



Appeal Decision

Site visit made on 18 June 2019

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2019

Appeal Ref: APP/K5030/H/18/3211392

Aldgate High Street (OS St Botolph Church), London, EC3N 1BD

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
 - The appeal is made by British Telecommunications plc against the decision of the City of London Council.
 - The application Ref 18/00461/ADVT, dated 8 May 2018, was refused by notice dated 19 July 2018.
 - The advertisements proposed are internally illuminated digital LED screen to both sides of the proposed free standing InLink.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. When originally lodged, the appeal was also accompanied by an appeal relating to a Prior Approval proposal for an Inlink Kiosk. However, following the *Westminster CC v SSHCLG & New World Payphones Ltd* [2019] EWHC 176 (Admin) judgement, that appeal has been withdrawn.

Main Issue

3. The main issue is the effect of the proposed advertisements on the visual amenity of the area.

Reasons

4. The appeal site is located on a wide pavement in a busy mixed-use area surrounded by both traditional and contemporary buildings close to the Grade I listed Church of St Botolph without Aldgate.
5. The proposal would replace an existing BT kiosk with a single free-standing structure with integrated digital advertising displays on either side and would therefore not result in any additional street furniture nor increase visual clutter. Notwithstanding the busy city centre context, I observed at my site visit that there is little in the way of illuminated street furniture in the immediate vicinity of the appeal site, being largely limited to street lighting and traffic lights. I also noted that illuminated advertisements are confined to ground floor level windows of commercial premises.
6. The proposal is close to and would be seen in views with the listed Church of St Botolph without Aldgate. Although the proposed InLink would be of a sleek modern design, the nature of a digital display is that it must emit light to

produce an image and as such the advertisements would be necessarily brighter than the current non-illuminated advertisements presently at this location. The introduction of illumination of this size where there is currently none would be at odds with and would detract from and thereby cause harm to the setting of the listed building, particularly during the hours of darkness.

7. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material and find that the proposal would adversely affect the setting of a designated heritage asset and consequently cause harm to visual amenity contrary to the overall design and heritage protection aims of policies CS10, CS12, DM12.1 and DM10.6 of the City of London Local Plan Adopted 15 January 2015 and Policy 7.8 of the London Plan 2016. There is also conflict with the design and heritage protection policies of the National Planning Policy Framework.

Conclusion

8. For the reasons given above, and having had regard to all other matters raised, the appeal is dismissed.

Felicity Thompson

INSPECTOR