



Appeal Decision

Site visit made on 29 August 2022

by L Hughes, BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/N5090/Z/21/3287036

Outside 17 - 18 Central Mansions, Watford Way, London, NW4 3AB

- 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 Ms Bella Noakes of British Telecommunications Plc against the decision of London Borough of Barnet.
 - The application Ref 21/1145/ADV, dated 22 February 2021, was refused by notice dated 22 September 2021.
 - The advertisement proposed is two digital 75 inch LCD display screens, one on each side of the InLink unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form description, Decision Notice, and appeal form refer to an InLink Unit, whereas the appellant's appeal statement explains that the InLink product is no longer commercially available. Its proposed replacement is termed a 'Street Hub'. However, the use of the two names appear interchangeable in the various evidence submitted, including within the officer's report. Therefore while I do not consider that any interests will be compromised by retaining the original description in the header above, for clarity I shall use the term Street Hub in my discussion.

Main Issue

3. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

Visual amenity

4. The site lies directly outside Hendon Central Underground Station within the Hendon Town Centre, which has a pleasantly cohesive backdrop of terraced architectural form and features, with commercial units at ground floor and residential flats above. The whole centre is bisected by a very busy and wide road junction, with a pedestrian underground crossing taking up space for ramps, steps, and railings. The appeal site is located between one of these ramps and the station entrance, with a relatively large amount of street furniture within the small public space area enclosed in this area. Illuminated advertising is confined to building frontages. While not all the street furniture is

shown on the submitted plans I am content that my site visit allowed for sufficient consideration.

5. Despite the somewhat clustered effect of the street furniture in this location, including the more informal café spill out spaces, each piece is relatively slim or low level. This does allow generally for views through the space and for the focus to remain to a certain extent on the attractive architectural features of the station entrance, including its columns. The 3 existing phone boxes are the main blockages to these views, in part due to the head height advertising on some of the facades.
6. The proposal is to replace the 2 conjoined phone boxes with a Street Hub unit, which hosts a digital advertisement on either side. I accept that comparatively there would be overall less massing, and that the Street Hub would be sited at the back of the pavement in line with other furniture, including a somewhat similar sized wayfinding totem and the remaining phone box. However, the new advertisements would be of an alien character compared to the remainder of the street furniture and facade advertising on the commercial units, would be wider than the existing phone box advertisements, and crucially would be digital and illuminated both day and night. For these reasons, they would be unduly obtrusive and prominent within the streetscene, and thus would cause harm to visual amenity.
7. The appellant highlights as a key material consideration that there is an extant permission for a very similar proposal. However, I have not seen details of the scale of any advertising within that InLink unit to allow a full comparison. Notwithstanding the details, the appellant's own evidence also states that the unit type which previously gained consent has not been commercially available since 2019. I therefore give this fallback position very little weight, and have based my decision on the current circumstances of the streetscene and its character.
8. In addition, I have considered the evidence suggesting an improved visual appearance overall due to the reduced footprint and modern appearance compared to the existing phone box, but do not agree that the addition of digital display screens to the streetscene in this specific location is an improvement. The appellant also suggests the proposal would not be visually incongruous due to the presence of other existing advertisements in close proximity including on bus stops along this street and surrounding streets. However, any such examples are not directly comparable as they do not reflect the specific visual context of the appeal site, and the positioning of other street furniture and lack of existing advertisements.
9. I have taken into account Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012), Barnet Design Guidance Note 1: Advertising and Signs (1993), Policy D8 of the London Plan (2021), and the National Planning Policy Framework, which are material in this case. This is because they collectively seek to protect Barnet's character, amenity, and visual quality, and for proposals to respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets, as well as minimising intrusive lighting and ensuring the public realm is related to the local and historic context. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Other Matters

10. The Appellant presents several upgraded electronic communications infrastructure benefits in support, including free wi-fi and charging, and display of community messaging. However, this appeal is only for the advertisements, and not for their host unit which I understand is the subject of a separate refused application. The Regulations state that advertisements should be subject to control only in the interests of amenity and public safety. Alongside the National Planning Policy Framework and the Planning Practice Guidance, there is no indication that any of these suggested benefits can be taken into account and so I have not considered them within my decision. I note that both parties agreed that public safety was not affected by the proposal.

Conclusion

11. For the reasons given above I conclude that the display of the two digital 75 inch LCD display screens, one on each side of the InLink unit, would be detrimental to the interests of visual amenity, and therefore the appeal should be dismissed.

L Hughes

INSPECTOR