

Appeal Decision

Site visit made on 29 March by M Long

Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2022

Appeal Ref: APP/T5150/Z/22/3290463

Kensal Rise Station, Chamberlayne Road, Queen's Park, London NW10 3NR

- 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 Ms Anna McAree (Build Hollywood Ltd) against the decision of The London Borough of Brent.
 - The application Ref 21/3497, dated 15 September 2021, was refused by notice dated 3 December 2021.
 - The advertisements are two wall-mounted timber poster boards (non-illuminated) for the display of 4-sheet posters for community advertising each measuring 1.6m high x 2m wide.
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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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.
4. Since the Council issued a decision on the application, the new Brent Local Plan 2019-2041 has been adopted and the Development Management Policies 2016 document has been revoked. The Council has provided the new relevant policy and the appellant was given an opportunity to comment.
5. The advertisements were erected prior to the application being made and were viewed at the site. As such, this appeal has been considered retrospectively.

Main Issue

6. The Council has concluded that the advertisement would be acceptable in terms of public safety, and I have no reason to disagree. Therefore, the main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

7. The appeal site relates to a brick railway bridge boundary wall at Kensal Rise Station, on the western side of Chamberlayne Road. The wall has a low height which is stepped down as it extends southwards. The surrounding area has a commercial character and is largely comprised of three-storey terraced buildings with ground floor businesses. Advertising in this location is primarily characterised by small scale and low-level signage that is associated with these ground floor businesses. There are some larger displays in the wider area, including a two-sided digital screen and various posters affixed to street furniture in the close vicinity of the bridge. There is also a high-level 48-sheet advertisement at the junction of Chamberlayne Road and Bolton Gardens.
8. The scheme includes two 4-sheet, wall-mounted poster boards which have already been erected at the site. They are installed at pedestrian level and are positioned close to the floor while extending a moderate distance above the top of the brick wall. The boards face directly onto the highway and are most visible to those in the immediate area and less visible in long-distance views.
9. The Planning Practice Guidance sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy Framework sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.
10. The size of the poster boards relates unsympathetically to the wall behind, in particular their projection above the established height of the wall appears disordered. While 4-sheet posters may be small when compared to other forms of poster displays, in this context, their size results in harm to the visual amenity of the area. Furthermore, their prominent central position on the bridge adds visual clutter to the Chamberlayne Road streetscene. Although advertising in this area is largely contained to ground floor level, due to their unsympathetic design, the poster boards' positioning at street level exacerbates their overly prominent appearance to passing pedestrians.
11. Details of a recently approved scheme for a digital screen opposite 83 Chamberlayne Road¹ have been provided. However, this advertisement differs from the appeal scheme due to its digital design and that, from the Officer Report, it appears to have been considered on the basis it would be an improved replacement to an existing freestanding display at this site. Also, the 48-sheet display at Chamberlayne Road and Bolton Gardens has a significantly different height, size and orientation to the highway compared to the poster boards. As such, it is considered in a different context to the appeal scheme and is not considered to provide a precedent. While there are some posters affixed to nearby street furniture, these are typical locations for advertising whereas the use of the blank wall for overly large poster boards results in harm to the area's visual amenity. In any event, each case must be determined on its individual merits.
12. The posters may play a role in the delivery of community messaging and affordable support for the arts and culture sector and local businesses, particularly in the context of the Covid-19 economic recovery. However, any

¹ LPA Reference: 20/0720

consent given would allow for the use of the boards for general advertising and no mechanism has been suggested by either party which would secure advertising solely for this purpose. As such, any local benefits provided by the boards can only be given limited weight.

13. For the above reasons, the advertisement boards result in harm to the visual amenity of the area. Therefore, they are contrary to the aims of Policy DMP1 of the Brent Local Plan 2019-2041, adopted February 2022, which seeks to ensure that development has a siting and design that provides high levels of amenity that complements the locality.

Recommendation

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

M Long

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.

Zoe Raygen

INSPECTOR