



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: 19 October 2017

Appeal Ref: APP/K5030/Z/17/3180952
26 – 30 Holborn Viaduct, London, EC1A 2AQ

- 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 17/00520/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.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the scheme on amenity, having regard to its location within the setting of Holborn Viaduct and Pavilions (Grade II listed), the City Temple (Grade II listed), the Prudential Assurance Buildings (Grade II* listed), the Church of St Sepulcher (Grade I listed), Holborn Tavern (Grade II listed) and the setting of Newgate Street, Postman's Park and Smithfield Conservation Areas (NSPP&SCAs).

Reasons

3. The Planning Practice Guidance (PPG) advises that amenity is usually understood to include visual and aural amenity in the immediate neighbourhood of an advertisement. In relation to areas with important historic and architectural features whether the advertisement is in scale and in keeping with them can be a material consideration. 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.
4. The Appeal site is located within a street scene that is dominated by a wide boulevard which is flanked by tall and substantial modern and historic commercial buildings constructed from high quality materials. The telephone kiosk is located within an open and prominent position on the outer part of the generous width pavement; on the inside of a slight curve within the highway; and a short distance to the west of the Holborn Viaduct. This, together with the size of the existing advertisement on the telephone kiosk results in the

- advertisement appearing prominent within the street scene. This is in contrast with the modest and discreet nature of the existing signage on building facades and on street furniture generally within the street scene.
5. The uncluttered appearance of the street scene enhances the contribution the surrounding buildings and historic features make to the character and appearance of the locality. The Holborn Viaduct contributes to the openness and historic character of the street scene. With its ornate balustrade, statues and lamp standards it forms an important link between the historic buildings on either side of the viaduct and the wider setting of the City Temple, the Prudential Assurance Buildings, the Church of St Sepulcher, Holborn Tavern and the NSPP&SCAs.
 6. Section 72(1) and of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB&CA Act) requires that when assessing proposals for new development within a conservation area special regard shall be paid to the desirability of preserving or enhancing their character or appearance. Amongst other things, policies CS12 and DM12.1 of the City of London Local Plan (Local Plan) and policy 7.8 of The London Plan reflect and are consistent with this requirement.
 7. Policy DM10.6 of the Local Plan relates specifically with advertisements. It encourages a restrained amount of advertising in keeping with the character of the City and a high quality of design. At the same time, it resists excessive or obtrusive advertising and inappropriate illuminated signs.
 8. The supporting text to policy DM10.6 of the Local Plan advises that advertisements will not normally be permitted on street furniture as they detract from the restrained character of the City. The design of advertising material should respect its locality and advertisements should be appropriate to the frontage served. Particular care will be taken within the setting of listed buildings and within conservation areas, where internal illumination will not normally be permitted. In general, internal illumination it should be discreet and incorporate LEDs where possible to reduce the overall bulk and energy use of signage.
 9. Due to its combined prominent siting, size and internal illumination the proposed advertisement would form a prominent and incongruous feature within the street scene, particularly in views from the east. It would materially harm the visual amenity of the street scene, which is an integral part of the setting to Holborn Viaduct, the City Temple, the Prudential Assurance Buildings, the Church of St Sepulcher, Holborn Tavern and the NSPP&SCAs.
 10. It is noted that the proposed advertisement would be in the same location and would be the same size/scale as the existing non-illuminated advertisement. However, even during the daytime the proposed internal illumination would be clearly evident and during the evening it would be prominent, notwithstanding the maximum level and nature of the illumination proposed. It would compete with and unacceptably detract from the softer lighting along the viaduct and the wider street scene.
 11. I have also taken into account policies CS10, CS12 and DM12.1 of the Local Plan and policy 7.8 of The London Plan, which seek to protect amenity generally and in relation to the historic environment.

12. It is assumed that there is a need for every advertisement, consequently the regulations stipulate that only amenity and public safety arguments can be considered. The points concerning the provision and maintenance of the telephone kiosk are not related to the amenity of the advertisement itself and so I cannot consider them.
13. I conclude that the proposed internally illuminated advertisement display panel would materially and unacceptably harm the character and appearance of the street scene, which is an important element of the setting to Holborn Viaduct, the City Temple, the Prudential Assurance Buildings, the Church of St Sepulcher, Holborn Tavern and the NSPP&SCAs. It would fail to preserve or enhance the character or appearance of the NSPP&SCAs and would be contrary to the objectives of 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