</b>			<b>Application Type:</b>	
Otto Schiff House, 12 Nutley Terrace, London. NW3 5SB.			Advertisement Consent	
<b>1<sup>st</sup> Signature</b>	<b>2<sup>nd</sup> Signature (If refusal)</b>	<b>Conservation</b>	<b>Recommendation(s):</b>	
			Refuse Advertisement Consent	
<b>Proposal(s)</b>				
Display of externally illuminated estate agent board within Fitzjohn's Netherhall Conservation Area (Retrospective).				
<b>Consultations</b>				
<b>Summary of consultation responses:</b>		1 x objection from local resident highlighting restrictions in place within the Conservation area.		
<b>Site Description</b>				
The site is located within a predominantly residential area, located at the junction of Nutley Terrace and Netherhall Gardens which is within the Fitzjohn's and Netherhall Conservation Area. The property is not listed, however Otto Schiff House is highlighted as a positive contributor within the Conservation Area appraisal. The host building undergone redevelopment to provide residential flats.				
<b>Relevant History</b>				
Otto Schiff House (Nutley Terrace / Netherhall Gardens):				
<b>2008/5555/P</b> - Alterations to the rear building including removal of link to original building and external fire escape stair, extensions at ground, first and second floor level and creation of new pedestrian access from Netherhall Gardens. <b>Granted 02/03/2009.</b>				
<b>2013/2213/P</b> - Erection of 3-storey building plus roof (following demolition of annex wing to Otto Schiff House including link block) and alterations to retained building, including excavation of basement under both buildings, roof terraces to the front, side and rear elevations, new dormer window to rear roofslope and replacement dormer to Netherhall Gardens elevation, demolition of existing single-storey side extension and replacement with new single-storey extension, erection of rear ground floor level extension, in connection with conversion from 23 x 1-bedroom self-contained flats to 14-self contained flats (6 x 2-bedroom, 4 x 3-bedroom and 4 x 4-bedroom) (Class C3) and associated landscaping. <b>Refused 16/07/2013, Public Enquiry 14/10/2013, Allowed 15/04/2014.</b>				
<b>2013/2216/C</b> - Demolition of annex wing to Otto Schiff house (including link block). <b>Refused 16/07/2013.</b>				
<b>2014/5465/P</b> - Details required by condition 3i (material and samples), condition 4 (hard and soft landscaping), 5 (tree protection), 6 (bicycle , waste and recycling storage) and 7 (details of ground floor) to planning application 2013/2213/P granted on 15 April 2014 associated appeal ref: APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358 for the erection of 3-storey building and conversion to create 14 self-contained flats. <b>Granted 24/09/2014.</b>				
<b>2014/5470/P</b> - Non-material alterations including façades modifications and cycle store repositioning of planning application 2013/2213/P granted on 15/04/2014 associated appeal ref: APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358 for the erection of 3-storey building and				

conversion to create 14 self-contained flats. **Granted 29/04/2014.**

**2014/7277/P** - Non-material Amendment of planning application 2013/2213/P (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) for the erection of a 3-storey building and conversion to create 14 self-contained flats, namely for amendments to the approved internal layout. **Granted 12/01/2015.**

**2014/7954/P** - Details required by condition 8 to planning application 2013/2213/P, granted on 15/04/2014, associated appeal ref: APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358 for the erection of 3-storey building and conversion to create 14 self-contained flats. **Granted 27/01/2015.**

**2015/1476/P** - Variation of condition 2 (approved plans) of planning application 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) for the erection of a 3-storey building and conversion to create 14 self-contained flats, namely removal of 2 x trees, rearrangement of internal flats and alteration to the treatment of the front lightwell. **Granted subject to a Section 106 Legal Agreement 08/03/2016.**

**2015/4589/P** - Discharge of condition 3i (external materials and samples) and 3ii (windows and external door specifications) granted under reference 2013/2213/P and Appeal references APP/X5210/A/13/2205355 & APP/X5210/E/13/2205358 dated 15/04/14 for erection of 3-storey building plus roof (following demolition of annex wing to Otto Schiff House including link block) and alterations to retained building, including excavation of basement under both buildings, roof terraces to the front, side and rear elevations, new dormer window to rear roofslope and replacement dormer to Netherhall Gardens elevation, demolition of existing single-storey side extension and replacement with new single-storey extension, erection of rear ground floor level extension, in connection with conversion from 23 x 1-bedroom self-contained flats to 14-self contained flats (6 x 2-bedroom, 4 x 3-bedroom and 4 x 4-bedroom) (Class C3) and associated landscaping. **Granted 08/12/2015.**

**2015/5799/A** - Temporary display of hoarding measuring approximately 2.4m x 95m x 0.2m (from 09/11/2015 to 25/12/2016) fronting Nutley Terrace and Netherhall Gardens. **Granted 30/10/2015.**

**2016/4429/P** - Minor material amendment to existing roof of the new build property to provide additional space granted on 08/12/2015 (ref: 2015/1476/P) for the erection of 3-storey building and conversion to create 14 self-contained flats. **Granted 13/03/2017.**

**2017/3470/P** - Details required by conditions 3(iii) (externally mounted equipment), 3(iv) (PV panels), 12 (bird & bat boxes), 13 (external lighting) of planning permission, ref 2013/2213/P granted on appeal dated 15.4.14 ref: APP/X5210/A/13/2205355 (for the erection of 3-storey building and conversion to create 14 flats and alterations to retained building). Details required by condition 2 (tree planting) of planning permission ref 2015/1476/P dated 8.3.16 for variation of condition 2 (approved plans) of planning permission granted on appeal dated 15/04/2014. **Granted 14/07/2017.**

**2018/1877/P** - Conversion of 2 x 2 bed first floor flats into 1 x 4 bed flat (retrospective). **Granted 18/06/2018.**

## **Relevant policies**

### **Camden Local Plan 2017**

Policy A1 Managing the impact of development  
Policy D1 Design  
Policy D2 Heritage  
Policy D4 Advertisements

### **Camden Planning Guidance 2018**

CPG Advertisements  
CPG Amenity

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

### **Planning Enforcement Initiative to remove unsightly advertisement hoardings in the Borough (Regulation 7)**

#### **Assessment**

##### **Proposal**

Retrospective Advertisement Consent is sought for the display of an externally illuminated estate agent/ marketing board measuring 1m by 1.5m and 3.4m high. The advert is made of metal and illuminated with a trough light affixed to the top of the sign. The advert is sited on the Nutley Terrace side of the site adjacent to Netherhall Gardens and is located within the boundary of the property.

The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.

##### **Amenity**

Standards of amenity (the features of a place that contribute to its attractiveness and comfort) are major factors in the health and quality of life of the borough's residents, workers and visitors and fundamental to Camden's attractiveness and success. Camden's Inner London location, the close proximity of various uses and the presence of major roads and railways means that amenity is a particularly important issue within the borough. Policy D4 notes that the Council will require advertisements to preserve or enhance the character of their setting and host building and adverts 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. It notes the Council will support adverts that preserve the character and amenity of the area and preserve or enhance the heritage assets and conservation areas. The Council will resist advertisements that contribute to an unsightly proliferation of signage in the area and cause light pollution to nearby residential properties or wildlife habitats. D4 also notes that large outdoor signboards are subject to further criteria as set out in the Camden Planning Guidance on Adverts.

Camden Planning Guidance 1.7 states that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. It also states that; where illuminated, they can cause light pollution to neighbouring residential properties.

Advertisements in conservation areas require detailed consideration given the sensitivity and historic nature of these areas. Any advertisements, in a conservation area must not harm the character and appearance and must not obscure or damage specific architectural features of buildings (CPG 1.11).

It is important to note a regulation 7 is in place within this conservation area (Fitzjohn's & Netherhall) which prohibits the display of estate agent boards. The Council will strongly resist granting consent due to the impact the boards would have on visual amenity.

The advertisement is highly visible from the junctions of Nutley Terrace and Netherhall Gardens. It is considered that the proposed advertisement is overly dominant due its size, location and illumination. In conjunction with the siting within the Conservation Area, it is considered that the proposal would fail to preserve or enhance the character and appearance of the Conservation Area.

The advert is fixed to 2 supports and erected in a position over 3m high. The advertisement board itself is 1m by 1.5m. This is considered unnecessarily large in height, width and overall size. In addition, it is positioned so as to block views of a positive contributor within the conservation area.

The Illuminated nature of the advert means it could cause unwanted light pollution in an otherwise

unobtrusive residential area. There is considered to be no benefit to the illumination proposed. However it is considered that this could cause harm to residential amenity.

Most importantly the advert has been placed in an area which specifically prohibits them. The applicant has not given any justification for exceptional circumstances required by the local plan which would make allowances for an advert of this type in this location.

### **Public Safety**

Given the position of the proposed advert in an elevated position facing on to the public highway and proposals to externally illuminate the advert, the development is considered to potentially raise public safety issues in terms of distracting road users on Nutley Terrace and Netherhall Gardens. The advert would appear particularly prominent at night and could pose as a distraction to moving traffic in an otherwise quiet neighbourhood. However, the Council Transport Officer has confirmed that he did not feel the advert would be a distraction to drivers.

### **Recommendation**

Refuse Advertisement Consent.