

Appeal Decision

Site visit made on 20 February 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 13th March 2017

Appeal A Ref: APP/W5780/Z/16/3163899

6 Jubilee Parade, Snakes Lane East, Woodford Green IG8 7QF.

- 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 Matthew Coe (New World Payphones) against the decision of the London Borough of Redbridge.
- The application Ref 2284/16 dated 18 May 2016, was refused by notice dated 20 September 2016.
- The advertisement proposed is an internally illuminated digital panel as integral part of telephone kiosk.

The following appeals have also been made by the same appellant, for identical proposals, against decisions of the same local planning authority.

Appeal B Ref: APP/W5780/Z/16/3163803

100-102 George Lane, South Woodford, London E18 1AD.

- The application Ref 2286/16 dated 18 May 2016, was refused by notice dated 20 September 2016.

Appeal C Ref: APP/W5780/Z/16/3163819

135A George Lane, South Woodford, London E18 1AD.

- The application Ref 2285/16 dated 18 May 2016, was refused by notice dated 20 September 2016.

Appeal D Ref: APP/W5780/Z/16/3163903

Telephone Box outside 69 High Street, Wanstead, London E11 2AE.

- The application Ref 2295/16 dated 18 May 2016, was refused by notice dated 20 September 2016.

Appeal E Ref: APP/W5780/Z/16/3163909

Telephone kiosk outside 29 Cranbrook Road, Ilford IG1 4DU.

- The application Ref 2357/16 dated 19 May 2016, was refused by notice dated 20 September 2016.

Appeal F Ref: APP/W5780/Z/16/3163834

465 Cranbrook Road, Ilford IG2 6EW.

- The application Ref 2309/16 dated 18 May 2016, was refused by notice dated 22 September 2016.

Appeal G Ref: APP/W5780/Z/16/3167497

384-386 Cranbrook Road, Ilford IG2 6HW.

- The application Ref 2303/16 dated 18 May 2016, was refused by notice dated 25 November 2016.
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Appeal H Ref: APP/W5780/Z/16/3163841
556 Cranbrook Road, Ilford IG2 6RE.

- The application Ref 2310/16 dated 18 May 2016, was refused by notice dated 21 September 2016.

Appeal I Ref: APP/W5780/Z/16/3163828
Public telephone outside 33 High Street, Barkingside, Ilford IG6 2AD.

- The application Ref 2359/16 dated 19 May 2016, was refused by notice dated 20 September 2016.

Appeal J Ref: APP/W5780/Z/16/3163816
124A High Street, Barkingside, Ilford IG6 2DZ.

- The application Ref 2393/16 dated 20 May 2016, was refused by notice dated 20 September 2016.

Appeal K Ref: APP/W5780/Z/16/3163809
111 High Street, Barkingside, Ilford IG6 2AH.

- The application Ref 2394/16 dated 20 May 2016, was refused by notice dated 20 September 2016.

Appeal L Ref: APP/W5780/Z/16/3163902
Telephone box outside 618 Green Lane, Seven Kings, Ilford IG3 9SE.

- The application Ref 2399/16 dated 23 May 2016, was refused by notice dated 22 September 2016.

Appeal M Ref: APP/W5780/Z/16/3163821
Public telephones outside 211 High Road, Ilford IG1 1LX.

- The application Ref 2392/16 dated 20 May 2016, was refused by notice dated 20 September 2016.

Appeal N Ref: APP/W5780/Z/16/3163901
Telephone box outside 8-10 Cameron Road, Seven Kings, Ilford IG3 8LA.

- The application Ref 2392/16 dated 23 May 2016, was refused by notice dated 22 September 2016.

Appeal O Ref: APP/W5780/Z/16/3163908
Public telephone outside 681 High Road, Seven Kings, Ilford IG3 8RQ.

- The application Ref 2400/16 dated 23 May 2016, was refused by notice dated 22 September 2016.

Decisions

Appeal A Ref: APP/W5780/Z/16/3163899
6 Jubilee Parade, Snakes Lane East, Woodford Green IG8 7QF.

1. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal B Ref: APP/W5780/Z/16/3163803
100-102 George Lane, South Woodford, London E18 1AD.

2. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal C Ref: APP/W5780/Z/16/3163819
135A George Lane, South Woodford, London E18 1AD.

3. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal D Ref: APP/W5780/Z/16/3163903
Telephone Box outside 69 High Street, Wanstead, London E11 2AE.

4. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal E Ref: APP/W5780/Z/16/316909
Telephone kiosk outside 29 Cranbrook Road, Ilford IG1 4DU.

5. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal F Ref: APP/W5780/Z/16/3163834
465 Cranbrook Road, Ilford IG2 6EW.

6. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal G Ref: APP/W5780/Z/16/3167497
384-386 Cranbrook Road, Ilford IG2 6HW.

7. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal H Ref: APP/W5780/Z/16/3163841
556 Cranbrook Road, Ilford IG2 6RE.

8. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal I Ref: APP/W5780/Z/16/3163828
Public telephone outside 33 High Street, Barkingside, Ilford IG6 2AD.

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9. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal J Ref: APP/W5780/Z/16/3163816
124A High Street, Barkingside, Ilford IG6 2DZ.

10. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal K Ref: APP/W5780/Z/16/3163809
111 High Street, Barkingside, Ilford IG6 2AH.

11. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal L Ref: APP/W5780/Z/16/3163902
Telephone box outside 618 Green Lane, Seven Kings, Ilford IG3 9SE.

12. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal M Ref: APP/W5780/Z/16/3163821
Public telephones outside 211 High Road, Ilford IG1 1LX.

13. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal N Ref: APP/W5780/Z/16/3163901
Telephone box outside 8-10 Cameron Road, Seven Kings, Ilford IG3 8LA.

14. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Appeal O Ref: APP/W5780/Z/16/3163908
Public telephone outside 681 High Road, Seven Kings, Ilford IG3 8RQ.

15. The appeal is allowed and express consent is granted for the display of the advertisement, 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.

Procedural Matters

16. As set out above there are 15 separate appeals. With the exception of Appeal D which is located within the Wanstead Village Conservation Area (WVCA), the Council used almost identical reasons for refusal. In each appeal the proposal is essentially the same and seeks consent for an outward facing internally illuminated display to the rear elevation of a replacement kiosk. The appeals are concerned only with the proposed display panel and any benefits arising from the replacement of the existing telephone kiosks has no bearing on the planning merits of the case. I have considered each appeal on its individual merits, but as they raise similar issues I have dealt with the cases in a single decision letter.
17. In each case, the advertisement would comprise a single 'digital poster' panel measuring 1.65m high by 0.928m wide. According to the appellant this is slightly taller and narrower than a 'standard' 6-sheet display, although of roughly the same overall face area. The digital panels would display a sequence of static images, changing no more frequently than every 10 seconds through a smooth fade.
18. The "*National Planning Policy Framework*" (the Framework) underlines the fact that the powers under the current Regulations to control advertisements may be exercised only in the interests of amenity and public safety. In this context, the development plan policies referred to have been treated as material considerations and the appellant's arguments relating to the need for the advertisement on economic grounds attracts little weight.
19. In some instances I have taken the site address from the Appeal Form as this is more succinct than the version provided on the Application Form.

Main Issue

20. The main issue in all the appeals is the effect of the advertising display on the visual amenity of the area.

Reasons

Appeals A, B, C, E, F, G, H, I, J, K, L, M, N and O

21. Paragraph 67 of the Framework makes it clear that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. The Council argue that the illuminated displays would be dominant and unattractive features occupying prominent locations in the middle of pavements thus causing significant harm to the visual amenity of the surrounding area.
22. However, according to the appellant, the level of illumination would be controlled through a light meter so that the advertising material is visible in the surrounding ambient light, but without being overly bright or causing glare. During darkness, the illumination would be restricted to a maximum of 280 candelas per square metre which is within recommended tolerances.
23. The sites are all located in busy high streets where there is already a multitude of illuminated and non-illuminated displays together with other visual clutter such as lighting columns, traffic lights and street signage. The street level floors of adjacent buildings contain commercial units nearly all of which have

illuminated fascia advertisement signs. At a number of locations I noted the close proximity of illuminated free standing and bus stop panels, London Underground signage and cash machines. It therefore seems to me based on my observations that these are all locations where illuminated adverts are commonplace.

24. Although I accept the proposed displays would be more prominent than the existing unadorned kiosks, seen against a background of other signage in the high street, much of which is at a higher level, they would become simply subsumed within it, and would not therefore stand out prominently or incongruously as suggested by the Council. Moreover, given their relatively modest scale, they are unlikely to be perceptible in long distance views and would only really be apparent to immediate passers-by.
25. Based on the foregoing I conclude that in each case the character and appearance of the area is sufficiently robust to accommodate the proposed adverts. They would thus sit acceptably in their visual context, without harming local amenity or public safety.

Appeal D

26. Whilst the high street location of the site is similar to those appeals above, the site is within the WVCA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
27. The adjacent premises on the east side of High Street have prominent illuminated fascia and projecting box signage displaying the various logos and lettering of the businesses concerned. In addition, there are other phones boxes displaying non-illuminated adverts in close proximity as well as multiple awnings, branded canvas barriers and pavement A-boards.
28. It is undoubtedly a busy, lively high street with a wide footway and the existing signage generally does not look out of place, given the commercial nature of the ground floor uses in the locality. The Council's case rests largely on the arguments that have been put forward in respect of the other appeals and there is no detailed analysis of the WVCA or the effect the panel would have on it.
29. I accept the sequential and illuminated nature of the advertisement would increase the prominence of the panel. However, it would be fairly modest in size and the Council do not argue that it would be any brighter than the numerous other illuminated adverts in the vicinity many of which are considerably larger. Even at night, the proposed digital display would be viewed as part of a busy street and could not reasonably be described as incongruous in the context of the commercial activity surrounding it. The sequential changes of image would not be unusual given the inherently transitory nature of a busy high street.
30. Overall, the proposed panel would be a fairly modest addition to the street scene. It would not be of an excessive size and would be a relatively unobtrusive feature within its surroundings. As such, it would not harm the amenity of the area and would preserve the character and appearance of the WVCA.

Conclusion

31. For the above reasons, and having regard to all other matters raised, I conclude that the proposals are acceptable and the appeals should succeed. The Council has not suggested any conditions nor do I consider it necessary to impose any in addition to the Regulations' standard conditions.

D. M. Young

Inspector