



Appeal Decision

Site visit made on 1 November 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2022

Appeal Ref: APP/X5990/Z/22/3299367

Apartment 70, Brick Apartments, 7D Woodfield Road, London W9 2EF

- 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 Peter Bennison against the decision of the Council of the City of Westminster Council.
 - The application Ref 21/07938/ADV, dated 18 November 2021, was refused by notice dated 25 March 2022.
 - The advertisements proposed are fabric banners apartment sales signs fixed to apartment balcony balustrades on 8th - 11th floors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has drawn my attention to Policies 38 and 43 of the City of Westminster City Plan 2019 – 2040 (April 2021) (the City Plan) which it considers relevant to this appeal, and I have taken them into account where relevant. However, the powers to control advertisements under the Regulations¹ may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance reiterate this approach.
3. The proposed advertisements were not in place at time of my visit.

Main Issue

4. The effect of the proposal on the visual amenity of the area.

Reasons

5. The appeal building is of a substantial scale and is the tallest in the immediate locality. It is therefore visible from numerous points and is a dominant feature in the skyline. Advertisement consent is sought for the display of 8 non-illuminated banner advertisements; 4 on the west elevation and 4 on the south elevation, all of which would be fixed to upper floor balconies.
6. The proposal would result in a proliferation of large, prominent advertisements on the host building. By virtue of the total amount, their high-level positioning and large design, they would be readily apparent from far-reaching vantage points. The proposed advertisements would appear as intrusive and

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

unsympathetic features which would contrast sharply with the distinct lack of advertisements in this locality and thus would fail to assimilate with the area's modest character. The temporary nature of the proposal would fail to overcome these concerns.

7. The appellant has indicated that the proposal would assist in the marketing of units within the host building, albeit I note this was a considerable time ago. Nevertheless, I am not convinced that the proposed advertisements would be the only marketing option available thus I afford this matter limited weight.
8. Accordingly, this proposal would result in unacceptable harm to the visual amenity of the area. It would be contrary to the aim of Policies 38 and 43 of the City Plan which, although not decisive, seek to ensure that advertisements make a positive contribution to the townscape and streetscape.

Conclusion

9. Having regard to the above, and all other matters raised, the appeal should be dismissed.

H Ellison

INSPECTOR