
Appeal Decision

Site visit made on 19 May 2017

by **C J Ball** DArch DCons RIBA IHBC

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

Decision date: 25 May 2017

Appeal Ref: APP/K5030/Z/16 3157274

o/s Plantation Place, 30 Fenchurch Street, London EC3M 3BD

- 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 JCDecaux UK Ltd against the decision of the City of London Council.
 - The application Ref 16/00261/ADVT, dated 16 March 2016, was refused by notice dated 19 August 2016.
 - The advertisement proposed is an internally illuminated advertisement on a bus shelter
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Decision

1. The appeal is dismissed.

Main issues

2. The effect of the proposed advertisement on the visual amenity of the area and its impact on public safety.

Reasons

3. The internally illuminated double sided LCD screen advertisement would be a freestanding but integral part of a new bus shelter replacing the existing shelter on the wide pavement on the southern side of Fenchurch Street, close to its junction with Mincing Lane. The site lies immediately in front of a large office block, within an area characterised by primarily large scale commercial buildings of restrained design. The existing glazed shelter currently has a limited visual impact. Apart from some shop fascia signs, there is very limited signage and no comparable street advertisements.
 4. The large illuminated advertisement screen would occupy the full height and width of the replacement bus shelter. It would be a particularly noticeable and incongruous feature in this restrained and uncluttered street scene. It would make a very apparent and unacceptable visual intrusion into the high quality townscape of the area, with its size, illumination and nature completely at odds with the distinctly restrained character of the area. In the terms of Framework 67, this is a poor place for such an advertisement since it would have such a negative impact on the appearance of the built environment.
 5. With regard to public safety, the wide pavement is heavily used but the advertisement would be no wider than the existing shelter structure so that it would not particularly affect the free flow of pedestrians along the pavement. While the advertisement structure would be opaque, resulting in the loss of some degree of natural surveillance from one direction, the shelter would be
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open in other directions so that it would not hamper the safe passage of pedestrians.

6. The screens would show a range of displays in sequence and also appear to be capable of showing moving images. To avoid being overly eye-catching to drivers, the images should remain static for reasonably long periods and change quickly, while moving images at the roadside would be particularly distracting and dangerous. That could be controlled by condition and, subject to that condition, I consider that the advertisement would not be a danger to highway users.
7. While I find that the proposal would result in no real detriment to public safety, the proposal would conflict with the Council's Local Plan policies aimed at controlling advertisements and respecting local character. This outweighs the acceptability of the proposal in terms of its impact on public safety. I have noted the Council's reference to a recent appeal decision at One New Change, Cheapside¹ where I find comparable considerations. While there would be some public benefits associated with the advertisement, they would be nowhere near sufficient to justify the harm identified to the local street scene.
8. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of visual amenity and on balance should not be granted consent.

Colin Ball

Inspector

¹ APP/K5030/Z/16/3146930