

Appeal Decision

Site visit made on 24 February 2017

by Timothy C King BA (Hons) MRTPI

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

Decision date: 23 March 2017

Appeal Ref: APP/H5960/Z/16/3165003

Telephone box on pavement outside 63 Northcote Road, London, SW11 1NP

- 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 Wandsworth.
 - The application Ref 2016/3600, dated 20 June 2016, was refused by notice dated 17 October 2016.
 - The advertisement proposed is '*Illuminated digital advertising display panel, 1650mm high x 928mm wide, integrated into replacement telephone kiosk.*'
-

Decision

1. The appeal is allowed and consent is granted for the display of the advertisement panel, with internal illumination. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the Regulations, and also the following additional conditions:
 - 1) The digital advertisement panel hereby granted consent shall display static images only and the images shall be changed no more frequently than once every ten seconds through a smooth fade. No moving images or special effects shall be shown.
 - 2) The intensity of illumination of the digital advertisement panel hereby granted consent shall be no greater than 280 candelas per square metre during the period between dusk and dawn.

Main Issue

2. The Advertisement Regulations require that decisions are made only in the interests of amenity (and/or public safety). The Council has raised no concerns in respect of public safety and, as such, the main issue in this appeal is the effect of the advertisement on the character and appearance of the surrounding area.

Reasons

3. The appeal concerns an internally illuminated display on the back panel of a telephone kiosk. It is intended that the existing kiosk would be replaced to facilitate the advertisement, but this replacement does not form part of the proposal. The scheme would involve an integrated LCD digital panel displaying static images in sequence changing no more frequently than every ten seconds. The illumination would be controlled by means of light sensor.
-

4. Paragraph 67 of the National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built environment. In assessing the particular visual impact in this instance I have primarily considered the effect of the signage on the streetscape and character of the Northcote Road shopping area.
5. The Council's Core Strategy identifies Northcote Road as having its own distinctive character as a specialist retail area. At my site visit, carried out during the evening hours, I noted that the immediate locality contains a variety of ground floor shops and restaurants within Victorian terraces. Some of these units also have means of illumination to draw in custom, particularly in association with the night time economy.
6. In refusing express consent the Council, although considering that the display would be harmful to the streetscape and the Northcote Road special shopping area, does not fully amplify its objection to explain what the expected nature of the harm would be. The case report mentions the introduction of a prominent, contemporary screen into a traditional shopping area where there are no other examples of such illumination. However, the light sensor would control and preclude unnecessary illumination during daytime hours whilst, in the context of the character of the shopping area as a whole, the display would not unduly impact nor represent an inappropriate addition to the streetscene.
7. I have considered the relevant policies cited in the Council's Development Management Policies Document, and have taken them into account in reaching my decision. Although this has not been the only consideration in reaching my decision, in terms of the proposed display I do not find, in this particular instance, any material conflict with the Council's aims and objectives. The character of the shopping area would not be compromised by a display of such a scale and the streetscape would not be harmed.
8. I conclude, for the reasons given above, that the proposed display would not harm the character and appearance of the surrounding area. However, in addition to the five standard conditions, in the interests of amenity I consider that two further conditions are required to restrict the intensity of illumination between dusk and dawn and to also ensure that the digital display shows only static images with changes no more frequently than once every ten seconds. The appellant's submission confirms that these restrictions are consistent with the intended mode of display.
9. Accordingly, the appeal succeeds.

Timothy C King

INSPECTOR