
Appeal Decision

Site visit made on 1 August 2017

by Oliver Blower MA (T&CP)

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 23 August 2017

Appeal Ref: APP/X5990/Z/17/3177827

Soho Fire Station, 126-128 Shaftesbury Avenue, London W1D 5ET

- 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 Infinity Outdoor Ltd against the decision of City of Westminster Council.
 - The application Ref 17/04030/ADV, dated 9 May 2017, was refused by notice dated 26 May 2017.
 - The advertisement proposed is described as "6m (width) x 9m (height) x 0.5m (depth) Media Screen".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on visual amenity, with particular regard to its effects on the character and appearance of the host building and area.

Procedural Matters

3. The Regulations and the National Planning Policy Framework both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.

Reasons

4. The appeal relates to the prominent rear brick wall of Soho Fire Station, close to where Gerrard Street and Gerrard Place meet, and opposite Newport Place. The site is directly adjacent to the Chinatown Conservation Area (CA) and is close to Grade II listed buildings at Nos 2, 3 and 47 Gerrard Street.
 5. The immediate area is characterised by a prevalence of traditional rendered and brick built buildings, albeit interspersed with some more modern buildings such as Soho Fire Station and Newport Court. Illuminated advertisements are primarily modest in scale and confined to the fronts of shops and restaurants, reinforcing the traditional appearance of the area.
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6. The proposal relates to the display of an internally illuminated LED screen measuring 6m wide, 9m high and 0.5m deep. The illuminance of the screen would be limited to 300cd/m, and it would display static images at intervals of no less than 10 seconds. The display would have metal frame with a design selected by local stakeholders, which would cover the majority of the remaining elevation.
7. The excessive size and height of the advertisement – in combination with its frame – would dominate the rear wall of the appeal building. Its scale would dwarf that of more traditional advertisements on shop fronts, so that it would appear incongruous to its immediate surroundings. The advertisement would be particularly conspicuous when viewed from Newport Place, where its size and proximity would significantly detract from the smaller scale of the traditional terraced shops within the CA.
8. The digital LED display would emit light to produce an image, giving the advertisement an uncharacteristically bright and modern appearance – particularly during the day when there is little discernible illumination. Its contemporary appearance would be emphasised by its metal frame, which would introduce a modern material at odds with the customary brick and render that characterises the area.
9. Although the large scale and monotony of the blank wall already detracts from the setting of the CA, its muted brick construction does not attract undue attention. The proposal, on the other hand, would look out of keeping with the appearance of the building and area for the reasons given above, whilst drawing the eye towards the monolithic proportions of the wall.
10. As a result I conclude that the location, size, height and appearance of the proposed advertisement would cause unacceptable harm to the character and appearance of the building and area, and thus would be detrimental to the interests of visual amenity. For these reasons it would also detract from the setting of the CA and nearby listed buildings.
11. As far as such factors are material, the advertisement is therefore contrary to policies S25 and S28 of the Westminster City Plan 2013 and policies DES8, DES9 and DES10 of the City of Westminster Unitary Development Plan 2007. Together these policies seek to ensure, amongst other things, exemplary standards of urban design; that heritage assets will be conserved including the setting of listed buildings and conservation areas and; that consent will not normally be granted for high level signs.
12. Consequently, for the reasons given above, the appeal is dismissed.

Oliver Blower

Appointed Person