



Appeal Decision

Site visit made on 21 May 2019

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2019

Appeal Ref: APP/X5210/Z/19/3221980 96 Belsize Lane, London NW3 5BE

- 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 Ivan Lazzaroni of Omnide against the decision of the Council of the London Borough of Camden.
 - The application Ref: 2018/4034/A, dated 16 August 2018, was refused by notice dated 12 December 2018.
 - The advertisements proposed are described as to display a fascia and hanging sign for Omnide, an architecture and interior studio. **FASCIA SIGN:** The new Omnide fascia sign will be made of the letters "OmniDe" from the Omnide logo. The sign will be made of individual laser cut aluminium letters and will be 1850 mm overall width and 480 mm maximum height. It will be 30 mm deep and protrude 50 mm from the façade. The individual letters will be back lit with 3000K led lights. **HANGING SIGN:** The new Omnide flag sign will be made of the letters "O" and "D" from the Omnide logo. The sign will be 350 mm wide and 300 mm high, the two intertwined letters will be 295 mm wide by 200 mm high. It will be 30 mm deep and will be located at 2850 mm from the ground. It will be made of aluminium and will be illuminated externally with 3000K led lights.
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Decision

1. The appeal is allowed, and express consent is granted for the display of the advertisements as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Procedural matters

2. I note from the Planning officer's report that there was concurrent planning application which sought planning permission for the installation of a new shopfront, and which was refused planning permission at the same time as the application for advertisement consent was refused. This appeal is concerned solely with the application for advertisement consent and the matter of the shopfront is not before me.
3. The proposed advertisement is in place and I was able to see it when I visited the site. I noted during my site visit that notwithstanding the description on the application form, the small projecting sign appears to be illuminated by way of a light emitting diode (LED) strip built into the shopfront behind it and that, as shown on the submitted drawings the fascia sign has LED lighting attached to the back of the lettering. This tallies with the appellant's evidence in the ground of appeal. In the interests of clarity, I have, therefore, amended

that part of the description given on the application form and I have dealt with the appeal on this basis.

Main Issue

4. The main issue in this appeal is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework set out that advertisements are subject to control only in the interests of amenity and of public safety. It is common ground between the parties that the proposed advertisement would not raise any issues in respect of public safety.
6. The reason for refusal refers only to the proposed fascia sign. This notwithstanding, the Planning officer's report states that the projecting sign is simple in design and very discreet, although it goes on to state that the materials and illumination are not acceptable. This sign is very small and due to its design, consisting of two, open, interlinked letters, it is not prominent on the building. I saw when I visited the site that other premises within the conservation area have projecting and hanging signs.
7. The sign at the appeal site is smaller and less substantial than a traditional hanging sign and, indeed, many of the other hanging signs present in the area. Whilst the Council state that a traditional timber sign would be expected, the projecting sign is less conspicuous than other projecting and hanging signs present in the area. Although fabricated from aluminium, due to the colouration of the lettering, it is not readily apparent to the casual observer what the sign is made from. Illumination is provided by a small LED strip fixed to the wall of the building between the arms of the mounting bracket for the sign. The level of illumination stated on the application form is not high, and given the small size of the sign, I do not find that it is either conspicuous or harmful to the visual appearance of the area.
8. Fascia signage on commercial properties in the area is predominantly either individual letters applied to the fascia or painted, signwritten, lettering. Where illumination is present this is generally in the form of overhead trough lighting or several individual downlighters fixed to the building frontage.
9. In respect of the fascia sign the Planning officer's report contains conflicting statements that the proposed sign is acceptable in terms of the size and design of the lettering, location, and method of illumination, but subsequently concludes that the location and illumination of the sign is not acceptable.
10. With regard to the location of the sign, from the officer's report, the Council appear to be conflating the size and design of the fascia, which is an alteration to the shopfront, with the advertisement, which consists of individual letters attached to the building. The appellant's assertion that the signage and illumination are consistent with a modern shopfront that has been on place for many years is, however, also incorrect as it is clear from both the Council officers report and the appellant's own photographic evidence that the shopfront that is currently present on the building is a recent replacement or remodelling of a previous shopfront. That said, irrespective of the design merits of the current shopfront, which are not a matter for this appeal, its

overall height is consistent with the shopfronts on the adjoining properties. The fascia sign is not located higher up the building than on others in this group, nor does it cut across or interfere with architectural features on the upper part of the building.

11. Taken in isolation, it is common ground that the lettering of sign which is affixed to the building is acceptable in terms of size and design. Whilst the lettering is fabricated from aluminium, in appearance it is not dissimilar to other advertisements on business premises in the area which use individual lettering applied to the building or fascia and, to the casual observer, the precise material from which the sign is fabricated is not immediately apparent.
12. The submitted drawings show the lettering as backlit. This method of illumination differs from other fascia signs in the area, which are lit by downward facing trough lighting or individual lamps affixed to the building. However, the proposed level of illumination stated on the application form is relatively low and, whilst the visual effect will be different from other premises in the area, the approach taken would result in less of the building fascia being illuminated than by the use of trough lighting. I accept that in this part of Belsize Lane, there is less illumination on business premises than towards the central area. Nevertheless, I saw that other properties within the same block as the appeal building have lighting on their signage, including a trough light the full width of the fascia at number 90. The National Planning Policy Framework (the Framework) requires that the cumulative effects of advertising to be taken into account. However, there is no substantive evidence before me that would indicate that the advertisements which are the subject of this appeal would, when taken together with other advertisements nearby, increase the level of advertising or illumination to an extent that it would be harmful to the appearance of the area or the amenity of the occupiers of residential properties opposite the appeal site. In this context, I do not find that the proposed materials or lighting arrangements for the advertisement would cause harm to the visual amenity of the area.
13. The appeal site is located within the Belsize Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in exercising functions under the planning Acts within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area. Paragraph 193 of the Framework also requires that great weight should be given to the conservation of heritage assets.
14. The Belsize Conservation Area Statement 2003 (CAS) identifies that the character of the conservation area is largely derived from mid-19th century Italianate villas but it does note that the part which includes Belsize Lane, the mews to the north west of it, and the commercial buildings around the junction of Belsize Lane and Belsize Terrace, has a distinct character arising from the smaller scale buildings of the mews and the commercial elements of the district centre. Belsize Lane has a mixed character that is partly residential and partly commercial, with the north west side, where the appeal site is located, containing most of the commercial premises. The CAS sets out that this part of the conservation area is characterised by a number of mews developments. The appeal building is not part of one of these mews developments, being a three storey building with commercial units at ground floor level. This building is identified as making a positive contribution to the conservation area,

however, the Council have not elaborated in detail on the effect that the proposed advertisement would have on this building or its contribution to the conservation area. It is stated that there has been a loss of historical details, although this again appears to conflate the alterations to the shop front with the details of the proposed advertisement.

15. The Council accept that the size and design of the lettering is appropriate, although object to the illumination. However, the Council have submitted no substantive evidence in respect of how the illumination would cause harm to the significance of the conservation area. As set out above, there is lighting on the signage of other commercial properties accommodated within this building and elsewhere in the vicinity, and I have previously found that the proposed illumination would not be harmful to visual amenity. In the light of the above I find that the proposed advertisements would have a neutral effect on the character and appearance of the conservation area.
16. I therefore conclude that the proposed advertisements would not cause harm to the visual amenity of the area. I have taken into account Policy D4 of the Camden Local Plan 2017, which relates specifically to advertisements and which seeks to preserve character and amenity generally and to preserve or enhance heritage assets and conservation areas, and so is material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with this policy.

Conclusion

17. For the above reasons, I conclude that the appeal should be allowed.

John Dowsett

INSPECTOR