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## Appeal Decision

Site Visit made on 13 July 2021

**by A Caines BSc(Hons) MSc TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 July 2021**

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**Appeal Ref: APP/X5210/Z/21/3267700**

**32-34 Rosslyn Hill, London NW3 1NH**

- 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 Kojo Restaurants against the decision of the Council of the London Borough of Camden.
  - The application Ref 2020/4899/A, dated 22 October 2020, was refused by notice dated 4 December 2020.
  - The advertisements proposed are 2 x internally illuminated fascia signs, and 1 x non-illuminated projecting sign.
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### Decision

1. The appeal is allowed and express consent is granted for display of 2 x internally illuminated fascia signs, and 1 x non-illuminated projecting sign at 32-34 Rosslyn Hill, London NW3 1NH, as applied for. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the Regulations.

### Preliminary Matter

2. The proposed signage is already in place so I have considered it on that basis.

### Main Issue

3. The Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety. The Council raises no objection to the projecting sign and has not raised any concerns on safety grounds. I have no reason to take a different view. Thus, the main issue in this appeal is the effect of the proposed fascia advertisements on amenity.

### Reasons

4. The appeal site is a ground floor restaurant located centrally within a distinctive red brick terrace containing shops at ground floor. Although on the periphery, this parade of shops forms part of the main shopping parade which extends from the Hampstead High Street. The traditional architectural style of the building, including the traditional shopfronts, contributes positively to the essential character and significance of the Hampstead Conservation Area (CA) within which it lies.
5. The fascia advertisements subject to this appeal are comprised of raised individual letters mounted onto the existing fascias. The letters have galvanised steel facing with internal illumination.

6. The Council states that the fascia signs are unacceptable in principle by virtue of their design and method of illumination. However, when seen in the wider context of the High Street where such signage already exists, the appeal signage could not reasonably be described as an anomaly and out of keeping with the street scene.
7. Moreover, the lettering is confined to only a small part of the fascias and has a muted colour against a white background. Even with the internal illumination, the advertisements have a subdued and neutral appearance. The adjacent units have external means of illumination, but in my view, such an approach is unsuited to this particular form of signage as it would add unnecessary clutter.
8. Overall, the fascia advertisements do not detract from the host building or its surroundings. As such, the character and appearance of the CA has been preserved. The proposal complies with Policies D2 and D4 of the Camden Local Plan (2017) and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan, in so far as they are relevant to the issue of amenity. The proposal also complies with the Framework in these regards.

### **Conditions**

9. In addition to the standard advertisement conditions set out in the Regulations, the appellant has suggested a condition to control the hours of illumination. However, the Council has not suggested such a condition, and given my findings above, it would not be reasonable or necessary, so it is not imposed.

### **Conclusion**

10. For the reasons given, I conclude that the appeal should succeed.

*A Caines*

INSPECTOR