

187 Kentish Town Road, NW1 8PD 2019/0284/A



Proposed location
of the commercial
advertisement



Photo 1 (above): View of the site with the scaffold and shroud already in place. The commercial advertisement is to go on the apex elevation.



Photo 2 (above): View of the junction in front of the site and building opposite

Delegated Report		Analysis sheet		Expiry Date:	09/09/2019
(Members Briefing)		N/A		Consultation Expiry Date:	N/A
Officer			Application Number(s)		
Sofie Fieldsend			2019/3580/A		
Application Address			Drawing Numbers		
187 Kentish Town Road London NW1 8PD			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Temporary display of a shroud with an externally illuminated advertisement banner on a scaffold shroud until 08/06/2020.					
Recommendations)		Grant Conditional Advertisement Consent			
Application Type:		Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	02	No. of objections	02
Summary of consultation responses:	<p>There is no statutory requirement to consult on Advertisement Consents; however, 2 objections have been received which the Council has considered below. .</p> <p><u>Summary of Responses</u></p> <p>2 objections were received from occupants of 42 Bartholomew Villas a 74 Durdans House Their objections can be summarised as follows:</p> <ol style="list-style-type: none"> 1) New advert already in place and no neighbour consultation prior to this. Claims advert is erected 2m lower than on the plans, in all vehicles line of sight 2) Time period too long for illuminated advert 3) Previous advert subject to the enforcement 4) Objection to main scheme <p><u>Officer's Response:</u></p> <ol style="list-style-type: none"> 1) <i>The advert installed was much larger and in a different location. The agent has since confirmed that this unlawful advert has been removed. A site visit on 1/10/19 confirmed the advert is no longer in place. Advert consent does not require a formal consultation period.</i> 2) <i>See sections 3.5 and 4</i> 3) <i>Enforcement ref. EN17/0596 for unlawful advert was closed on 25/08/2017 when the advert was removed as the breach ceased.</i> 4) <i>This application is solely for advertisement consent and not the parent application which has already been granted planning permission</i> 					
Prince of Wales Residents Association	<p>The Prince of Wales Residents Association commented on the application and their comments can be summarised as follows:</p> <p style="text-align: center;">Advert installed without planning permission and they were not informed that they could comment before it was installed. It should be removed.</p> <p><u>Officer response</u></p> <p><i>The advert installed was much larger and in a different location. The agent has since confirmed that this unlawful advert has been removed. A site visit on 1/10/19 confirmed the advert is no longer in place. Advert consent does not require a formal consultation period.</i></p>					

Site Description

The application site comprises a two-storey building situated on the eastern side of Kentish Town Road and on the junction with Prince of Wales Road. The building dates from 1926-9, designed by Riley and Glanfield and consists of a red brick construction, with double height windows on both the Kentish Town Road and Prince of Wales elevations. The building features a chamfered corner entrance with a further large double height arched window. The property was refurbished for use as a restaurant and up until late 2013 was occupied by Pizza Express. It is now unoccupied.

Kentish Town Road is characterised by a mixture of retail uses at ground floor level with residential flats at the upper levels.

The site is not in a conservation area and is not listed.

Relevant History

Site History:

2019/0284/A – (granted 21/5/19) - Temporary display of a shroud with an externally illuminated advertisement banner (measuring approximately 3m in height by 3.95m in width) on a scaffold shroud until 20/08/2019.

- This does not appear to have been implemented

2018/5059/P – (granted 5/9/19) - Variation of Conditions 8 (cycle spaces), 12 (lifetime homes) and 15 (approved plans) to planning permission 2013/8301/P dated 27/03/2015 (Redevelopment to provide 5 storey building (2 storey roof addition) with cinema (Class D2) and 11 market (2 x studio; 1x1; 7x2 & 1x3 bed) and 1 intermediate (1x1 bed) residential units (Class C3), to amend layout to reconfigure cinema at ground floor and residential unit mix above (11 market - 10x2 bed & 1 x3 bed) and 1 intermediate (1x1 bed)), increase in height to ridge, alteration to fenestration on south elevation and cycle space provision.

2017/2851/A – (granted on 16/06/2017) - Temporary display of an externally illuminated advertisement banner on a scaffold shroud from 12/08/2017 to 31/03/2018 – The size of the commercial advertisement approved was 3m in height by 5m in width.

2016/5283/A – (granted on 31/10/2016) - Temporary display of an externally illuminated advertisement banner on a scaffold shroud from 22/11/2016 to 11/08/2017– The size of the commercial advertisement approved was 3m in height by 5m in width.

2013/8302/P - (granted subject to S106 on 27/03/2015) - Redevelopment of existing building (Class A3), retaining the existing façade, to provide a 4 storey building (1 storey roof addition) with flexible retail/financial and professional services/restaurant (Class A1/A2/A3) use at ground floor and 9 (2x1, 6x2 & 1x3 bed) residential units (Class C3) at 1st to 3rd floor level, together with various associated alterations including landscaping, external terraces, alterations to external elevations and rooftop plant.

- This permission is currently being implemented.

Enforcement Site History:

EN17/0596 - Advertisement displayed does not correspond with 2017/2851/A, advert in wrong location and no 1:2:1 image of building – Case closed on 25/08/2017: when the advert was removed as the breach had ceased.

Relevant policies

National Planning Policy Framework 2019

London Plan 2016 and Draft London Plan 2018

Camden Local Plan 2017

D4 - Advertisements

Camden Planning Guidance 2018

CPG (Advertisements)

Kentish Town Neighbourhood Plan (June 2016)

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

Assessment

1. Proposal and Background

- 1.1 Advertisement Consent is sought for the temporary display of a shroud with an advertisement banner (measuring approximately 3m in height by 3.95m in width) on a scaffold shroud for a period of 9 months - until 08/06/2020.
- 1.2 The sign is to be externally illuminated by means of 3no downlights.
- 1.3 The application is the 4th in a series of previously approved advertisement consent applications granted in October 2016, June 2017 and May 2019 (see planning history above for details) for the temporary display of an externally illuminated commercial advertisement on a shroud. It is noted that the most recent renewal of the advert in May 2019 does not appear to have been implemented
- 1.4 The redevelopment of the site was granted a variation of planning permission subject to S106 on 05/09/2019 (ref. 2018/5059/P). Works did start in 2016/2017 and a large shroud with commercial advertisements was installed to conceal the construction works. However, works came to a halt as the original owner sold the site and the building and project have now been passed on to new ownership. The variation application was granted recently and works recommenced on site on 1/4/19 according to the schedule of works they've provided.
- 1.5 It must be noted that the original shroud depicting an image of the host building has been in place since 2016/2017 to obscure views of the building and construction works. Such shrouds do not require any form of permission or consent. Advertisement consent only applies to the commercial signage, which cannot be displayed without a shroud depicting a 1:1 image of the host building, in line with Camden Planning Guidance CPG (Advertisements).

2. Assessment

- 2.1 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.
- 2.2 The principle considerations in the determination of the application are:
 - Visual Amenity
 - Public Safety

3. Visual Amenity

- 3.1 Policy D4 (Advertisements) 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 Council will support advertisements that preserve the character and amenity of the area.'*
- 3.2 It further 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. The Council will resist advertisements where they contribute to or constitute clutter or an unsightly proliferation of signage.'*
- 3.3 CPG (Advertisements) states that *'Shroud advertisements come in a range of forms but are generally largescale and can cover the entire elevation of a building. They can help to shield unsightly construction work, reducing visual impact. However, as a result of the scale and size of shroud advertisements their appearance can create a conflict with the surrounding environment and the street scene and, where the advertisement partially obscures a building, the visual appearance of the building itself.'*
- 3.4 The guidance further states that *"Shrouds on scaffolding (erected for the purposes of carrying out building works and removed upon completion), will only be permitted where the:*
- scaffolding covers the entire elevation of the building and the netting on the scaffolding depicts a true 1:1 image of the completed building which is undergoing construction work;*
 - shroud does not exceed the height and length of the completed building (the 1:1 image should also not be extended where scaffolding stretches around a corner);*
 - and the advertisement on the shroud covers no more than 20% of the shroud on each elevation and is not fragmented. The advertisement must also respect the architectural form and scale of the host building.'*

3.5 The temporary advert would be in place until the 8/6/20, which aligns with the schedule of works provided in this application for the main scheme. This schedule outlines that the external balconies which appear to be the final main external works will be installed by the 13th of May. It is therefore considered a few weeks of grace until the 8/6/20 would be appropriate to have the shroud and advert in place. The cover letter states that the scaffold is due to be taken down on the 8/6/20. Given the schedule of works provided it is unlikely that another application for the same temporary advert would come forward. In this instance the temporary time period is considered acceptable but if any future renewals are applied for their time period will be carefully considered to ensure the advert still appropriate for the site.

Commercial Signage with Shroud

- 3.6 The north-east shroud area above the hoarding boards would measure approximately 7.1m in width by 8.4m in height – covering an area of approximately 59.5sqm. The proposed commercial signage to be fixed to the shroud would measure approximately 3m in width by 3.95m in height, thus covering an area measuring 11.85sqm. This covers 19.9% of the elevation which complies with policy D4.
- 3.7 As such, in terms of size, design and location, the commercial advertisement with shroud is acceptable and in accordance with policies D4 and CPG (Advertisements).

Illumination

- 3.8 CPG (Advertisements) states that *'The type and appearance of illuminated signs should be sympathetic to the design of the building on which it is located. The method of illumination (internal, external, lettering, neon, etc.) should be determined by the design of the building. Illuminated signs should not be flashing or intermittent, whether internal or external.'*
- 3.9 The commercial sign is to be externally illuminated by 3no spotlights currently located atop the shroud

elevation on the corner elevation of the site. The method of illumination will be static.

- 3.10 In view of the temporary nature of the display and the fact that the corner elevation of the scaffold would be facing onto a dilapidated and unoccupied commercial building, in terms of size, design and location, the spotlights are acceptable and in accordance with CPG (Advertisements).

4. Public Safety

- 4.1 Policy D4 (Advertisements) states that *'Advertisements will not be considered acceptable where they impact upon public safety, including when they 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 and/or distract road users because of their unusual nature.'*
- 4.2 The advert is a downward lit display, which is not considered to act as a significant distraction for drivers as it will not flicker or change display as would be expected with a digital display.
- 4.3 The method of illumination to be used would not present safety issues or concerns. The proposal is therefore considered acceptable.

5. Conclusion

- 5.1 The proposed shroud with an externally illuminated advertisement banner, in terms of size, design, location and method of illumination, are considered to be acceptable. They would preserve the character and appearance of the host building and surrounding locale, in accordance with policy D4 (Advertisements) of the Camden Local Plan.

6. Recommendation

- 6.1 Grant Conditional Advertisement Consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 7th October 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Armstrong Planning
The Old School House
Dartford Road
March
Cambs
PE15 8AE
UK

Application Ref: **2019/3580/A**
Please ask for: **Sofie Fieldsend**
Telephone: 020 7974 **4607**

1 October 2019

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:
187 Kentish Town Road
LONDON
NW1 8PD

DECISION

Proposal:

Temporary display of a shroud with an externally illuminated advertisement banner on a scaffold shroud until 08/06/2020.

Drawing Nos: Cover Letter (12/07/2019); Light Specifications; Construction program rev.B; PY3725-01 (22/03/2019); [3719-] 001, 002, 003, 004, 005, 006 and 007.

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to

Executive Director Supporting Communities



- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 6 The advertisements hereby permitted shall only be displayed if the shroud hereby permitted is erected in its entirety and is a true 1:1 image of the host building. Both the advertisement and shroud shall be removed in their entirety on or before 8th June 2020 or as soon as the intended works have been completed, whichever is the sooner.

Reason: The type of advert is not such as the Council is prepared to approve, other than for a limited period, in view of its appearance. Its permanent display would be contrary to the requirements of policy D4 of the Camden Local Plan 2017.

Informative(s):

- 1 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 2 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

DRAFT

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DECISION