



---

# Appeal Decision

Site visit made on 6 November 2018

**by I Radcliffe BSc(Hons) MRTPI MCIEH DMS**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 November 2018**

---

**Appeal Ref: APP/X5210/H/18/3201518**

**Regina House, 124 Finchley Road, London NW3 5HT**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
  - The appeal is made by Mr S Dayeh of DayLite LED against the Council of the London Borough of Camden.
  - The application Ref 2018/0553/A is dated 31 January 2018. The advertisement proposed is described as a replacement internally illuminated display measuring 3.2m x 5.76m.
- 

## Decision

1. The appeal is dismissed and express consent is refused.

## Main Issue

2. The main issue in this appeal is the effect of the proposal on the visual amenity of the area.

## Reasons

3. Regina House is located within the Fitzjohns / Netherall Conservation Area. In the exercising of planning functions the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Conservation Area covers an area of well-designed buildings that reflect the era in which they were constructed. The significance of the Conservation Area is therefore architectural and historical.
4. Regina House is a large seven storey commercial building that has the appearance of a typical office development from the latter half of the last century. The Conservation Area Statement identifies the building as making a positive contribution to the conservation area. Overall this is true. However, in contrast to the symmetrical pattern of fenestration and panelling to its front elevation, its northern side elevation, where the proposed sign would be located, is blank and is only partially enlivened by a window to each floor set back from the front elevation.
5. Consent was granted on appeal in 2014 for a LED internally illuminated advertising sign in the same location as that proposed in the appeal before me. Measuring approximately 3m in height by 2m in width the sign is located at an elevated height of approximately 4.5m above ground level. It is positioned on the bottom right hand corner of the buildings side elevation, level with its first

- floor and adjacent to the front of the building. The existing sign in size is subservient to the elevation it is attached to and sits comfortably within it.
6. The proposed sign, measuring 5.76m in height and 3.2m in width, would be considerably larger in area than the existing sign and significantly larger than a proposed sign that was dismissed on appeal in 2016. Its size would be such that it would dominate the side elevation of the building. As a result, in combined views of the side and front of the building on the approach from the north along Finchley Road it would detract from the architectural integrity of Regina House. It would also be out of scale to the ground floor fascia level signs that characterise this road.
  7. For these reasons, I therefore conclude that the proposal would have a harmful effect on the visual amenity of the area and the quality of the built environment, which includes the Fitzjohns / Netherall Conservation Area. As a consequence, it would fail to preserve the character or appearance of the Conservation Area and so fail the statutory test.
  8. I have taken into account policy D4 of the Camden Local Plan. This policy seeks to protect amenity and preserve or enhance conservation areas. As a result, it is material in this case. Similarly, Camden Planning Guidance 'Advertisements' does not support adverts that harm the amenity of the street scene and wider area, including conservation areas. Given that I have found that the proposal would cause harm in the manner I have described it would also conflict with this policy and planning guidance.
  9. For the reasons given above, the appeal should therefore be dismissed.

*Ian Radcliffe*

Inspector