
Appeal Decision

Site visit made on 30 January 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2020

Appeal Ref: APP/X5990/Z/19/3240608
14 John Prince's Street, London W1G 0JS

- 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 Mr Garo Avakian of Capital Golf London Limited against the decision of City of Westminster Council.
 - The application Ref 19/07272/ADV, dated 19 September 2019, was refused by notice dated 25 October 2019.
 - The advertisement proposed is an internally illuminated fascia lettering and projecting signage to both John Prince's Street elevation and Margaret Street elevation of commercial premises.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development set out above has been taken from the planning application form. Nevertheless, the appellant has confirmed within their appeal submissions that the Council granted express advertisement consent for the proposed fascia signage¹. As such, the scheme before me and the dispute between the main parties revolves around the proposed projecting signs which the Council refused permission for the reasons set out on the decision notice. I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect that the proposed projecting signs would have on visual amenity and, thus, the character and appearance of the building, and the surrounding area, having regard to the Grade II listed buildings at 1 and 1a Cavendish Square, the Regent Street Conservation Area (RSCA) and the nearby Harley Street Conservation Area (HSCA).

Reasons

4. The appeal site relates to a five-storey building situated at the junction of John Prince's Street and Margaret Street within the RSCA. The ground floors of properties within the RSCA are generally used for commercial purposes, but the exterior of buildings display a strong sense of uniformity and architectural detail. The site is also within the setting of the HSCA as the south-eastern boundary of the HSCA is immediately opposite the site. The HSCA has a distinctive pattern of land use, much of which displays its original residential character dominated by terraces. Both conservation areas are busy with large

¹ Council Ref: 19/08126/ADV

numbers of passing vehicles and pedestrians. The proposed advertisements would relate to the retail use occupying the ground and basement floors of the building, which is in a prominent location due to the alignment of nearby roads which also enables views of the site from Oxford Street and Cavendish Square. Opposite the site is the three storey Grade II listed buildings at Nos 1 and 1a with their uncomplicated form and pleasant architectural detailing.

5. The projecting signs would be of an identical size to one another and internally illuminated by bright white LED's, with a maximum brightness of 300 cd/m² at night. Due to the proposed siting of each sign, the adverts would principally be visible along John Prince's Street, Margaret Street and from the southern part of Cavendish Square. That said, the design of the proposed adverts would not harm visual amenity or lead to clutter. I note the appellant's point about the proposed projecting signs being of an acceptable amount of prominence, but the bulk of the adverts, which is driven by the internal means of illumination, would harm the visual amenity of the area and would not therefore preserve the setting of the listed buildings, the RSCA and the HSCA.
6. I observed during my site visit a variety of other advertisements, including those at 34 to 36 Margaret Street and 37 to 38 Margaret Street. However, I understand that the projecting sign installed at Nos 37 to 38 is of a greater depth than that approved², which was of a slim profile. The profile of the internally illuminated projecting sign granted permission³ at 15 John Prince's Street is also slimmer than that of the appeal scheme. Aside to the profile of each of the signs, the site's corner location also means that these examples are not directly comparable to the appeal scheme, even if the other dimensions of the adverts referred to are greater than those of the proposed signs. I also understand, based on the evidence before me, that the adverts at Nos 34 to 36 do not benefit from permission.
7. In refusing permission, the Council referred to policies S25 and S28 of Westminster's City Plan and saved policies DES 1, DES 8, DES 9 (F) and DES 10 (D) of the Unitary Development Plan. They seek signs and advertisements to be well designed to minimise visual impact, taking into account local character so that development respects and conserves heritage assets such as listed buildings and conservation areas with planning permission not normally being granted for internally illuminated box fascia or projecting signs. I have also had regard to the Council's Advertisement Design Guidelines. These are all material in the consideration in this case. For the reasons set out above, I conclude that the proposed signs would not be acceptable in terms of the visual amenity, and thus, the character and appearance of the building, and the surrounding area, having regard to the listed buildings, the RSCA and the HSCA. Therefore, the proposal conflicts with the above policies and guidance.

Conclusion

8. For the reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR

² Council Ref: 19/02556/ADV

³ Council Ref: 18/00649/ADV