



Appeal Decision

Site visit made on 7 September 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/T5150/Z/20/3251356

293-301 Kilburn High Road, London NW6 7JR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Kevin Moran on behalf of MP Morans against the decision of the Council of London Borough of Brent.
 - The application Ref 20/0070, dated 9 January 2020, was refused by notice dated 9 April 2020.
 - The advertisement is retrospective application for 4no banner signs to elevation facing Kilburn High Road.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The Regulations seek to control advertisements in the interests of amenity and public safety. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons for the Recommendation

4. Amenity is not defined within the Regulations nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed hoarding would be in scale and keeping with important features.
5. Nos 293-301 is a large four storey retail building located on Kilburn High Road. The surrounding area is predominantly commercial and characterised by large buildings which offer a mix of commercial shopfronts at ground floor level and residential or office space on upper floors.

6. At street level there is a proliferation of modern street furnishings including, lighting columns, traffic lights, signage boards, utility boxes and bus shelters. Projecting signs on upper floors are not a feature in the area.
7. Furthermore, Brent's Supplementary Planning Document Shopfronts SPD3 (2018) (the 'SPD') states that only one small, projecting sign will be allowed per frontage to avoid clutter. The SPD further states, this will be modestly sized, slim-profile, non-illuminated and of a style that complements the fascia¹. I acknowledge the appellants argument that by virtue of the existing corbels, the building comprises a series of individual retail units and frontages and four banner signs are therefore considered to be in accordance with the design principle set out in the SPD as the appeal building comprises five frontages.
8. However, the SPD also states that projecting signs should be positioned at fascia level. Compliance with this guidance can be seen at neighbouring shopfronts for Cash Xchange and The Wine Market. The banners at the first floor above the fascia does not comply with this guidance and appears at odds with the prevailing character. Though no dimensions are specified in the SPD with regards to the size of projecting signs, the banners by virtue of their length and orientation are not representative of the illustration given in Figure 4 of the SPD.
9. At first floor level, the banners appear visually dominant and detached from the fascia signage at the ground floor below. The existing fascia signs are substantial in scale and more than adequate to direct attention to the business within. The combined effect of those signs, plus the projecting banners leads to a proliferation of advertisements which detracts from the attractive frontage of the building above ground floor level. When viewed from the street, they detract from the architectural merits of the host building because this level of the building is not perceived in commercial context and the banners are at odds with the attractive of the upper facade. It therefore constitutes harm to the visual amenity of the surrounding area.
10. The Regulations seek to control advertisements in the interests of amenity and public safety. The Council has drawn attention to policies as material considerations. These have not been decisive, but the proposal would not meet with the objectives of the National Planning Policy Framework and Policy DMP1 of the London Borough of Brent, Development Management Policies (DMP) (2016) which require, amongst other things development to maintain high levels of amenity.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

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Chris Preston

INSPECTOR