
Appeal Decision

Site visit made on 5 December 2016

by G D Jones BSc(Hons) DipTP DMS MRTPI

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

Decision date: 13 December 2016

Appeal Ref: APP/Y5420/Z/16/3162372

IFO No 102, Muswell Hill Broadway, London N10 3HS

- 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 JCDecaux UK Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2016/2556, dated 24 March 2016, was refused by notice dated 26 September 2016.
 - The advertisement proposed is described as *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 and display an 'Emergency Message', alerting the public of immediate danger.*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The reason for refusal refers to the emerging Local Plan, including the Development Management DPD (the DM DPD) and specifically Policy DM3. I note that the DM DPD is well-advanced and that the evidence indicates that the Examining Inspector has recommended only a 'non-material' amendment to that draft Policy. Nonetheless, it is not yet part of the adopted development plan and there is no specific evidence to indicate whether there are any outstanding objections to Policy DM3. Consequently, at this stage based on the information before me, I can give DM DPD Policy DM3 limited weight only.

Main Issue

3. The main issue is the effect that the appeal proposals would have on visual amenity, including in respect to the surrounding Muswell Hill Conservation Area.

Reasons

4. Muswell Hill is broadly an Edwardian suburb located on one of the main routes into and out of London. It has a considerable consistency of character and appearance that derives from the development of the majority of buildings and laying out of the streets over the period 1896 to 1913. In the vicinity of the appeal site distinctive Edwardian parades of shops and apartments provide a vibrant focus that contrasts with the neighbouring quieter residential streets.
5. Above the shopfronts the parades are largely constructed in red brick with contrasting stone and plasterwork features. The variety between the parades

- results from different combinations of common architectural details. The contrasting materials give strong horizontal emphasis to the elevations. This is balanced by vertically proportioned window openings, full height bays and dormers.
6. Much of the character and significance of this part of the Conservation Area (the CA) stems from the broad consistency of the built form to each side of the street, the strong rhythm provided by attractive shop frontages and upper floors and the reasonably uncluttered highway. This latter characteristic also assists the visibility of the greater street scene and, consequently, the appreciation of the CA's significance.
 7. Notwithstanding some of the appellant's submissions, there is currently no bus shelter or commercial advertising at the existing bus stop. I appreciate that the bus shelter itself does not require planning consent and that consent is sought for the advertisements only. Nonetheless, the evidence indicates that the two go somewhat hand in hand bearing in mind that it is likely that future advertisement revenue would fund the provision of the shelter.
 8. The shelter and the advertisement structure would introduce reasonably substantial new features to the street scene. While there are other bus shelters in the area, they are more open-sided and consequently have a limited effect on the openness of the street scene. In contrast the proposed adverts would effectively close one end of the shelter, creating a significant visual impediment. In this way, views along the street would be interrupted, thereby undermining the character and appearance of the CA and the ability to interpret its significance.
 9. For these reasons, even if the adverts were to be considered alone, without the context of the proposed shelter, as a standalone feature, they would have a similarly harmful impact on the CA. Indeed, without the shelter the advertisement structure would appear as a more strident, incongruous feature bearing in mind that bus shelters form part of the established streetscape, whereas such free-standing advertisements do not. In this sensitive context, the proposed introduction of illuminated displays of this type, which are not a feature of the existing street scene, adds further weight against the proposals.
 10. I have also taken into account all of the other matters that have been presented to me as being in favour of the proposals, including in respect to improving passenger experience, the support/promotion of public transport, the provision of public information and the contribution advertising makes to economic growth. However, these do not outweigh the harm identified particularly given the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
 11. For the reasons outlined, therefore, the appeal proposals would harm visual amenity and fail to preserve or enhance the character and appearance of the Muswell Hill Conservation Area. There are no other matters that would outweigh that harm. Therefore, in this regard, the proposals conflict with Policy UD10 of the Haringey Unitary Development Plan 2006 and Policy DM3 of the DM DPD and with the National Planning Policy Framework.

Conclusion

12. For all of the reasons given above, I conclude that the appeal should be dismissed.

G D Jones

INSPECTOR