



Appeal Decision

Site visit made on 31 October 2023 by N Manley BA (Hons)

Decision by S Edwards MA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2024

Appeal Ref: APP/X5210/Z/23/3318909

143-145 Finchley Road, London NW3 6JH

- 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 Mr Alexander Winstone (Poundland Ltd) against the decision of the Council of the London Borough of Camden.
 - The application Ref 2022/4271/A, dated 5 October 2022, was refused by notice dated 16 March 2023.
 - The advertisement proposed is described as "New internally illuminated fascia signage to front of building to replace existing above shopfront and projecting signage".
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Decision

1. The appeal is allowed and express consent is granted for the display of "New internally illuminated fascia signage to front of building to replace existing above shopfront and projecting signage" as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appeal advertisements were in place at the time of my site visit and accord with the drawings before me. I have therefore considered the appeal on that basis.
 4. The Government released in December 2023 a revised version of the National Planning Policy Framework (Framework). While I have taken this updated national policy into account as a relevant factor, for this specific advertisement appeal, the key issues remain unaffected by the Framework revisions. Hence, I am confident that there is no need to request further submissions on the revised Framework, and no party would be unfairly treated by this decision.
 5. The control of advertisements is exercisable only with respect to public safety and amenity. Regulation 3 states that powers in this regard shall be exercised taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
 6. In this case neither the council nor any other party has raised any objection to the appeal advertisements in relation to public safety. From the evidence before me, and my observations on site, I see no reason to disagree.
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7. The site location as detailed on the application form has been amended in subsequent documents. The address I have adopted in the banner heading reflects the postcode records held by Royal Mail.

Main Issue

8. The main issue is therefore the effect of the proposal on the amenity of the local area.

Reasons for the Recommendation

9. Situated in the vicinity of Swiss Cottage underground station, the appeal site is positioned along Finchley Road, a main road into central London. The road is a popular shopping street, lined with ground floor commercial establishments and residential apartments on the upper floors. The pedestrian traffic and vehicle activity is typical of such a busy route and reflects its nature as a commercial thoroughfare. The appeal site itself comprises a contemporary ground floor retail building, forming part of a row of similarly sized commercial properties, set forward from the residential Centre Heights.
10. The advertisements are placed above the shopfront windows of the retail unit, spanning the entire width, and extending both above and below the designated fascia area. While these advertisements are elevated compared to some others in the parade, there are also several similarly sized and positioned advertisements within the same parade and the nearby vicinity. Some of the adjacent advertisements are smaller and lower in height, but they all reflect the commercial nature of the area. Therefore, as they are of a comparable size and scale, the proposed fascia and projecting sign sit comfortably in the overall parade and the wider street scene.
11. Moreover, the positioning of the advertisement is sufficiently low so the building's frontage remains the predominant visual feature. This, coupled with the marginal height difference over nearby advertisements, leads me to the conclusion that the advertisements simply reflect the commercial nature of the parade rather than overpower it, and do not appear excessively dominant. As such, I conclude that the advertisements cause no harm to the appearance of the host building, wider parade and general street scene.
12. While the presence of a similarly sized fascia may not in itself establish a precedent, I have set out the reasons why I consider that the proposed advertisements cause no harm to the amenity of the area. Consequently, since the advertisement for this appeal is of a similar height and scale to others, it does not detract from existing signage throughout the parade, thereby minimising any perceived harm to the appearance of the parade.
13. The council raised concerns regarding the potential harm caused by the illumination of the advertisement due to the overall size of the fascia. However, I have determined that the size and placement of the advertisements are acceptable and there is no evidence before me which leads me to conclude that the illumination is not suitable in this commercial setting.
14. I have taken into account the design aims of Policy D1 of the London Borough of Camden Local Plan (2017) and Policy D4, which relates to advertisements. Given that I have concluded the advertisements do not harm amenity, I find no conflict with these policies.

Conclusion and Recommendation

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

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is allowed.

S Edwards

INSPECTOR