
Appeal Decision

Site visit made on 10 November 2016

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 November 2016

Appeal Ref: APP/X5990/Z/16/3156846

IFO No. 21-25, Clifton Road, London, W9 1SY.

- 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 Andrew Jordan of JCDecaux UK Ltd against the decision of City of Westminster Council.
 - The application Ref. 16/04071/ADV, dated 15 April 2016, was refused by notice dated 12 July 2016.
 - The advertisement proposed is described as a *double sided freestanding Forum Structure, featuring 2 x Digital 84" screen positioned back to back. The Digital screen is capable of displaying illuminated, static and dynamic content, supplied via secure remote connection. In the event of an emergency, TfL will be able to override the advertisement function (sic) and display an 'Emergency Message', alerting the public of immediate danger.*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A more concise description of the proposal is a double-sided advert panel comprising LED screens (2370mm x 1338mm).
3. I understand that the existing advertisement panels on the roadside elevation of the bus shelter do not benefit from advertisement consent. Consent for internally illuminated advertisements was refused in 2010 (ref.10/02697/ADV).

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Maida Vale Conservation Area (MVCA).

Reasons

5. The proposed advertisement would form part of a bus shelter towards the eastern end of Clifton Road. It would be capable of displaying travel status updates for TfL, tourist information and commercial messaging. The display panels would be positioned at right angles to the road and would not display moving content. The site lies within the MVCA.
 6. The MVCA is a sizeable area that includes numerous 19th century stucco houses, villas and flats, several Victorian red brick religious buildings and sections of the Grand Union Canal and the Regent's Canal. The area is predominantly residential in character with a few local retail facilities such as those at the eastern end of Clifton Road.
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7. Having walked around the MVCA, it appears to me that the significance of this designated heritage asset is derived primarily from the architectural qualities of the 19th century buildings, the layout of the tree-lined streets and avenues and the historic interest of the canals. There are attractive vistas along many of these streets, including Clifton Road and along the canals. These reveal a harmonious and genteel relationship between the buildings and the streets / waterways which provides a pleasing sense of calmness. This adds to the quality of the townscape and the amenity of the area.
8. The proposed advertisements would be adjacent to a parade of shops that includes a small Tesco's. Whilst there are illuminated advertisements on some of these shops, these are set back from the roadside. They are not prominent in the vistas along Clifton Road and they maintain the agreeable and pleasing attributes of the street scene.
9. In contrast, the proposed advertisement panel, which would be located on a section of widened footway, would stand forward of the retail / commercial frontage at the eastern end of the street. By virtue of its height, positioning relative to the roadside and LED display with frequently changing content, the proposal would appear as a prominent and intrusive element in the vista along Clifton Road. It would disrupt the harmonious and genteel attributes of the street scene and erode the pleasing sense of calmness.
10. The proposal would detract from the character, appearance and amenity of the MVCA and, in so doing, would be at odds with the aims and objectives of those development plan policies that have been drawn to my attention insofar as they are material to this appeal. The proposal would also be at odds with the provisions of paragraph 67 of the National Planning Policy Framework.
11. Whilst I note the appellant's argument regarding the benefits of the proposal, these would not overcome or outweigh the harm that I have identified. I therefore conclude that the appeal should not succeed.

Neil Pope

Inspector