

Delegated Report (Refusal)			Expiry Date:	03/06/2019
Officer		Application Number(s)		
Obote Hope		2019/0462/A		
Application Address		Application Type:		
246-248 Kentish Town Road London NW5 2AB		Advertisement Consent		
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			i) Refuse Advertisement Consent ii) That the borough Solicitor be instructed to Prosecute	
Proposal(s)				
Display of 1x externally illumination fascia sign and 1x externally illuminated projecting sign onto the existing shopfront, retrospective.				
Consultations				
Summary of consultation responses:		As the application is for advertisement consent, no public consultation was conducted. One objection was received from unknown address as follows: <ul style="list-style-type: none"> The internally illuminated box signs and method of illumination is harmful to the visual amenity, and; The lettering sign is chunky. 		
Site Description				
The site is a 4 storey mid terraced building located on the east side of Kentish Town Road. The building is a non-designated heritage asset and makes a positive contribution to the Bartholomew Estate Conservation Area. The application relates to the ground floor frontage.				
Relevant History				
2018/5714/P - Change of use from A2 (Financial services) to mixed-use development consisting of A1/A3 (Retail and Cafe) at ground floor level. Granted on 25/03/2019.				
2018/2022/P – Planning permission for the replacement of existing shopfront. Granted on 03/07/2018				
2015/4872/A - Advertisement consent for installation of non-illuminated and aluminium signage around ATM. Granted on 16/09/2015.				
2015/4587/P – Planning permission for installation of replacement ATM. Granted on 16/09/2015.				
2011/3591/A - Planning permission for Display of an internally illuminated fascia sign and an internally illuminated projecting sign, to front of retail premises at ground floor level (Class A1). Granted on 27/09/2011.				

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Camden Local Plan 2017

D1 – Design

D2 – Heritage

D3 – Shopfront

D4 – Advertisements – Paragraphs 7.81 to 7.83 and 7.85

Camden Planning Guidance

CPG (Design) 2019 – Chapter 6

CPG (Advertisements) 2018

CPG (Town Centre and Retail) 2018

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

Bartholomew Street Conservation Area Appraisal and Management Strategy 2000 – Policy BE36

Kentish Town Neighbourhood Plan 2016 – Policy D3

Assessment

1. Proposal and Background

1.1 Advertisement consent is sought for the display of an internally illuminated fascia and an internally illuminated projecting sign onto the existing shopfront. The signage is in situ, meaning the application is retrospective.

1.2 Revision

1.3 During the course of the application, a revised drawing was put forward in response to the unacceptability of the proposal as originally submitted. The revision forms part of this application, it was accessed and found to be inappropriate. They did not address the concerns raised by the officers in terms of size, design, method of illuminated and materials for this sensitive location.

2.0 Assessment

2.1 The main matters for consideration are:

- Design and Appearance
- Visual Amenity
- Public Safety

3.0 Design and Appearance

3.1 Policy BE36 of The Bartholomew Conservation Area Statement states that shop signage should be appropriate and respect the proportion of the shopfront, this would not be the case in this instance (page 26). Furthermore, the policy guidance within Local Plan policy D4 stipulates that within conservation areas, the council will resist advertisements where they contribute to or constitute clutter or an unsightly proliferation of signage in the area.

3.2 Policy D1 (Design) of the Camden Local Plan 2017 states that 'Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development, which integrates into its surroundings. The Council will seek to secure high quality design in development and will require that development respects local context and character, preserves or enhances the area's character'.

3.3 Policy D2 (Heritage) of the Camden Local Plan 2017 states that 'The Council places great importance on preserving the historic environment. Conservation areas are designated heritage assets. The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area and will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this'.

3.4 Policy D4 (Advertisements) of the Camden Local Plan 2017 states that applications for advertisements will be supported where they:

- a) preserve the character and amenity of the area, and;
- b) preserve or enhance heritage assets and conservation areas.

3.5 The locally listed building is a non-designated heritage asset. CPG Design states that the Council will seek to protect non-designated heritage assets (NDHA) in the same way as heritage assets such as listed buildings and conservation areas. The effect of a proposal on the significance of a NDHA will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

3.6 In line with NPPF guidance in paras 195-196, the Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset unless the

public benefits of the proposal outweigh that harm. A similar approach is to be adopted for NDHAs. It is considered that in this case the conservatory addition will cause 'less than substantial' harm to the locally listed building and that there are no public benefits to outweigh this harm. Para 197 of the NPPF states that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

3.7 The proposed fascia sign would consist of individual illuminated 'CREAMS' lettering measuring 480mm in height spanning 4697mm across the shopfront and 8360mm in depth. The size and scale of the individual letters and method of illumination would be unacceptable. The planning history indicates that there is some consistency in terms of size and design of signs in the town centre, notably, illuminated signs have been curtailed within this parade on the east side of Kentish Town Road. The advertisement consents that have been permitted a large amount are non-illuminated signs. Therefore, it is considered that the new internal illuminated sign would neither preserve nor enhance the character and appearance of the Bartholomew Conservation Area, leading to less than substantial harm to the designated heritage asset.

3.8 In terms of the internally illuminated projecting sign that would measure 815mm in length and 750mm in height, it would be overly large and as discussed above illuminated examples within the area are in the minority. Within this context, the proposed internal illumination of the projecting sign would depart from the established character of the town centre and conservation area. It would result in a visually prominent sign that would draw the eye, thus dominating the area. By disrupting the uniform appearance of the existing sequence of projecting signs (which are not internally illuminated), the new sign would erode the uniformity of the parade of shops on this side, thus harming the character and appearance of the conservation area. The projecting sign would also be perceptible in longer views from the street due to the sign being illuminated. It would be clearly out of character in such views, thus harming the character and appearance of the conservation area.

3.9 The host building is a non-heritage asset and the majority of the signage within the centre is not illuminated, giving the centre a consistent visual appearance and avoiding visual clutter. The proposed illuminated signage would act to punctuate the otherwise consistent approach for adverts and would mean that the signs become visually prominent. In long views, as well as the immediate context, the proposed signage would appear overly disruptive. As such, the proposed illuminated signage is considered to cause harm to the visual amenity of the local area as well as the character and appearance of the Bloomsbury Conservation area, contrary to policies D1, D2, D3 and D4 of the Local Plan 2017.

4.0 Visual Amenity (Signage)

4.1 Policy D4 (Advertisements) states that 'Advertisements and signs should be designed to be complementary to and preserve the character of the host building and local area. The size, location, materials, details and illumination of signs must be carefully considered'.

4.2 Advertisements in conservation areas and on or near listed buildings require particularly detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features of buildings. The Council requires 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.

4.3 By virtue of the material (aluminium), location and internal illumination, the fascia and projecting sign are considered unacceptable and detrimental to the character and appearance of the host building, conservation area and streetscape, contrary to policy D4.

5.0 Public Safety

- 5.1 Policy D4 (Advertisements) of the Camden Local Plan 2017 states that highway safety, with focus on vulnerable road users should be considered. Advertisements will not be considered acceptable where they impact upon public safety including result in glare and dazzle or distract road users because of their unusual nature, disrupt the free flow of pedestrians or endanger pedestrians.
- 5.2 The type of illumination proposed would not result in any adverse impact on the safety of drivers, cyclists, or pedestrians using Kentish Town Road.

6.0 Recommendation: Refuse advertisement consent and warn of prosecution action to be taken.

6.1 PROSECUTION ACTION

The display of an advertisement without consent is a criminal offence under Section 224(3) of the Town and Country Planning Act 1990. Under Section 225 of the Town and Country Planning Act, Section 10 of the London Local Authorities Act 1995 and Section 11 of the London Local Authorities Act 1995 the Council has powers to enter the land and remove the display. As such, the Council will commence prosecution/action to secure the removal of the advertisement.

Reasons for prosecution:

- 1) The proposed projecting and fascia signs, by reason of their size, design and method of illumination, would be overly prominent and out of character with the predominantly non-illuminated signage within the wider Bartholomew Conservation Area. The proposed signs would result in visual clutter that would detract from the visual amenity of the area contrary to policies D1 (Design), D2 (Heritage) and D4 (Advertisements) of the London Borough of Camden Local Plan 2017, as well as policy D3 (Design principles) of the Kentish Town Neighbourhood Plan 2016.