

Delegated Report			Expiry Date:	12/12/2019
Officer			Application Number(s)	
Raymond Yeung			2019/5307/A	
Application Address			Application Type:	
49 Chalk Farm Road London NW1 8AN			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent	
Proposal(s)				
Temporary display of illuminated banner to Chalk Farm Road and Ferdinand Street elevations				
Consultations				
Summary of consultation responses:		None received to date		
Site Description				
<p>The property is on a corner plot site consisting of a three-storey public house 'The Assembly' at the junction of Ferdinand Street (to the east) with Chalk Farm Road (to the south). The use of the premises has varied over the years, from a public house, a sauna and solarium, to a workshop, an aerobics studio and cocktail bar. It is currently operating as a music venue.</p> <p>Although the application site is not in a conservation area and is not listed, it is bordered by Regents Canal Conservation area opposite, and overlooks onto the Grade II* listed Stables Market to the south-east.</p>				
Relevant History				
Site history				
<p>2016/2540/A – Temporary erection of a shroud to Chalk Farm Road and Ferdinand Street elevations from 06/07/2016 to 06/01/2017. Refused dated 30 June 2016.</p> <p>Reason for refusal.</p> <p>1. <i>The proposed shroud, by virtue of its size, position on the building and prominent siting would, even for a temporary period, cause unacceptable harm to the character and appearance of the host building and Regent's Canal Conservation Area, and the special interest of the listed Stables market and the area contrary to Local Development Framework policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage), DP24 (Securing high quality design), DP25 (Conserving Camden's Heritage) and DP26 (Managing the impact of development on occupiers and neighbours).</i></p> <p>2003/2083/A – (refused with warning of enforcement action to be taken on 29/10/2003) - The continued display of an internally illuminated light box advertisement unit.</p> <p>AEX0000519 – (refuse advert consent and prosecute on 01/08/2000) - Retention of a 48 sheet</p>				

advertisement hoarding at second floor level on the west elevation.

Site Address Enforcement:

EN13/1087 - Windows boarded up to create part of advertisement hoarding.

EN12/0593 - Pub painted red and blue.

EN12/0585 - Advertisement for Lovebox painted on pub.

EN04/1114 - 2 x 48 sheet hoarding

Other Sites within Camden:

2018/1115/A (Refused 22/06/2020) Temporary display of externally illuminated shroud with a 1:1 image of the building and advertisement measuring approximately 9m x 14.5m on High Holborn elevation from April 2018 to May 2019.-19-20 High Holborn

Dismissed at appeal APP/X5210/Z/18/3206572 dated 16/05/2019

2018/5339/A (Refused 21/12/2018) Erection of a temporary advertisement shroud on the corner of Euston Road and Cleveland Street.

Dismissed at appeal APP/X5210/Z/19/3220695 dated 28/06/2019

2018/5200/A –(Refused 30/01/2020) Temporary display of shroud with 1 x externally illuminated commercial advertisement (using 13 x spotlights) on Camden High Street elevation until 31/12/2019.- KoKo 1a Camden High street.

2019/4716/A- (Refused on 21/02/2020) Display of 1 x externally illuminated shroud advertisement to cover front facade of first and second floors (6.5m x 4.5m) -184 Camden high Street .

2019/4561/A – (Refused 23/12/2020) Display of non-illuminated 3-sided shroud advertisement, wrapped around existing site office cabins supported on steel gantry for a temporary period until 01/10/2020.-150 Holborn

2016/0523/A – (Refused 08/04/2016) Temporary display of shroud advertisement with 1 x non illuminated advertisement on Denmark Street elevation from 01/04/2016 to 01/04/2018.- 28 Denmark street

Dismissed at appeal APP/X5210/Z/16/3149939 dated 20/07/2016

2015/5487/A – (refused on 15/01/2016) - Temporary display of 1 x externally illuminated shroud and advertisement to Euston Road elevation from 01/01/2016 to 31/12/2016 - Former Town Hall Extension, Argyle Street.

2014/7092/A – (refused on 28/11/2014 and dismissed on appeal on 23/06/2015) - Display of 1 illuminated and 2 non-illuminated shroud signs - 178 - 182 Camden High Street.

2014/6966/A – (refused with warning of enforcement actions on 17/12/2014) - Display of non-illuminated advertisement shroud to the front elevation for a period of 3 months from 10/01/2015 to 10/04/2015 - 1-11 Euston Road;

2014/4143/A – (refused on 20/08/2014 and dismissed on appeal on 16/02/2015) - Display of temporary externally-illuminated scaffold shroud advertisement - 265 Camden High Street.

2014/2535/A – (refused on 27/06/2016) - The display of an externally illuminated advertisement shroud between the 1st and 2nd floor of existing residential flats between 01/07/2014 - 31/12/2014 -

214 - 216 Camden High Street.

2014/2521/A – (refused with warning of prosecution action on 12/05/2014) - Temporary scaffold shroud advertisement incorporating a coloured 1;1 replica image of the building facade wrapped over the whole scaffolding during the building process and incorporating an inset commercial poster advertisement whose design may change - 2 Kentish Town Road.

2012/3904/A – (refused on 18/09/2012) - Display of externally illuminated scaffold mounted shroud (12m x 35m) on the front elevation for a temporary period from 01/11/12 to 31/10/13 - Fitzroy House, 355 Euston Road.

2012/1933/A – (refused on 30/05/2012) - Extension of the banner shroud around the eastern part of the site and temporary display for the period 29/05/12 to 29/07/13 of 2 x internally illuminated hanging signs on front elevation at first floor level - 1-5 Kings Cross Bridge and 368-370 Grays Inn Road

2012/3904/A – (refused on 18/09/2012) - Display of externally illuminated scaffold mounted shroud (12m x 35m) on the front elevation for a temporary period from 01/11/12 to 31/10/13 - Fitzroy House 355 Euston Road;

2011/2687/A – (refused on 20/07/2011) - Display of externally illuminated scaffold shroud with advertising panel on Pentonville Road (north) and King's Cross Bridge Road (west) elevations for a temporary period until 31/10/2012 – Scala, 275-277 Pentonville Road;

2010/4028/A – (refused with warning of enforcement action to be taken on 22/09/2010 and allowed on appeal on 10/02/2011) - Continued display of illuminated hoarding (12m x 8m) on scaffolding on Parkway elevation for a temporary period until 30th November 2010 - 187 Camden High Street.

2008/4116/A – (refused with warning of enforcement action to be taken on 14/10/2008 and allowed on appeal on 30/03/2009) - Temporary display (12 months) of externally illuminated hoarding (10m x 14m) on scaffolding on Camden High Street and Parkway elevations.

2008/1016/A – (refused on 07/05/2008 and appeal dismissed on 27/10/2008) - Display of externally illuminated scaffold shroud with advertising – Scala, 275 Pentonville Road.

It must be noted that the Council has resisted similar proposals in recent years all over the borough. However, non-illuminated shrouds and advertisements have received positive outcomes.

For the benefit of the officer's report, the following lists are to be considered relevant, in addition to the above listed applications and to be taken into consideration:

o Illuminated shrouds and advertisements which have been refused: 2014/2535/A, 2013/7215/A, 2012/1933/A, 2012/0682/A, 2011/5470/A

o List of shroud and advertisement applications which have been refused and dismissed on appeal:

- 2014/7092/A - 178 - 182 Camden High Street;
- 2014/4143/A - Oxford Arms PH, 265 Camden High Street;
- 2014/3345/A - 174 Camden High Street;
- 2013/7938/A - 35 Great Russell Street & 20 Bloomsbury Street;
- 2013/7299/A - 150 Holborn;
- 2012/3389/A - 174 Camden High Street;
- 2012/2497/A - 465 Finchley Road;

- 2008/1016/A – Scala, 275 Pentonville Road;
- 2004/1144/A - 55 New Oxford Street.

Enforcement History (various location within Camden):

- o EN16/0486 - 187 Camden High Street.
- o EN15/1264 - 275-277 Pentonville Road.
- o EN15/0173 - 150 Holborn.
- o EN14/1149 - 1 - 11 Euston Road.
- o EN14/0446 - 15 Cleve Road.
- o EN11/1084 - The Great Northern Hotel, St Pancras Way.

Relevant policies

National Planning Policy Framework 2019

London Plan 2016

Draft London Plan Intend to publish 2019

London Borough of Camden Local Plan (2017)

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

D4 Advertisement

Camden Planning Guidance

CPG Design (2019)

CPG Adverts (2018)

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

Assessment

Proposal

The application relates to a temporary (6 months) display of an illuminated banner measuring 31.3 metres in width over both the Chalk Farm Road and Ferdinand Street elevations.

- Building replica shroud on Chalk Farm Road and Ferdinand Street at first floor level only measuring 170 sq.m area coverage
- Illuminated sign covering this first floor on each elevation, measuring approximately 50 sq.m area at 5.5 metres in height and 9 metres width each.

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.

Policy and Guidance

Camden Planning Guidance (CPG – Adverts) provides guidance on when advertisements on shrouds covering building site will be supported. The key principle is that in some cases subject to the inclusion of a 1:1 replica of the building behind, the provision of a high level advertisement of an appropriate scale might be acceptable whilst building works are taking place. The guidance states;

Shroud advertisements come in a range of forms but are generally large-scale 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.

