

Appeal Decision

Site visit made on 30 November 2021 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2021

Appeal Ref: APP/Y5420/Z/21/3282114

448-454 High Road, Tottenham, London N17 9JD

- 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 City Gaming Ltd against the decision of the London Borough of Haringey.
 - The application Ref HGY/2021/1781, dated 1 June 2021, was refused by notice dated 28 July 2021.
 - The advertisement proposed is internally illuminated lettering, 1no. internally illuminated projecting sign, applied vinyl lettering and 3no. digital screens.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (as amended) require decisions to be made only in the interests of amenity and, where applicable, public safety. Due to the nature of the advertisements, and the siting, it does not adversely affect public safety. A recommendation is therefore put forth with regard only to the visual amenity of the proposed advertisements, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.
4. The proposed advertisements have already been installed. The appeal will therefore be considered with regard to its retrospective status.

Main Issue

5. The main issue is the effect of the advertisements on the amenity of the area including whether they preserve or enhances the character or appearance of the Bruce Grove Conservation Area.

Reasons for the Recommendation

6. The Planning Practice Guidance sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy

Framework sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

7. The site is within the Bruce Grove Conservation Area (CA). The area is generally characterised by ground-floor commercial premises, with residential use above. The two floors above the appeal site are historically characterful and contribute positively to the CA.
8. The materials, colours, and design of the advertisements relate poorly to the rest of the building above it, and the illumination of the signs exacerbates their prominence and effect. As a result, there is harm to the character and appearance of the CA.
9. The Bruce Grove Conservation Area Appraisal and Management Plan (MP) provides guidance relating to shop front design. It suggests that the materials, colours, and design for all signage should complement the historic character of the building and area. The advertisements do not adhere to the MP guidance.
10. Although not determinative, Policy SP12 of Haringey's Local Plan Strategic Policies 2013 – 2026 (March 2013) seeks to ensure the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment. Policy DM8 of the Development Management DPD (DPD) seeks to ensure signage does not adversely impact the character or appearance of a conservation area. Policy DM9 of the DPD seeks to ensure proposals are assessed against the significance of a designated or non-designated heritage asset and its setting. Policy D8 of the London Plan (March 2021) (LP) states that the lighting for advertisements should be carefully considered and well-designed. For the reasons above, the advertisements do not adhere to the aims of these Policies. Policy DM1 of the DPD and Policy HC1 of the LP do not directly relate to advertisements. However, the advertisements do not adhere to their overarching objectives.
11. There are instances of advertisements in the area that maintain a degree of illumination. Most of these advertisements are designed differently to the proposal, or directly relate to buildings of a different character. The overall design of the shopfront, including the advertisement, at 491 High Road maintains a more modest appearance and relates more appropriately to the rest of the building above it and the surrounding area. Illuminated advertisements of the design proposed do, in any case, result in unacceptable cumulative harm to the character and appearance of the CA.
12. For these reasons, the proposed advertisements harm visual amenity and fails to preserve or enhance the character or appearance of the Bruce Grove Conservation Area and is contrary to the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

13. Even if the advertisements are associated with a scheme which could be seen to represent an improvement of the site, it is not necessary for them to cause harm to the character or appearance of the CA, and an appropriate alternative could be achieved. Similarly, supporting economic growth, and the viable operation of the site is not dependant on advertisements which causes harm, as this could be achieved by other means. These factors therefore together hold minimal weight which does not outweigh the harm identified.

Conclusion and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR