



Appeal Decision

Site visit made on 2 September 2020 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/X5210/Z/20/3250199

9-11 Jamestown Road, London NW1 7BW

- 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 Wagamama, against the decision of the Council of the London Borough of Camden.
- The application Ref 2019/3169/A, dated 19 June 2019, was refused by notice dated 3 February 2020.
- The advertisement as described on the application form is: Internally illuminated fascia sign.

Decision

1. The appeal is allowed, and express consent is granted for the display of the internally illuminated fascia sign 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 Regulations and the following additional condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 102, 122, 123 and 124.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Council have drawn attention to the policies they consider to be relevant to this appeal and these have been taken into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterates this approach. In the determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

4. The appellant has raised potential economic benefits of the proposal, however, this is not a matter that can be considered in the interests of amenity and public safety.
5. At the time of my site visit the sign was in place. The Council state the sign in place is different to the details as submitted on the drawings. From my observations on site and from the submitted drawings the only subtle change I could detect is that the sign slightly overlaps the glazing bar at the base of the opaque panels, whilst on the drawings it is shown positioned above it. Nevertheless, for the avoidance of doubt, I have based my decision on the drawings submitted with the application.

Main Issue

6. The effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

7. The appeal site is located in a ground floor unit of a large curved glass fronted building located on the corner of Jamestown Road and Arlington Road. Surrounding the appeal site are a mix of buildings that range in style, size, and architectural detail which, in the main, have a commercial use at ground floor. In the surrounding area there is an array of advertising boards including illuminated fascia and projecting vertical signs of which all contribute to the character of this busy commercial area.
8. The sign sits centrally above the main entrance to the appeal site and follows the existing curvature of the glazed frontage. It sits within a band of horizontal opaque glazing which adds interest and understanding to the building's façade by depicting the floor levels and curved side sections out from the remaining glazed elevations. The modern building undoubtedly makes a positive contribution to the character of the area on account of its distinctive design.
9. Nevertheless, the design, scale and siting of the sign appears proportionate to the overall scale and mass of the appeal building. Moreover, as it sits within the horizontal band of opaque glazing it neither detracts from nor masks the strong horizontal emphasis that this feature attributes to the overall architectural merits of the appeal building. The dark background of the sign is clearly visible but not incongruous when viewed against the large sections of glazing which appear dark and opaque when viewed from angles along the street. Illuminated advertisements are not uncommon in the surrounding area and, in the context of the commercial area and the modern façade of the building, illumination does not look out of place. As such, the modest sign neither appears intrusive nor discordant on this attractive building or within the wider streetscape.
10. The site sits outside of the nearby Camden Town Conservation Area (CTCA). The significance of the CTCA is derived, in so far as it relates to this appeal, from the busy and vibrant commercial quarters with its eclectic array of buildings and advertising displays. There are also locally listed buildings within the same street as the appeal site and also a listed building located to the rear of the appeal site.

11. Given the location of the appeal site and the separation distance from the nearby CTCA the sign is not visible from views taken directly from within the CTCA, additionally, views of the CTCA from the appeal site are limited to the corner where it adjoins Arlington Road and this together with the distance and inter-visibility of the proposal ensures that the proposal does not result in any adverse effects on the visual amenity of the CTCA.
12. Whilst the Council made no reference to the nearby Regent's Canal Conservation Area (RCCA), they did provide a map and a copy of the area's management strategy. The significance of the RCCA, as far as it relates to this appeal, derives in part from the layout, style, ages and architectural detail and form of the buildings in the area. Whilst views from the RCCA to the appeal site and vice versa are limited to its boundary located to the west of the appeal site along Jamestown Road, the proposal, as a result of its size and position does not appear as a visually intrusive or discordant feature within these views thereby does not harm the visual amenity or the character or appearance of the nearby RCCA.
13. The advert by reason of its design, size, position and illumination would not appear as visually harmful to the amenity or to the character and appearance of the nearby CTCA and RCCA. The character and appearance of the CTCA and RCCA would therefore be preserved. Similarly, given the design, size and separation distance of the proposal to the locally listed buildings, located on Jamestown Road and the listed building located at the rear, the proposal would not impact or affect important views of these heritage assets, nor would it visually compete with or distract from them. Therefore, the effect of the proposal on the non-designated and designated heritage assets would be neutral and the experience of these assets within their respective settings would be sustained.
14. In view of the above findings, the proposal would not harm the amenity of the area. Although, in advertisement appeals, development plan policies are not determinative, I am satisfied that there is no conflict with Policy D2 and D4 of the Camden Local Plan (2017), the objectives of which include the conservation of heritage assets and a requirement that the design of new development responds positively to local distinctiveness and character.

Conclusion and Conditions

15. As the scheme is in place, the standard conditions are relevant. In the interests of clarity, I have also attached a condition to specify that the development shall be carried out in accordance with the plans submitted with the application.
16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is allowed, and express consent is granted for the display of the fascia sign.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered the submitted evidence and the Appeal Planning Officer's report, and on that basis, the appeal should be allowed.

C Preston

INSPECTOR