



Appeal Decision

Site visit made on 22 June 2021

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2021

Appeal Ref: APP/X5210/G/20/3264249

Land adjacent to 156 Camden Street, London NW1 9PA & 3A Prowse Place, London NW1 9PH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a Discontinuance Notice relating to the use of a site for the display of advertisements with deemed consent.
 - The appeal is made by Mr Rajeeva Perera of The Arch Company against discontinuance action by the Council of the London Borough of Camden.
 - The Council reference is EN18/0293. The Discontinuance Notice is dated 7 October 2020.
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Decision

1. The appeal is dismissed. The Discontinuance Notice shall come back into effect immediately and the use of the site for the display of an advertisement with deemed consent shall cease by the end of eight weeks from the date of this decision.

Main Issue

2. Whether the use of the site for the display of advertisements causes substantial injury to the amenity of the surrounding area.

Reasons

3. The Council in the Discontinuance Notice (DN) refer to development plan policies in terms of the reasons why it was expedient to take action. 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. Therefore, in accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material.
4. The site is located within the Jeffrey's Street Conservation Area and I have taken into account the desirability of preserving or enhancing the character or appearance of the Conservation Area in my decision.
5. The Conservation Area consists of 18th and 19th century terraced houses set between areas of green open space and retains its Georgian character. The appeal site is located south of a brick railway viaduct, adjacent to houses at 156-158 Camden Street, Georgian buildings which represent good examples of the local building tradition and are identified as buildings which make a positive contribution to the Conservation Area. On the opposite side of the road are public gardens which have a pleasant well-maintained appearance and have been listed in the London Squares Preservation Act 1931. Although there is no

- dispute between the parties that Camden Street is relatively busy, its character in the vicinity of the appeal site is predominantly residential.
6. The advertisement hoarding measures around 6m wide and 5.5m tall and is around 8m in height measured from ground level. Whilst I noted the advertisements in the bus stop, there is very little in the way of commercial advertising in the vicinity of the appeal site and indeed no advertisements of the nature and scale as that subject of the appeal.
 7. As the appellant acknowledges, the scale and elevation of the hoarding means that it is a prominent element in the local townscape. I find that it appears wholly out of place adjacent to and significantly detracts from the appearance of the neighbouring Georgian properties and is incongruous when seen in the context of the wider Conservation Area. Illumination, which the appellant stated has been removed, would add to the intrusive nature of the advertisement.
 8. In my view therefore the character and appearance of the Conservation Area is harmed, and the advertisement does cause substantial injury to the amenity of the area.
 9. It appears that since the appeal was submitted, improvements referred to by the appellant have been carried out, including painting the fence and the removal of some vegetation. However, whilst this has to some extent tidied the appearance of the surroundings, it has and could not overcome the harm caused by the advertisement as a result of its scale and siting.
 10. The appellant provided photographs of other similarly large commercial advertisements located elsewhere in the Borough however, since the advertisement in this appeal is not viewed in context with those advertisements, their existence has no bearing on my assessment.
 11. Whether a smaller advertisement would be acceptable is a matter between the appellant and the Council, as are the appellant's misgivings about the Council's handling of the case. As far as this appeal is concerned, I consider the continued use of the premises for the display of an advertisement hoarding causes substantial injury to amenity and I shall dismiss the appeal and uphold the notice.

Felicity Thompson

INSPECTOR