



Appeal Decision

Site visit made on 11 February 2022 by M Long

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2022

Appeal Ref: APP/Y5420/Z/21/3286849

Advertising Display, Land at Penniston Close/Downhills Way, Noel Park, West Green, London N17 6AW

- 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 Richard Page (Wildstone) against the decision of The London Borough of Haringey.
 - The application Ref HGY/2021/2361, dated 22 June 2021, was refused by notice dated 27 September 2021.
 - The advertisement proposed is the upgrade and conversion of the existing advertising display to a digital advertising display.
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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 Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.
4. The Planning Practice Guidance (PPG) 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 Framework sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

Main Issue

5. The Council has concluded that the advertisement would be acceptable in terms of public safety, and I have no reason to disagree. Therefore, the main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

6. The appeal site is located on the western side of Downhills Way, close to the junction with Lordship Lane. The nearby section of Lordship Lane has a largely commercial character with a high volume of traffic and pedestrians, whereas

Downhills Way is predominantly residential in character. The site relates to an existing 48-sheet non-digital advertisement and landscaping, the display is positioned in front of a residential building and orientated towards those approaching from the east. The character of advertising in this area is varied, there are a limited number of advertisements within the Downhills Way streetscene, however the Lordship Lane area contains a significant amount of signage associated with the commercial premises. I noted a small number of large-scale advertisements along Lordship Lane, including a high-level digital display at its junction with Tintern Road. However, digital advertisements are not so numerous that they form a significant part of the character of the area.

7. The proposal would replace the existing advertisement with a similarly sized digital display that would be capable of showing changing static images at regular time intervals. The proposed display would occupy a similar position and orientation to the existing advertisement. The proposal also incorporates hard and soft landscaping that would include vegetation, screening and biodiversity improvements.
8. While the screen would have a similar size and position to the existing display, as well as technology to adapt the illumination to local ambient conditions, the proposal would differ significantly by virtue of its digital illumination and capability to display changing images. Even if the changes are featureless by design and near instantaneous, the regular changes of up to once every 10 seconds would attract substantial attention from those passing and would draw the eye to a greater degree than the existing display. Due to its location in the transition between commercial and residential areas, the display would appear overly prominent and conspicuous in the Downhills Way streetscene, particularly when viewed in the context of the surrounding residential dwellings. The overtly commercial nature of the illuminated and alternating display would be unsympathetic when set against that domestic backdrop. Overall, the proposed digital design would be out of keeping with the general character of advertising at this location to the detriment of the visual amenity of the area.
9. The proposed hard and soft landscaping would offer improvements to local biodiversity and visual amenity. However, due to the restricted space the ability of any planting scheme to offer significant mitigation would be limited and low level planning would not mitigate against views of the display. Consequently, these benefits would not outweigh the substantial harm identified to the visual amenity of the area arising from the display's prominent digital design as identified above.
10. Given the above, the proposal would result in harm to the visual amenity of the area. As such, it would be contrary to Policy DM3 of the Development Management DPD, adopted July 2017, which seeks to ensure that advertisements are sensitive to their visual appearance in the surrounding streetscene. The Council has also referred to Policy SP11 of the Haringey Local Plan 2017 and The London Plan 2021, however, documents pertaining to these policies were not provided, nor does the Officer Report expand on this matter. Nevertheless, given the findings above and harm identified to the visual amenity of the area, these policies are not central in determining this case.

Recommendation

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

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR