
Appeal Decision

Site visit made on 5 November 2019

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 20 November 2019

Appeal Ref: APP/X5210/Z/19/3235744

58-60 Marchmont Street, London WC1N 1AB

- 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 Chris Fox against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/2282/A, dated 29 April 2019, was refused by notice dated 25 June 2019.
 - The advertisement proposed is external installation of internally illuminated digital screen.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on the amenity of the area.

Reasons

3. The appeal site is a 5-storey terraced building with commercial A1 use class at ground floor with residential accommodation above and fronts a parade of shops. The host building is located along the eastern side of Marchmont Street with Tavistock Place to the north and to the south is Coram Street.
4. The site is within the Bloomsbury Conservation Area (CA) and the building is identified as a shopfront of merit within the Council's Bloomsbury Conservation Area Appraisal and Management Strategy, 2011. It is adjacent to a statutory listed building no.39-77 Marchmont Street. It is therefore necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in general and to ensure, in particular, that the listed building and its setting are not compromised. These designations do not prevent the display of well-sited signs of suitable size and design, particularly on commercial premises in mainly commercial areas. But a strict control needs to be maintained to ensure that outdoor advertisements do not undermine the above objectives.
5. The appeal proposal would be an external digital screen, internally illuminated and would rotate advertisements every 40 minutes in connection with the commercial use of the building. The screen would be positioned on the pillar column between two principal ground floor windows on the front elevation of the building. The screen would be on display continuous throughout the day and night.

6. Although, Marchmont Street is a busy commercial street, I observed during my site visit that most advertisements in connection with the commercial uses of the area are of traditional design with external lighting, which positively complement the historic character and visual appearance of the area. There are existing advertisements at the appeal site, particularly along the column feature between the windows including a hanging sign and poster boards. Whilst the proposed advertisement would replace signage, be of a modest size it would add to the amount of existing visual clutter resulting in an over proliferation of advertisements at the appeal site.
7. The high level of illumination and frequently changing images displayed on the appeal proposal would not be sympathetic and at odds with the characteristics of the existing shop frontage and the wider commercial area. As such, it would appear as a prominent and visually intrusive feature.
8. The appellant refers to other advertisements displayed in the area and I note their comments about them. However, the Regulations allow me, when assessing a proposal, to disregard these/any other advertisements being displayed in the locality. I propose to do so in this case because they are not readily comparable in illumination, siting and amenity terms.
9. Nevertheless, by reason of its size, siting and illumination, the proposed internally illuminated screen would result in a conspicuous and discordant visual intrusion on the host building and into the street scene which, in views along Marchmont Street from both directions would be seen in the context of neighbouring listed buildings and the CA. As such, the appeal proposal would fail to preserve or enhance the character and appearance of the Bloomsbury CA and would harm the setting of the listed buildings at 39-77 Marchmont Street.
10. I therefore conclude that the proposed advertisement would harm the amenity of the area.
11. The Council is also concerned that the proposed advertisement would be visually intrusive to occupiers of the residential properties on the opposite side of Marchmont Street at night. However, the proposed advertisement would be sited at a lower level away from that building and illuminance levels and hours of its operation could be conditioned. Consequently, given also the separation distance and the intervening road, the proposed advertisement would not be visually intrusive when viewed from those residential properties.
12. The Council has cited Policies A1, D1, D2 and D4 of the Camden Local Plan, 2017 in the reasons for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these policies into account, they have not been a decisive consideration in my determination of this appeal.

Conclusion

13. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

KA Taylor

INSPECTOR