



Appeal Decision

Site visit made on 10 October 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 18 October 2017

Appeal Ref: APP/K5030/Z/17/3180953

Pavement outside 1 - 5 St Botolph Street, London, EC3A 7AR

- 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 Infocus Public Networks Limited against the decision of the City of London Council.
 - The application Ref 17/00521/ADVT, dated 23 May 2017, was refused by notice dated 20 July 2017.
 - The advertisement proposed is for the display of a single sided internally illuminated advertisement display panel on an existing telephone kiosk measuring 1.87m in height x 1.33m in width at a height of 0.57m above ground level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the scheme on the setting of the Church of St Botolph Aldgate, which is a grade I listed building.

Reasons

3. St Botolph Street is a wide distributor road that is primarily flanked by high rise commercial buildings of varied architectural merit. The northern end of St Botolph Street is more traditional in its character and appearance, where it joins Duke's Place and Aldgate High Street. Within this area there is a diverse range of traditional buildings, which face towards St Botolph Aldgate Church. The existing signage within both of these character areas is restrained and uncluttered.
4. St Botolph Aldgate Church fronts onto Aldgate High Street and backs onto St Botolph Street. The church is screened from much of St Botolph Street by existing buildings. However, from the north-western end of St Botolph Street the church dominates the street scene and there are open views along St Botolph Street, where the existing telephone kiosk is clearly visible. However due to its subdued colours and position against a backcloth of a tall brick wall the telephone kiosk and the existing non-illuminated advertisement blends in appropriately into the street scene.

5. Paragraph 67 of the National Planning Policy Framework (NPPF) states that poorly placed advertisements can have a negative impact on the character and appearance of the built environment. The Planning Practice Guidance (PPG) advises that in areas where there are important historic and architectural features a material consideration can be whether an advertisement is in scale and in keeping with them. It also explains that amenity is usually understood to include the visual amenity of the immediate neighbourhood of an advertisement.
6. In relation to advertisements policy DM10.6 of the City of London Local Plan (Local Plan) seeks to resist excessive or obtrusive advertising and inappropriate illuminated signs. It encourages a high standard of design with a restrained amount of advertising, in keeping with the character of the City. The supporting text to this policy advises that particular care will be taken within the setting of listed buildings, where internal illumination will not normally be permitted. More generally, internal illumination should be discreet and incorporate LEDs where possible to reduce the overall bulk and energy use of signage.
7. The only noticeable difference between the existing and the proposed advertisements would be the proposed internal illumination. Notwithstanding this, due to the nature and level of internal illumination proposed, any advertisement displayed would be brighter and more prominent when viewed from the street scene, than if it was non-illuminated. The displayed advertisement would be particularly and uncharacteristically bright and prominent during the evenings and in the winter months. This would be in stark contrast with the restrained advertisements in the locality and as a consequence the illuminated advertisement would unacceptably detract from the uncluttered setting of the Church of St Botolph Aldgate.
8. Consideration has also been given to policies CS10, CS12 and DM12.1 of the Local Plan and policy 7.8 of The London Plan. As they seek to protect amenity, including the character and appearance of the historic environment, they are material in the determination of this Appeal.
9. It is accepted that there is a need for every advertisement. However, the regulations stipulate that only amenity and public safety arguments can be considered. As the points raised by the Appellant concerning the provision and maintenance of telephone kiosks are not related to the amenity of the proposed advertisement itself it cannot be taken into consideration.
10. I conclude that the proposed internally illuminated advertisement would unacceptably harm the character and appearance of the setting to the Church of St Botolph Aldgate. It would therefore also be contrary to the amenity requirements set out in policies CS10, DM10.6, CS12 and DM12.1 of the Local Plan, policy 7.8 of The London Plan and the NPPF.

Elizabeth Lawrence

INSPECTOR