

Appeal Decision

Site visit made on 18th January 2017

by Alison Roland BSc DipTP MRTPI

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

Decision date: 1 February 2017

Appeal Ref: APP/M9584/Z/16/3157357

Westfield Stratford City, Montfitchet Road, Stratford, London, E20 1GL.

- 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 Stratford City Shopping Centre (No 2) Nominee A and Nominee B Ltd against the decision of the London Legacy Development Corporation.
 - The application Ref: 16/00126/ADV, dated 4 April 2016, was refused by notice dated 1 July 2016.
 - The advertisement proposed is 2 new signage boards with externally applied vinyl (adjacent to an existing media screen) within Zone M1.
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Procedural Matter

1. The Council issued a split decision in relation to the original application. Signs A, B and C were granted advertisement consent whilst sign D (the subject of this appeal), was refused. Despite the description employed on the Decision Notice, it is clear from the submissions that sign D relates to 2 signs proposed either side of an existing media screen.

Decision

2. The appeal is allowed and express consent is granted for the display of 2 new signage boards with externally applied vinyl (adjacent to an existing media screen) within Zone M1, as applied for. The consent shall expire on 31/03/2019 and is subject to the five standard conditions set out in the Regulations.

Main Issue

3. The effect of the display on the character and appearance of the area.

Reasons

4. The proposed signage would be mounted on a modern commercial building occupied by Caffè Concerto. The building sits within a pedestrian shopping complex and has an unusual curved façade with louvres facing the public realm. The proposed signage would be affixed to the louvres either side of an existing media screen which is mounted at second floor level.
 5. The wider locale is characterised by modern buildings of commanding scale and the use of a modern materials palette incorporating substantial areas of glazing and a glazed precinct, lends a contemporary feel to the area. This is complemented by an exceptionally high quality public realm with quality
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- surfacing and street furniture, which is clearly aimed at enhancing the retail experience of the shopper.
6. Set within the heart of this retail environment, the Caffè Concerto building occupies a prominent position and dominates oncoming views from the pedestrian thoroughfares to the South East and South West. The substantial digital display mounted thereon is eye catching, both by virtue of its scale, elevated position and moving images.
 7. The proposed signage would be located to either side of the aforementioned digital screen. The reason for refusal cites concern that it would fail to respect the appearance of the host building and surrounding public realm, would obscure the buildings' architectural features and lead to a proliferation of advertisements thereon amounting to visual clutter. I nonetheless find that the proposal would not be harmful to the amenity of the area for the following reasons.
 8. Firstly, whilst the two signs would obscure louvered areas to either side of the digital screen, sufficient louvered areas would remain visible to retain articulation and interest to the façade of the building, which derives its interest as much from its curved façade as from the external finishes employed in its construction. With a vertical height to match that of the digital screen and symmetrically arranged to either side, the advertisements would appear sensitively composed and whilst they would significantly increase the amount of advertising material on the building, I see no reason why they would convey a cluttered appearance.
 9. The signage in conjunction with the existing digital screen would impart a stronger horizontal emphasis to the building than presently exists, but not to the extent that it would look out of place. Mounted on this substantial building and set in a context of buildings of commanding scale within this vibrant purpose-built retail environment, I do not accept that they would appear out of keeping with the host building or wider area.
 10. For these reasons, I conclude on the main issue that the proposed display would not be detrimental to the character or appearance of the area. Accordingly, I find no conflict with the advice in the Framework or Policy BN15 of the London Legacy Development Corporation Local Plan 2015-2031 (July 2015), which seek to ensure that advertisements do not have an adverse impact on amenity.
 11. In coming to this view, whilst I have been referred by the appellant to a number of other advertisements in the locality, I consider they do not share the same characteristics of the appeal proposal, either in terms of their substance or context and I have nonetheless determined this appeal on its merits. The Council suggest a condition confining the period of consent to five years and the plans submitted with the application. The latter is unnecessary as such a condition is intended to facilitate applications under Section 73 of the Act for minor material amendments to planning permission. As the appellant expressly sought consent until 31/03/2019, I have incorporated this requirement into my decision.

ALISON ROLAND

INSPECTOR