

Appeal Decision

Site visit made on 14 February 2017

by Michael Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 28th February 2017

Appeal Ref: APP/X5990/Z/16/3164446

388 Strand, London WC2R 0LT

- 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 Mr Mark Wilkinson (Infinity Outdoor) against the decision of City of Westminster Council.
 - The application Ref: 16/09586/ADV/RN, dated 6 October 2016, was refused by notice dated 29 November 2016.
 - The advertisement proposed is display of a temporary open weave mesh scaffold shroud advertisement measuring 56m wide by 20m tall, including a 1-1 image of the building and a 7.5m x 5m commercial non-illuminated advertising zone to the corner at first, second and third floor levels.
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Decision

1. The appeal is allowed and express consent is granted until 30 October 2017 for the display of a temporary open weave mesh scaffold shroud advertisement measuring 56m wide by 20m tall, including a 1-1 image of the building and a 7.5m x 5m commercial non-illuminated advertising zone to the corner at first, second and third floor levels as applied for. The temporary consent is subject to the five standard conditions set out in the Regulations and the following additional condition:

The advertisement permitted by this consent shall not be displayed on the site after the date of completion of building operations or after 30 October 2017, whichever occurs first.

Procedural Matters

2. Powers under the Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. Accordingly, the various development plan policies cited in this case are not decisive.
3. For clarity and conciseness I have used the description of the proposed advertisement and the site address as they appear on the Council's decision notice.

Main Issue

4. The main issue in this case is the effect of the proposed advertisement on amenity, having particular regard to whether it would preserve or enhance the character or appearance of the Covent Garden Conservation Area.
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Reasons

5. The appeal site is prominently located on the southern edge of the Covent Garden Conservation Area at the junction of Strand and Southampton Street. Here, the Conservation Area is characterised by substantial terraced buildings of imposing scale and grandeur enhanced by fine detailing and a robust sense of architectural rhythm. The appeal building is an important component of the Conservation Area due in large part to its significant scale, ornate design and corner setting.
6. The scaffolding around the building is presently enclosed by a wrap featuring a company name and logo. The proposed advertisement would form part of a digitally imprinted PVC open weave shroud containing a 1:1 image of the host building which would enclose the two street frontages with the exception of the ground floor. The advertisement would be 7.5m high and 2.5m wide and set on the corner of the building above street level. Temporary consent for the advertisement is sought up to 30 October 2017 when the refurbishment works are scheduled to finish.
7. The *Planning Practice Guidance* (PPG) advises that buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large 'wrap' advertisements covering the face, or part of the face, of the building. The Council's Supplementary Planning Guidance: *Advertisement Design Guidelines* states that where they do not relate to the land or its development, commercial advertisements on temporary hoardings, such as those around building sites or vacant land, will not normally be permitted in conservation areas.
8. As well as screening the scaffolding, the image on the shroud would allow the building behind it to be 'read' during the refurbishment period. The majority of the shroud would comprise the building image, with the advertisement taking up a small part at less than 5% of its overall area. As such, the advertisement would not harm the appearance of the building given that it would be largely screened by the shroud during the renovation works.
9. In terms of its impact on the Conservation Area, the advertisement would be viewed within a wholly commercial area containing large-scale buildings. Although most advertising in the vicinity is confined to ground floor level, high level signage is evident, including large illuminated signs associated with the Adelphi, Vaudeville and Savoy theatres.
10. Within this context the proposed advertisement would be observed in conjunction with the pictorial image of the building, and would provide a high quality screen which would be perceived as a temporary feature in this part of the Conservation Area. Furthermore, the advertisement's impact would be localised as it would be set obliquely on the corner of the building, such that it would only be readily observed when approaching from the north-east and directly opposite on Strand.
11. In these circumstances, I find that the advertisement would not harm the amenity of the area for the temporary period sought, and as such it would preserve the character and appearance of the Conservation Area. I have taken

into account Policy DES 8 of the UDP¹ which seeks to protect amenity by resisting temporary advertising shrouds and Policy S25 of the City Plan² which seeks to conserve heritage assets, and so are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with these policies.

Conditions

12. In addition to the five standard conditions, I shall attach a condition requiring removal of the advertisement at the end of the temporary period in the interest of amenity. I have amended the wording in the interests of clarity and to accord with advice in the PPG.

Conclusion

13. For the reasons set out above, I conclude that the proposal is acceptable and the appeal should succeed.

Michael Moffoot

Inspector

¹ City of Westminster Unitary Development Plan (2007)

² Westminster City Plan (2016)