
Appeal Decision

Site visit made on 31 January 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 20 February 2017

Appeal Ref: APP/B5480/Z/16/3165811

Telephone Kiosk outside 20A North Street, Romford RM1 1BH

- 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 New World Payphones against the decision of the Council of the London Borough of Havering.
 - The application Ref A0048.16, dated 28 June 2016, was refused by notice dated 2 November 2016.
 - The advertisement proposed is internally illuminated digital panel as integral part of telephone kiosk.
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Decision

1. The appeal is allowed and express consent is granted for internally illuminated digital panel as integral part of telephone kiosk as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main issue

2. The Council acknowledge the proposal would have no harmful effects on highway safety or neighbour living conditions. As such, the main issue is the effect of the proposal on the visual amenity of the area.
3. The site is located in the Romford Conservation Area (RCA). I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of the RCA¹. In addition, the site is in the vicinity of the Golden Lion public house, a Grade II listed building. I have therefore paid special attention to the desirability of preserving the setting of the listed building².

Reasons

4. The new telephone kiosk would replace an existing, neglected telephone box located outside 20A North Street, within Romford Town Centre. It would have a contemporary style with an open front to reduce the opportunity for vandalism and to provide improved access for disabled persons. The proposed internally illuminated digital advertisement panel would be integrated into the rear of the telephone kiosk. The installation of the telephone kiosk would be considered by the Council under separate legislation.

¹ This is a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

² This is a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

5. According to the evidence, the proposal advertisement panel would measure approximately 1.65 metres (m) high and 0.92m wide, which is slightly less tall, narrower and smaller in display area than a standard 6 sheet advertising display. It would display sequential, static images which would change no less than every 10 seconds via a smooth fade. The illuminance would be controlled by way of a light sensor and during darkness, would be restricted to a maximum of 280 candela per square metre (cd/sqm).
6. Paragraph 67 of the National Planning Policy Framework sets out that poorly placed advertisements can have a negative impact on the appearance of the built environment and further recognises that cumulative impacts should be taken into account in the interests of amenity. The Planning Practice Guidance suggests that advertisements may be permitted in a commercial area of a major city, where the advertisement would not adversely affect the visual amenity of the neighbourhood.
7. The Council's Romford Conservation Area Character Appraisal and Management Proposals (RCACA) sets out that the use of the area is, and always has been, almost entirely for shopping and associated commercial activity. I also observed that the area is strongly commercial in character.
8. The Council considers that whilst there is signage in the area, it is relatively low key and related to existing commercial buildings. As such, it is the Council's opinion that the proposed advertising panel would be a strident and prominent addition to this pedestrianised part of North Street which would detract from the character and appearance of this part of the RCA. Moreover that it would appear as a backdrop or in the foreground of the approach to the historic crossroads of Market Place and South Street and against longer range views of the Golden Lion public house, at odds with the overall heritage setting.
9. The appellant points out that there are already two, free standing, internally illuminated, 6 sheet advertisement panels along North Street. I observed this to be the case. One of these is located further to the north-west of the site. The other is located further to the south-east of the site, considerably closer to the Golden Lion public house and the historic crossroads of Market Place and South Street. These advertising panels display rotating, though non-digital images. There is no substantive evidence before me that would lead me to conclude that these advertising panels do not benefit from deemed consent.
10. The appellant points out that the illuminance levels of the proposed advertisement panel would be in accordance with and well below the maximum levels recommended by the Institute of Lighting Professionals³. As such, it is unlikely to be materially brighter than the existing advertising panels along North Street. In addition, its appearance would not appear at odds with the character of the streetscape in the context of these existing advertising panels and the illuminated signage associated with the commercial units in the area. It would therefore be a familiar addition to the area for passers by, both during the day and at night.
11. Moreover, given the orientation of the proposed advertising panel, it would be unlikely to feature in any key views from the historic crossroads as identified within the RCACA, which includes the principal and most prominent view of the

³ The Institute of Lighting Professionals *Professional Lighting Guide 05- The Brightness of Illuminated Advertisements*

main three storey façade of the Golden Lion public house where it fronts Market Place/High Street and its rear two storey element which runs along North Street.

12. On this basis, I find that the proposed advertising panel would not result in harm, either individually or cumulatively, to visual amenity. In addition, it would preserve the character and appearance of the RCA and the setting of the Golden Lion public house Grade II listed building.
13. I have taken into account Policies DC65 and DC68 of the London Borough of Havering Core Strategy and Development Control Policies Development Plan Document 2008. These policies seek to protect amenity and to conserve or enhance the character and appearance of conservation areas and so are material in this case. However, given that I have concluded that the proposal would not harm visual amenity and would preserve the character and appearance of the RCA and the setting of the Golden Lion public house Grade II listed building, the proposal would not conflict with these policies.

Conclusion

14. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

Alex Hutson

INSPECTOR