
Appeal Decision

Site visit made on 14 February 2017

by D Cramond BSc MRTPI

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

Decision date: 20 February 2017

Appeal Ref: APP/Y5420/Z/16/3164291
759 High Street, London, N17 8AH

- 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 Clear Channel UK Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2016/3126, dated 7 September 2016, was refused by notice dated 21 October 2016.
 - The proposal is one LED, illuminated, digital 48 sheet poster display screen 3.05M x 6.1M.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The structure is in situ; this does not alter my approach to determining the merits of the proposal.

Main Issue

3. The main issue is the effect of the proposal on amenity.

Reasons

4. The Council refers to development plan policies. The Regulations require that decisions be made only in interests of amenity and public safety. Therefore the development plan policies alone cannot be decisive, but I have taken them into account as material considerations.

Amenity

5. The proposal is as described above and has a projection of about 0.6M. The positioning of the display, which fronts a side road / junction, spans the first and second floor levels at the end of a 3 storey mixed use terrace situated on a stretch of the busy High Road which forms part of the North Tottenham Conservation Area (NTCA) and the Tottenham High Road Heritage Corridor (THRHC). The area is typically one of ground floor modest scale commercial premises with ancillary or residential use above over two floors. There are exceptions to this with the side road's immediately facing 4 storey flats, the listed Georgian properties diagonally opposite and the nearby Tottenham Hotspur Football Stadium being examples. Excepting the latter the character and scale of the locality's built form is generally low key and modest and in
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part displays the need for visual improvement which is being pursued through the local Townscape Heritage Initiative.

6. The flats directly facing the display are close to it and have sizeable main windows and open balconies on the pertinent elevation. I am in no doubt that even in controlled mode the large display would detract from amenity for these residents. The effect of facing in so close proximity such large illuminated and changing images would be a very uncomfortable experience for residents and an undue reduction in their amenity. To a lesser extent, but nevertheless still harmful, would be the effect on passers-by or more distant occupiers of buildings within the line of sight. These people would lose amenity as the structure would appear discordant. It would detract from the prevailing streetscene of generally small scale commercial premises at ground floor and a non-commercial ambience above this.
7. I am also mindful that section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The proposal would fail to do this. The scheme is ill at ease relative to the otherwise low key character and aesthetic qualities of this host terrace, it is out of scale in all dimensions, its LED illumination is generally alien and it detracts from the wider scene which, for the most part, sees advertisements at ground floor level. The display would impinge upon the NTCA and run contrary to the objectives for the THRHC.
8. In summary, I consider that because its scale, high level and prominent positioning and form of illumination the proposal would result in harmful visual impact on local residents and the streetscene. The proposal would be jarring on the eye, it would have unacceptable adverse impact upon the character and appearance of the locality and intrude upon amenity.

Other matters

9. I have considered both the National Planning Policy Framework and Planning Practice Guidance advice on advertisements and the factors embodied in these documents on matters such as economic and business encouragement, support for innovative design and advertisements potentially being more favoured in commercial areas. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described. The Guidance does not give a green light to all advertisements comparable to the case in hand even in major cities and in any event I would not class the host property as a large building and the display would not front a major highway as the Appellant cites from the Guidance.
10. I appreciate that the structure has a light meter included, would use smooth fade and would be turned off between 11pm and 6am. I note that there are some other means of light nearby and that the major development underway to the south east will change the scene significantly. I recognise that the Appellant offers a number of controlling conditions albeit to my mind they would not provide sufficient mitigation.
11. I have carefully considered all the points raised by the Appellant. However these matters do not outweigh the concerns which I have in respect of the main issue identified above.

Overall conclusion

12. For the reasons given above I conclude that the proposal would be unduly detrimental to amenity. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR