



Appeal Decision

Site visit made on 21 October 2022

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2022

Appeal Ref: APP/G5180/Z/22/3294286

**Footway Outside 13 Chatsworth Parade, Queensway, Petts Wood, Bromley
BR5 1DF. Grid Ref: Easting(x) 544314, Northing(y) 167605**

- 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 British Telecommunication PLC against the decision of the London Borough of Bromley Council.
 - The application Ref DC/21/02636/ADV, dated 11 May 2021, was refused by notice dated 7 January 2022.
 - The advertisement proposed is two digital 75 inch LCD display screen, one on each side of the amended InLink unit.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity I have used the address of the property adjacent to the footway on which the proposal is located, along with the Ordnance Survey National Grid References used for the address on the planning application form.
3. The documents submitted for the purposes of this appeal indicate that a separate planning application to install an 'InLink' unit was made and subsequently refused by the Council¹. Only the advertisement consent is before me, therefore, this appeal relates solely to the proposed advertisements. The determination of whether planning permission be granted for the 'InLink' unit requires separate consideration.

Main Issue

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised only 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.
5. From my reading of the material submitted for the purposes of this appeal the main issue is the effect of the proposal on the visual amenity of the area.

¹ Planning ref: 21/02590/FULL1

Reasons

6. The appeal site comprises an area of footway outside 13 Chatsworth Parade, in front of retail units in an area, which, on my weekday morning visit appeared to be a thriving local retail frontage associated with the railway station located in a wider quiet residential suburb.
7. The appeal relates to the proposal for 2 LCD display screens that would be positioned on either side of an amended 'InLink' unit. From my site visit it was apparent that no InLink unit has been installed at this location.².
8. Several items of street furniture are present near the site, including brick built planters with mature planting and a pole mounted local coat of arms, litter bins and bench seating. Along with small street trees and bus shelters, these are the main features of the local streetscape, which is generally restrained and uncluttered. The advertising and fascia signage on nearby retail units is generally visually restrained and unobtrusive.
9. The proposed adverting screens would be located prominently, approximately 0.8 metres from the kerb edge and would be highly visible to both pedestrians and vehicular traffic. Whilst these types of advertisements are becoming more common in streetscapes in the UK, there does not appear to be any similar LCD advertising screens in the local area.
10. The proposed LCD advertising screens would present illuminated static advertisements that the appellant indicates would change virtually instantly every 10 seconds. It is further proposed that the illuminance of these screens would reduce at night. The proposed digital advertising screens would have the potential to have its luminance controlled, which could be controlled by conditions that would ensure that the luminance remains within accepted guidelines.
11. However, notwithstanding this ability to control the level of illumination and change of advertisements, the advertising and fascia signage on nearby retail units is generally visually restrained and mostly unobtrusive. While there are numerous other advertisements in the area, these are smaller in scale and/or not illuminated. They are also generally related to the use of the premises on which they are sited.
12. Within this context the size and positioning of the proposed advertising screens would result in them appearing as unduly prominent and incongruous. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating their visual prominence and would be visually dominating in the context of the local street scene. The proposal would, therefore, stand in stark contrast to the existing established character and appearance of the local area.
13. For these reasons I find that the proposal would result in significant harm to the character and appearance of the local area and, therefore, harm to visual amenity. This would be contrary to policies 37 and 102 of the Bromley Local Plan (2019), policy D8 of the London Plan (2021) and paragraph 136 of the National Planning Policy Framework (2021) which collectively seek to ensure the

² Planning Ref: 21/02590/FULL1

quality and character of places, including public realm, and that advertisements have regard to the character of an area and its visual amenity.

14. The appellant has drawn to my attention the benefits of the proposal including community noticeboard, free advertising for the Council and discounted advertising for local businesses. The social benefits indicated for community, charity or council messages are possible but not, however, definite. The economic benefit of a potential increase in business rates are also only potential benefits rather than definite. As these benefits are, at best, marginal and limited, I have only afforded them little weight in my considerations.

Planning Balance and Conclusion

15. Whilst the proposal has limited public benefits, as set out above, I find that these do not outweigh the significant harm to the visual amenity of the area that I have identified. Accordingly, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR