

Appeal Decision

Site visit made on 7 November 2016

by D J Board BSc (Hons) MA MRTPI

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

Decision date: 2 December 2016

Appeal Ref: APP/X5990/H/16/3151340

Trocadero, 13 Coventry Street, London, W1D 7DH

- 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 Urban Vision Ltd against the decision of City of Westminster Council.
 - The application Ref 16/03017/ADV, dated 4 April 2016, was refused by notice dated 17 May 2016.
 - The advertisement proposed is display of a scaffolding shroud advertisement comprising of a 1:1 replica image of the building façade on to the Coventry Street frontage including two inset externally illuminated poster displays measuring 13 m x 7 m and 8.5 m x 10.5 m for a temporary period of 18 months.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Urban Vision Ltd against City of Westminster Council. This application will be the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the advertisement on the visual amenity of the host building which is Grade II listed and the Soho Conservation Area.

Reasons

4. The Council has drawn my attention to policies it considers relevant to this appeal. In determination of this appeal the Council's policies have not in themselves been decisive, but are material considerations. They have also drawn my attention to the National Planning Policy Framework (The Framework). Paragraph 67 confirms that the issue of amenity and (where applicable) public safety, are the determining factors in advertisement appeals. This has been taken into account when assessing the merits of the appeal.
5. The advert would be attached to the part of the Trocadero Centre that faces onto Coventry Street. The Council report confirms that the part of the building where the display would be located is Grade II listed and it is also within the Soho Conservation Area. The building is undergoing change of use to a hotel whilst retaining retail at ground level¹. The illustrative shroud would be for a temporary period to cover the scaffolding on the building. It would be removed when construction works cease. Two externally illuminated adverts are proposed to be inserted within the shroud. I appreciate that the building is within the busy and vibrant commercial area. Nevertheless this façade of the

¹ LPA ref 13/01638/FULL

Trocadero building has discrete advertising, primarily at ground floor fascia level.

6. The 1:1 shroud would replicate the façade of the existing building. In this regard, whilst it would temporarily obscure the building, it would be a method of retaining the positive contribution that the building currently makes to the street scene. In this regard it would add some interest. The Council does not object to this element of the scheme and I have no reason to disagree.
7. The plans show that the 1:1 Shroud would not cover entire facade, some of building would remain visible. I appreciate that the shroud would be sizeable and that the advert banners would sit within it. However, the plans demonstrate that, the two advert panels would be significant in size. In addition they would be positioned prominently at either end of the shroud and externally illuminated. Further, they would interrupt the detail of the 1:1 shroud. As a result the insert adverts displayed above the general level of advertising on the building would inevitably introduce features, albeit temporarily, that would draw particular attention to the upper levels of the frontage and stand out conspicuously within the street scene.
8. The appellants have drawn my attention to an appeal decision that allowed an advert on the other side of the building². I have carefully considered this decision. However, in that case the inspector found the advert to be acceptable due to the 'stark and unsightly' nature of the shroud on which it would be placed. This is in contrast to the detail of the shroud I am considering and within which large adverts would be placed. I do not consider that these cases are directly comparable in this regard and as such attach limited weight to that decision.
9. The appellants have also referred me to decisions in Leicester Square³. In that case the proposed adverts within the shrouds were appreciably smaller than the appeal scheme. The context of these schemes is also different with the host buildings not being listed. As such they are not directly comparable in this regard and as such I also attach limited weight to these decisions.
10. I therefore conclude that due to the insertion of the two proposed advertisements the proposed shroud would fail to preserve or enhance the character and appearance of the Soho Conservation Area and would have a harmful impact on the visual amenity of the host building. In reaching this view I have taken into account the fact that one elevation already has consent for a banner.

Other Matters

11. I understand that there are no highway safety issues, that No 22 has a high level multi media display and that the appellants specialise in temporary multimedia displays. The appeal submission is supported by examples of this work. However none of these matters alter my findings on the main issue and I have in event judged the scheme before me on its merits.

Conclusion

12. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

D J Board INSPECTOR

² APP/X5990/H/14/2228711

³ APP/X5990/H/14/2228333; APP/X5990/Z/16/3144353