... Given the scale and size of shroud advertisements these types of advertisement proposals will only be considered acceptable primarily in commercial areas and only where they screen buildings under construction, alteration or refurbishment. If considered acceptable they will be allowed for a temporary period and should be removed on completion of the works should they be sooner than the approved period. Longer consents will require additional advertisement consent.



This is an application for a shroud advertisement on this site under ref 2016/2540/A mentioned above. That one was a non-illuminated advert with the words 'Camden' and depicts a true image of the building fenestration, please see fire 1 below.

Figure 1, refused shroud advertisement.

It is considered this current advertisement is more detrimental in appearance and the shroud is only required at first floor level, please see figure 2 below.



Figure 2 Current proposal

The previous refusal had a schedule of works to support their application, the current applicant was approached for a justification to provide supporting evidence with a schedule works and scaffolding plan but none was submitted. As demonstrated above and an officer site visit, the property is considered that it does not appear on face-value to require any maintenance or repair works.

Furthermore, the planning history and building control records does not reveal any approved developments which would require the need for the erection of a scaffold to enable construction or maintenance works to be carried out.

The application statement states that the building requires 'general maintenance and refurbishment works, including the repair, painting and replacement of window frames', however the project does not indicate any major works to be undertaken or justify the length of time for what appears to be quite minor works of refurbishment. The proposed shroud is only required at first floor level across both elevations of the building. Whilst the applicant has failed to provide details of the works of scaffolding to confirm whether there is to be scaffolding at higher levels, we have accessed what information has been present. **Thus, it appears that the impact of any scaffolding which appears to only be necessary at first floor level, would be limited and the benefit of marginal sections of a replica of the building behind at first floor level does not mitigate the harm of a prominent advert at this location even for a period of 6 months.**

There are no section drawings to confirm the practicality of having the scaffolding on the corner plot so close to the highways. The submitted drawings show the shroud to appear almost flush on each elevation, which would not be possible if scaffolding to enable access to the façade is necessary.

Advertisements at high level and of the scale proposed are resisted on the basis of their visibility, prominence and harm to the host building. The applicant has failed to justify the need for a shroud and the impact of scaffolding to first floor level, is not mitigated by the provision of a large advert with a marginal section of should replicating the building behind.

Although the site is not within a conservation area, its close proximity to the Regents Canal CA and opposite the Grade II* listed Stables Market, makes the nature of the location sensitive as it would have an impact on the character and appearance of the adjacent heritage assets. The location on a corner site heightens the prominence of any advertisements.

In a recent appeal against a discontinuance notice for a site at 226 Camden High Street, the Inspector

notes that a 'plethora of advertisements located above first floor level of the buildings. The majority of these adverts relate to the businesses taking place in the building. This is reflected in the artistic, funky and eclectic nature of the associated displays. Typically, these advertisements displays are not illuminated above ground floor level but, where they are illuminated, this tends to static in nature. These advertisements and displays above first floor level make a significant contribution to the unique character of this part of Camden Town.

A large shroud with illuminated advertisement on both elevations of the prominent corner building would not only detract from building itself, but the wider streetscene, the conservation area opposite and landmarks such as The Stables Markets.

The likelihood of any resulting harm caused by building works which only require scaffolding to first floor level (if at all necessary) would be limited. Therefore there is no justification to warrant the resulting harm caused by a shroud dominated by a large unsightly prominent illuminated advertisement. The proposal as submitted would by virtue of its size, design and location, would be harmful to the visual amenity of the area, the character and appearance of the host building and setting to the adjacent conservation area, and the special interest of the adjacent listed buildings.

Public Safety

The council's Public Realm & Planning team manager has been consulted and considered that although It would be adjacent to traffic signals at the junction, it would not obscure views to traffic signals or signs. The illumination levels proposed would be unlikely to be a distraction to road users.

Taking into account the regular pace of the traffic going through a part of Camden that is not known for congestion or use for high speed driving, the public safety aspect of the proposal is therefore not an issue. As such, the proposal is not considered to be detrimental to the safety of road users and pedestrians in this area.

The full public and highway safety would not be recognised until there is a full scaffolding plan and schedule of works which was not submitted with the application when requested by officers.

Recommendation

The proposal by virtue of its size, position on the building and prominent siting would, even for a temporary period, cause unacceptable harm to the character and appearance of the host building, the wider streetscene, the neighbouring Regent's Canal Conservation Area, and the special interest of the listed Stables market and the area contrary to Camden Local Plan policies D1 (Design), D2 (Heritage) and D4, (Advertisement) and the application is therefore recommended for refusal.