

Appeal Decision

Site visit made on 21 September 2016

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2016

Appeal Ref: APP/X5210/H/16/3153195

Regina House, 124 Finchley Road, London NW3 5HT

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Mr Joel Newman against the Council of the London Borough of Camden.
 - The application Ref 2016/1693/A is dated 30 March 2016.
 - The advertisement proposed is the retention of a white frame surrounding an LED advertisement display.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The description of this proposal on the application form (as quoted above) is not accurate in that it takes as read that the main sign is already approved. An approximately 3m by 2m illuminated LED sign has been granted advertisement consent here on appeal¹, but the current proposal differs from the approved sign in terms of size as well as in the introduction of a white frame. The appellant asserts that a white frame was approved by the appeal decision. I see no clear evidence for that, however, and note that a white frame is specifically proposed here. I find that the appeal proposal is more accurately described as the display of an internally illuminated LED advertising sign with a white frame surround, measuring 3.5m high by 2.5m wide overall.
3. At the time of my site visit the sign was covered up by a further, frameless LED sign which almost completely obscured the white surround. That newer sign is not part of the appeal proposal and therefore is not dealt with in this decision. I could not confirm the measurements of the existing sign and have assessed this appeal on the basis of the submitted application details.

Main Issue

4. The main issue is the effect of the proposed sign on visual amenity.

¹ APP/X5210/H/13/2203816

Reasons

5. Regina House is a modern 7 storey brick-built commercial building set within a shopping street in the Fitzjohns and Netherhall Conservation Area. Like the sign already permitted, the proposed sign would be situated on the north side elevation of the building at first floor level, just above the ground floor shops.
6. Although the Council's Conservation Area Statement (CAS) lists No 124 as contributing positively to the conservation area, it does not appear to be of outstanding merit and its dark, largely blank northern elevation contributes little to the street scene. The proposed sign, though somewhat larger than that previously approved would still be reasonable in scale compared to the bulk of the side wall. It would enliven the street scene and would be in character with this well-lit commercial area.
7. The white frame, however, would contrast markedly with the dark brickwork, forming an unsightly and unsympathetic surround for the sign. It would not be a high quality feature and would more than cancel out the positive aspects noted above. It would detract from the appearance of both Regina House and the neighbouring Victorian style building when seen in a wide range of views from Finchley Road.
8. I conclude that the proposed sign would unacceptably harm visual amenity, including the character and appearance of the conservation area, due to the visual impact of the white frame. In making this decision, I have had regard to local policies including Policy DP24 of the Camden Development Policies, the CAS and the Camden Planning Guidance: *Design (Advertisements, Signs and Hoardings)*. Powers under the advertisement regulations, however, may only be exercised in the interests of amenity and public safety, taking account of material factors such as adopted policies which are not by themselves decisive.
9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR