

Appeal Decision

Site visit made on 11 May 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 6th June 2017

Appeal Ref: APP/Q5300/Z/17/3171720

172 Fore Street, Edmonton N18 2JB

- 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 Paul O'Sullivan of Insite Poster Properties Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05186/ADV, dated 1 November 2016, was refused by notice dated 18 January 2017.
 - The advertisement proposed is replacement of existing 48-sheet advertising sign with 48-sheet digital display.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council refused the application on the basis of Drawing No T4081 A4 060, dated 26 October 2016. I am aware that the appellant submitted an amended scheme shown on Drawing No T4081 A4 060 Rev A. However, this is dated 17 January 2017 and I have no evidence before me that the Council considered this scheme prior to issuing its decision on 18 January 2018. I have therefore determined the appeal on the basis of the original scheme.

Main Issue

3. The main issue is the effect of the proposed replacement advertisement on the character and appearance of the area.

Reasons

4. Paragraph 67 of the National Planning Policy Framework (the Framework) confirms that the issues of amenity and, where applicable, public safety, are the determining factors in advertisement appeals. The Regulations state that development plan policies alone cannot be decisive when determining cases such as this one. Nevertheless, the Planning Practice Guidance (PPG)¹ advises that in assessing the effect on amenity, factors such as historic, architectural or cultural features in the neighbourhood can be taken into consideration. I have therefore had regard to the Council's policies alongside the advice and guidance of the Framework and the PPG as material considerations in reaching my decision.

¹ Paragraph 079 Reference ID: 18b-79-20140306

5. No 172 Fore Street is located immediately to the south of the North Circular Road within a vibrant and busy commercial area. It is one of a small group of buildings on the east side of the street that lie within the Fore Street Conservation Area. Due to the erosion of the historic fabric that has taken place, the Area comprises a series of fragmented sections along the street. The Council's Conservation Area Character Appraisal (CACA), admits that attempts to encourage a heritage based regeneration of the area have been less than successful, resulting in continuing degradation of the heritage assets.
6. The street is dominated by traffic and there is a proliferation of signs associated with the diverse commercial activities. These compete with numerous traffic and highway signs. The quality of the public realm at street level is poor and many original shop fronts have been replaced. The buildings are a mix of different designs and eras and the CACA identifies several of them that have either a negative or neutral impact on the area. Nevertheless, there are a small number of landmark and other buildings which make a positive contribution to the Area. These buildings reflect the area's history and development over several centuries and their most attractive and interesting elements are mostly at first floor level and above.
7. No 172 is part of a block of three shops that makes a positive contribution to the Conservation Area. The adjoining property, which has a negative impact on the Area, has only a single storey fronting the street. Its upper floors are set back allowing the northern flank wall of No 172 to be exposed to long views from the street when looking in a southerly direction. At present a large 6m x 3m non-illuminated advertisement hoarding occupies this flank wall. There is a dispute between the parties about its lawfulness as consent was granted for an externally illuminated advertisement in 2003², but never fully implemented. However, it would seem that the existing hoarding has been in place for at least ten years and, from the evidence presented, the Council has not taken any specific action to secure its removal. This appears to be the case even though the CACA states that the area would benefit from a concerted effort to tackle signage through enforcement and design guidance.
8. The appeal proposal would replace the existing non-illuminated advertisement with an internally illuminated LED display of the same size. It would display a sequence of static images which would change every 10 seconds. The advertisements would be of a similar size to the existing. However, the introduction of internal illumination and the sequence of changes would fundamentally change the nature of the hoarding, drawing more attention to the upper parts of No 172 and the surrounding buildings. It would contribute additional clutter to the street scene and would detract from the appearance of the building. I consider this would be harmful to this small group of non-listed buildings within the Conservation Area. The removal of the posting platform and rail would not significantly diminish this harm.
9. The scheme originally submitted with the application showed the replacement structure would project a little above the flat roof of the host property. This would increase the harm to the building's appearance as it would fail to respect its existing features. The amended plan has lowered the sign so that it would be flush with the existing roof. This would have some limited benefit, but

² Ref: AD/02/0122

would not overcome my concerns about the prominent and visually intrusive nature of an internally illuminated sign of the size proposed.

10. At the moment, with the exception of the existing advertisement, commercial signs in this part of Fore Street are at a lower level, most commonly immediately above the associated shop front. Even where there are prominent signs at higher levels, they do not appear to be illuminated or associated with buildings that lie within the Conservation Area. The site is within an area that is already lit by streetlamps, light emanating from buildings and vehicles. However, such sources of illumination are materially different from a large, prominent internally illuminated advertisement that would be regularly changing its appearance with different displays. The surrounding illumination and the ability to restrict the illumination levels are therefore not a justification for allowing an advertisement that would be harmful in its context.
11. The Council has cited Policies 7.4 and 7.6 of the London Plan, Policies 30 and 31 of The Enfield Plan: Core Strategy and Policies DMD 37, DMD41 and DMD44 of its Development Management Document in its reason for refusal. I have had regard to their requirements, but in view of the Regulations they have not been decisive in coming to my decision.

Conclusion

12. For the reasons set out above, I conclude that the proposed advertisement would be harmful to the character and appearance of the area and the appeal should therefore be dismissed.

Sheila Holden

INSPECTOR