
Appeal Decision

Site visit made on 1 July 2019

by Sarah Dyer BA BTP MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/K5030/18/3211414

Bishopgate (Outside No. 175), London EC2M 3YD

- 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 British Telecommunications Plc against the decision of the City of London Council.
 - The application Ref 18/00480/ADVT, dated 9 May 2018, was refused by notice dated 19 July 2018.
 - The advertisement proposed is the display of an 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 that was described as replacing two existing BT payphones. 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following the Westminster CC v SSHCLG & New World Payphones Ltd [2019] EWHC 176 (Admin) judgement, that appeal has been withdrawn.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 control of advertisements is exercisable only with respect to amenity and public safety. The main issue in this appeal is the effect of the proposed advertisements on amenity.

Reasons

4. Bishopsgate is a commercial street. Close to its junction with Brushfield Street it is characterised by the elevated walkway associated with the Bishopsgate commercial complex on one side and the heavily glazed frontage to the Nat West Conference Centre and the historic buildings within the Bishopsgate Conservation Area (the CA) on the other. It is a busy urban thoroughfare attracting a high pedestrian footfall derived from the nearby Liverpool Street station and the offices and other businesses in the area.
5. The majority of the street furniture on the same side of Bishopsgate as the appeal site is closely related to the Bishopsgate commercial complex. The steps up to the walkway, the decorative lamps and the wayfinding totem signs are the most prominent of these elements of the street scene. Advertising on

- buildings is generally low key and the signs on shops and services off the elevated walkway are obscured by overhanging elements of the building.
6. The existing telephone boxes, which incorporate poster panels, sit close the kerb and appear incongruous because they do not relate well to the other items of street furniture. As a result, in themselves they are prominent features in the immediate street scene and the poster panels do not particularly exaggerate this impact.
 7. The Bishopsgate Institute and Library is a Grade II* listed building within the CA. It has a highly decorative frontage facing Bishopsgate and has a return into Brushfield Street. It is visible from the appeal site and within the long vista towards the high-rise buildings closer to the river, which the appeal site also contributes to.
 8. The proposed advertisement display panels would occupy a prominent position close to the kerb edge. Consequently, they would be highly visible in views along the street towards the CA and the Grade II* listed building. The visibility of the panels would be exaggerated by their internal illumination both during the day and in hours of darkness notwithstanding the controls over luminance levels which are integral to their design. In the context of the siting of street furniture and the existing low-key signage in the area, the advertisement display panels would be visually incongruous and out of character with the surrounding public realm.
 9. The existing telephone boxes have a moderate impact on the public realm. However, by virtue of their appearance and particularly the method and intensity of their illumination the proposed advertising panels would be more intrusive and damaging to the amenity of the surrounding area.
 10. Given the importance which I have placed on the contribution which the site and the surrounding area make to the vista along Bishopsgate towards the CA and the listed building, the adverse impact on amenity arising from the advertisement display panels would also be harmful to these heritage assets.
 11. I conclude that the proposed advertisements would be harmful to the amenity created by the character and appearance of the adjacent Conservation Area and the listed building. I have taken into account Policies CS10, CS12, DM10.6 and DM12.1 of the City of London Local Plan (2015) and Policy 7.8 of the London Plan 2016. These policies seek to ensure that advertisements respect the restrained character of the City, that the setting of listed buildings are safeguarded and that change affecting all heritage assets is managed to sustain and enhance those assets. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Conclusion

12. For the reasons set out above, the appeal is dismissed.

Sarah Dyer

Inspector