



Appeal Decision

Site visit made on 27 August 2019

by L Perkins BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2019

Appeal Ref: APP/K5030/Z/18/3211250

Fenchurch Street (Outside No. 52), London EC3M 3JY

- 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 18/00539/ADVT, dated 18 May 2018, was refused by notice dated 18 July 2018.
 - The advertisements proposed are 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.

Main Issue

2. The main issue is the effect of the proposed advertisements on the visual amenity of the area including views into and out of the Lloyd's Avenue Conservation Area.

Reasons

3. The area is characterised by commercial buildings of varying size and architectural character. To the east is the Lloyd's Avenue Conservation Area. The proposal would be sited on the footway, perpendicular to the road, where currently there are two telephone kiosks. Its advertisement displays would be prominently displayed facing east and west in the direction of oncoming pedestrian and vehicular traffic.
4. The footway in the vicinity of the appeal site is generally free of street clutter. In particular, there are no other fixed advertisements on the footway except for unilluminated advertisements displayed on the telephone kiosks which exist on the appeal site. The appeal scheme would result in illuminated advertisement clutter on the public highway where currently there is none. In this context the proposed illuminated advertisements would appear incongruous and harm the visual amenity of the area.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This statutory duty applies in advertisement appeals in so far as it relates to the consideration of amenity. Whilst the site is not within a conservation area, the proposed

advertisements would be within the setting of the Lloyd's Avenue Conservation Area.

6. The proposal would obstruct views into the conservation area, in particular views of the public house on the corner at no 67 Fenchurch Street when travelling east along this road. The proposal would therefore harm the setting of the Lloyd's Avenue Conservation Area and consequently the visual amenity of the area.
7. The Council's decision also identifies harm to views looking out of this conservation area. But I am satisfied the proposal would be far enough away for the proposal to appear insignificant in views when looking out of the conservation area.
8. My attention has been drawn to Policies CS10, DM10.6, CS12 and DM12.1 of the Local Plan and Policy 7.8 of the London Plan. Together, these seek a high standard of design, the conservation or enhancement of heritage assets and their settings, resist inappropriate illumination, and that advertisements respect the restrained character of the City. I have taken these policies into account as they are material to this case. As I have concluded that the proposal would harm the visual amenity of the area, the proposal conflicts with these policies.
9. I appreciate the proposal may present benefits to the community including less footway taken up by the proposal compared to the existing telephone kiosks. But under the above regulations the relevant considerations are amenity and public safety and on the basis of the information provided I am not satisfied the benefits in this case are relevant to either or that if they are that my overall conclusion would change.
10. I appreciate the proposal may present benefits to the community including less footway taken up by the proposal compared to the existing telephone kiosks. But under the above regulations the relevant considerations are amenity and public safety and the benefits relevant to these considerations do not change my overall conclusion in this case.

Conclusion

11. For the reasons given above the appeal is dismissed.

L Perkins

INSPECTOR