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## Appeal Decision

Site visit made on 8 October 2024 by R Dickson BSc (Hons) MSc MRTPI

### **Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)**

an Inspector appointed by the Secretary of State

**Decision date: 27 November 2024**

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### **Appeal Ref: APP/X5210/Z/24/3349363**

### **Railway Arches, adjacent to 47-49 Kentish Town Road, Camden, London NW1 8NX**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
  - The appeal is made by Ms Anna McAree of Network Rail and Build Hollywood Ltd against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2022/1833/A.
  - The advertisement proposed is a wall-mounted timber poster advertising board (non-illuminated) measuring 6.2 wide x 1.7 high for the display of 4 sheet posters.
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### **Decision**

1. The appeal is allowed and express consent is granted for a wall-mounted timber poster advertising board (non-illuminated) measuring 6.2 wide x 1.7 high for the display of 4 sheet posters at Railway Arches, adjacent to 47-49 Kentish Town Road, London, NW1 8NX in accordance with the terms of the application, Ref 2022/1833/A. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

### **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 Council has referenced development plan policies it considers to be relevant to this appeal and I have taken these into account. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (The Regulations) to control advertisements, may only be exercised in the interests of visual amenity and public safety, taking account of any material factors. Consequently, the Council's policies have not by themselves been decisive in my determination.
4. At the time of my site visit, the advertisement was in situ and appeared to have been installed in accordance with the plans before me.

## **Main Issue**

5. The main issue is the effect of the proposed advertisement on the amenity of the surrounding area.

## **Reasons for the Recommendation**

6. The appeal site is located outside of, and opposite Regents Canal Conservation Area (CA). The area is characterised by its industrial past and present retail and office use, with the canal and raised railway being the most dominant features within the area, from which the significance of the CA derives. The site itself is beneath the railway on one of the arches and is parallel to the road. It is most visible when exiting the retail area of Water Lane. It contributes to the setting of the CA and locally listed Camden Gardens, by providing the backdrop upon which the assets are viewed.
7. The advertisement is seen in the context of the railway arches and covers a large area of the brickwork. The Council considers that these arches are a non-designated heritage asset. Although it commands attention, the overall structure of the railway arch is not obscured by the advertisement, and the brickwork can still be seen throughout the whole archway. The advertisement can be viewed from within the CA, however it preserves the industrial and retail context of the site as the railway arches are still clearly legible within the street scene. It therefore preserves the setting of the CA and would not harm the overall legibility of the railway arches as the host structure.
8. Camden Gardens is a verdant park and when travelling along Kentish Town Road is appreciated from a range of views. While the advertisement is seen in the context of the gardens, it does not detract from them owing to its mounting on the railway arch. The advertisement is beneath some directional signs, and opposite is a bus stop, therefore there is some street furniture nearby. That being said, the advertisement does not clutter the appearance of the street scene. It is sited parallel to the road and is not illuminated, and from longer views it is almost undetectable and therefore does not clutter the area. As such, the advertisement would not affect the setting of the non-designated heritage asset.
9. Accordingly, the advertisement would be in keeping with the character and appearance of the area and would not adversely affect the setting of the CA. It would not harm the setting of the locally listed Camden Gardens, nor would it harm the overall legibility of the railway arches as the host structure. In accordance with the Regulations, I have also taken into account Policies D1, D2 and D4 of the London Borough of Camden Local Plan 2017 which seek to protect visual amenity, ensuring that advertisements contribute positively to the street scene. Given that I have concluded that the proposal would not harm visual amenity, the proposal does not conflict with these Policies.

## **Conclusion and Recommendation**

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

*R Dickson*

APPEAL PLANNING OFFICER

**Inspector's Decision**

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

*Mr A Spencer-Peet*

INSPECTOR