



Appeal Decision

Site visit made on 13 September 2022 by A Humphries BSc (Hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2022

Appeal Ref: APP/G5180/Z/21/3286766

Land to the East of 23 Westmoreland Place High Street, Bromley, Grid Reference Easting 540390, Grid Reference Northing 168648

- 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 on behalf of British Telecom Plc against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/02637/ADV, dated 11 May 2021, was refused by notice dated 16 September 2021.
 - The advertisement proposed is two digital 75 inch LCD display screen, one on each side of the amended InLink unit.
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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.

Preliminary Matters

3. The address on the application form only provided a grid reference and therefore in the interests of clarity the site address above has been taken from the appeal form, which is also replicated on the Council's decision notice. The postcode, however, was omitted from the appeal form and the Council's decision notice. The grid reference from the application form has therefore been included in the above.
4. The proposed advertisement would be installed and displayed on a BT Street Hub. The installation of the BT Street Hub structure was sought under a separate planning application. The Council's delegated report presented before me indicates that this planning application was refused. From the information before me, no appeal has been made in relation to that refusal and this appeal relates solely to the proposed advertisement.
5. In assessing the proposed advertisement from an amenity perspective, it is difficult to disassociate the advertisement from its proposed housing. No other way of supporting the advertisement has been shown on the drawings and, without the associated housing, the proposed advertisement could not exist in isolation. Thus, whilst this decision relates solely to the proposed advertisement and makes no comment on the planning merits of the BT Street

Hub, I have taken account of the nature of the proposed housing as part of the context of assessing the visual amenity of the proposed advertisement.

Main Issue

6. The National Planning Policy Framework 2021 (the Framework) sets out that advertisements should be subject to control with regard to amenity and public safety, taking account of cumulative impacts. I note that the Council has not raised any issues regarding public safety. On the basis of there being no evidence to the contrary and observations made during the site visit, I see no reason to disagree.
7. The main issue is therefore the effect of the proposed advertisement on amenity, with regard to the character of the area.

Reasons for the Recommendation

8. The appeal site is located on a pedestrian footway located in an area immediately surrounded by mixed commercial uses, including a public house, restaurant and offices. Near to the appeal site on the pedestrian footway is a planted area, art installation, lamp post, a parking sign, two BT Phone Boxes, along with 'A' frame poster signs and fascia signs in the wider area.
9. The Framework recognises that poorly sited advertisements can adversely impact the quality and character of places. The proposed advertisement would add additional visual clutter to the locality given its proximity to poster advertisements on the BT Phone Boxes and the other street furniture and advertisements described above. Owing to the size and position on the pedestrian throughfare near to the existing BT Phone Boxes with poster advertisements, the proposed advertisement would be a dominant and visually intrusive feature that would be harmful to the character and appearance of the immediate locality. Although the level of illumination could be controlled by condition, this would not overcome my concerns relating to the visual impact and additional clutter.
10. For the reasons above, the proposed advertisement would cause harm to the amenity due to the unacceptable effect on the character of the area. The Council has drawn my attention to policies 37 and 102 of the Bromley Local Plan (2019). Collectively, these policies seek development proposals to have regard to the character of the area and positively contribute to the street scene. Whilst not determinative, I have taken these policies into account in so far as the policy is a material consideration and I find that the proposed advertisement would be contrary to these policies.

Other Matters

11. I have had regard to the appellant's contention that the proposed advertisement would provide public benefits and improve public realm, including free Council, emergency and community advertising, maps and wayfinding, public messaging capabilities, and a platform for future technologies such as environmental sensors. The Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety and I am not satisfied that the suggested benefits are relevant to those considerations. In addition, I am not persuaded that these are public benefits that are associated specifically with the proposed

advertisement itself and, in any event, no mechanism for securing some of the benefits such as free community advertising has been provided.

Conclusion and Recommendation

12. For the reasons given above, I conclude that the display of the proposed advertisement would be detrimental to the interests of amenity. Having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Humphries

APPEAL PLANNING OFFICER

Inspector's Decision

13. 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