
Appeal Decision

Site visit made on 10 January 2022 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by Martin Seaton BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2022

Appeal Ref: APP/X5210/Z/21/3286829

226 Camden High Street, London, NW1 8QS

- 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 Daylite LED Media Ltd against London Borough of Camden.
 - The application Ref 2021/0751/A, dated 17 February 2021, was refused by notice dated 27 October 2021.
 - The development proposed is one LED digital advertisement measuring 2 metres wide by 3 metres high.
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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.

Procedural Matter

3. The description of the development on the planning application form does not fully describe the proposal. I have taken the wording used on the appeal forms in the above header as it more accurately describes the proposal, albeit that I have further simplified the description to focus more precisely on the advertisement alone.

Main Issue

4. The main issue in the appeal is the effect of the development on the amenity of the appeal property and the local area.

Reasons for the Recommendation

5. The appeal site relates to the first and second floor side elevation of No 226 Camden High Street which is situated at the junction with Hawley Crescent, within the busy and vibrant commercial shopping area of Camden. The area is characterised by mainly independent commercial uses along Camden High Street. The shops feature a wide range of front fascia and projecting fascia signage, with many examples of unique and artistic approaches to advertising such as colourful painted murals and large 3D displays which gives the area a fun and bohemian character.
6. I noted on my site visits that the majority of the adverts along the high street relate to the commercial use taking place within the building they were located

on and this forms an important part of the character of the area. Whilst there are some examples of static illuminated advert displays, they were in the minority and tailored in size and design to the business.

7. I agree with the appellant's observation that the area and backdrop for the proposed advertisement is commercial in nature. I can also appreciate that the appellant has sought to reduce the impact the proposed digital advert would have on the surrounding area by adjusting the design and positioning of the display to make it smaller, slimmer, and less prominent compared to earlier design iterations. The incorporation of a painted mural also seeks to integrate the proposal with the area and reflect the artistic character.
8. Despite the above, the proposed advert is a modern, box-like design. Whilst the proposed mural would go some way to assimilate it with its surroundings, the conventional and generic nature of the LED display is the antithesis of what the area represents today. Whilst the appellant has stated that it is intended that the advertising display would be used to display advertisements for products sold on the premises and in nearby Camden Market, which would help to personalise the display to the locality and connect it to the area, I see no way of ensuring that this would indeed be the case. For these reasons, it would appear out of keeping and would not positively contribute to the unique character and amenity of the area.
9. I note that the level of illumination proposed for the LED display is within the maximum standards as set out by the Institute of Lighting Professionals. Whilst there are some examples of static illuminated signs in the area, they are of a scale and position in keeping with the shop fronts and generally not above first floor level. The proposed LED display would be of a larger scale compared to the shop front signage in the area. The size and elevated position above first floor level would give it a strong presence on the side elevation of the host building which would be further accentuated by the proposed advertisement's illumination and sequential images displayed. It would both distract from and detract from the bespoke advertisements that collectively make a significant contribution to the unique character of this part of Camden.
10. Although the appellant notes that the mural has been designed to reflect the mural on the flank wall at No. 267 to provide uniformity when viewed together, I saw on my site visit that the mural at No. 267 has since been amended so this would no longer be the case and this would make the proposal even more prominent in the street scene.
11. To conclude, the proposal by reason of its design, elevated position, illumination and prominent corner location would be incongruous within the street scene and harmful to the amenity of the area. Whilst not determinative, in reaching this conclusion I have taken into account Policy A1 of the Camden Local Plan (2017) which seeks, amongst other things to protect amenity, Policy D1 which requires development to respect local context and character and Policy D4 which requires advertisements to preserve or enhance the character of their setting and host building.

Other Matters

12. The appellant has drawn my attention to the historic display of advertisements in this location and specifically that in 2006 the Council granted advertisement consent for the display of a high level 48-sheet internally illuminated

advertisement lightbox. I am also aware that a discontinuance notice against the advertisement display was issued in 2020 and an appeal against this notice was dismissed. At the time of my site visit there was no advertisement present at the appeal site.

13. In terms of consistency in decision making, whilst I acknowledge that many of the considerations that led to the Council granting consent in the past are likely to remain applicable now, and the proposal is significantly smaller than the advertisement granted consent in 2006, I have assessed the proposal on the basis of the prevailing character and material circumstances as they are now rather than at that previous time.

Conclusion and Recommendation

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

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR