



Appeal Decision

Site visit made on 22 May 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2023

Appeal Ref: APP/X5990/Z/22/3313213

32 Gerrard Street, City of Westminster, London W1D 6JA

- 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 Silvertime Amusements Limited against the decision of City of Westminster Council.
 - The application Ref 22/06591/ADV, dated 30 September 2022, was refused by notice dated 26 October 2022.
 - The advertisements proposed comprise various illuminated fascia signs and a projecting sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of various illuminated fascia signs and a projecting sign in accordance with the terms of the application. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. I understand that the 4 x fascia signs and 1 x other type of advertisement, described as a LED screen, applied for under application Ref 22/06591/ADV and subject to this appeal have been approved by the Council under application Refs: 22/06589/ADV and 22/06590/ADV and that the only advertisement in dispute is the projecting sign. Nonetheless, the Decision Notice only refuses consent for the projecting sign and does not explicitly grant consent for the 4 x fascia signs and 1 x other type of advertisement that form part of application Ref 22/06591/ADV, which is subject of this appeal. I must determine the proposal before me, which includes these advertisements in addition to the projecting sign.
3. I saw on site that the 4 x fascia signs, projecting sign and LED screen have been erected. From my observations the signs appeared to reflect the submitted plans and descriptions set out in the application form. I am therefore considering this appeal retrospectively.

Main Issues

4. The main issue is the effect of the advertisements on the amenity of the area.

Reasons

5. The appeal property is located on Gerrard Street within the Chinatown Conservation Area (CTCA). I have therefore approached this appeal in the context of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in so far as it relates to my consideration of amenity. This

- requires special attention be paid to the desirability of preserving or enhancing the character and appearance of the conservation area.
6. Gerrard Street is one of the principal roads in Chinatown. It comprises largely of Chinese and East Asian restaurants and businesses. The street is pedestrianised, and it has a significant number of pedestrians movements across the day, which creates a large degree of vibrancy. The CTCA has a historic street pattern and townscape that relate to the wider area. However, it has a unique character and appearance, which derives from its uses and comprises ornament, bright colour, and Chinese characters.
 7. I saw on my site visit that there are a wide variety of advertisements within the CTCA, particularly along Gerrard Street, including fascia signs, window signs, barriers, awnings, projecting signs and other advertisements. These advertisements differ in their size, composition, colour, materials, and illumination. However, most of the businesses include an advertisement using Chinese characters.
 8. The significance of the CTCA is the architectural value of the buildings and how they relate to the evolution of the area, as well as its exuberant character and the distinctiveness of its appearance, which stems largely from the restaurants and businesses and their vibrant frontages. Of particular importance to this appeal is the abundance and diversity of the shop fronts and advertisements that add positively to the character of the area.
 9. The appeal property is located about halfway along Gerrard Street opposite Macclesfield Street. It has a relatively wide front façade and is prominent in views from Macclesfield Street, albeit street trees partly restrict these views. It forms part of a much larger building that includes the China Exchange, which also has a ground floor frontage on to Gerrard Street.
 10. The fascia signs are located within the window arches of the appeal property, while the LED screen is within one of the openings below. The signs appeared to be of a high quality. They are coloured a vibrant red and blue, which are colours that are already used within the CTCA and one of the fascia signs uses Chinese characters. The size and composition of the advertisements reflect the features of the building's façade. As a result, they integrate well with the host building, are in keeping with the street scene and preserve the significance of the CTCA.
 11. The projecting sign is a similar size and shape to other projecting signs on Gerrard Street and does not appear excessively wide. I note that the City of Westminster Shopfront, Blinds and Signs – A Guide to their Design (2004) advises that projecting box signs are generally inappropriate in historic streets and that the most appropriate form of illumination is external illumination in the form of picture-lighting. However, projecting box signs and internal illumination are not uncommon types and features of signage along Gerrard Street and add to the diversity of advertisements within the CTCA.
 12. The projecting sign has a relatively simple form that relates well to the character and scale of the host building. It also appeared to be of a high quality and uses the same style and red and blue colour palette as the fascia signs. Given the position and size of the projecting sign, the type of internal illumination described is unlikely to make the sign overly prominent during the hours of dark. Most of the advertisements along Gerrard Street and within the

CTCA are illuminated, some internally, and there is no substantive evidence before me that the internal illumination of the projecting sign would make it more prominent than these other advertisements. Moreover, this type of illumination would be similar to the internal illumination of the associated fascia signs.

13. There is only one projecting sign on the front façade of the appeal property. Also, the neighbouring frontage of the China Exchange, which is a similar width to the appeal property, is relatively blank and understated with just one small fascia sign and no projecting signs. Given this, the section of the CTCA where the appeal building is located is less visually cluttered than other parts of the CTCA, particularly in terms of advertisements. Therefore, despite there being some additional street furniture in this part of the CTCA, including a telephone box and statue, the projecting sign does not add detrimentally to the visual clutter. Rather it assimilates well with the variety of advertisements along Gerrard Street that add to the vibrant character and appearance of the CTCA.
14. Accordingly, for the reasons above, I find that the proposal would preserve the significance of the CTCA and therefore would not harm the amenity of the area. Part G of Policy 43 of the Westminster City Plan (2021) (City Plan) deals specifically with signs and advertisements and is therefore material in this case. While policies 38 and 39 of the City Plan do not relate directly to advertisements, they seek to protect amenity and are therefore also material. Given my findings on the main issue, the proposal would be in accordance with these policies.

Other Matters

15. The proposal is located within a pedestrian zone with very few vehicle movements. Given this, and the amount of similar signage along Gerrard Street, it is very unlikely that the proposal would affect public safety.
16. I note in the appellant's statement there is a request for confirmation that the condition associated with application Ref: 22/06589/ADV, relating to the projecting sign, is overridden, superseded or otherwise nullified were this appeal to be allowed. However, given the condition does not relate to the application subject of this appeal, it is a matter that would need to be addressed separately between the appellant and the Council.

Conclusion

17. For the reasons given above, I conclude that the appeal should be allowed. In doing so, I note that no non-standard conditions have been proposed and I consider that none are necessary.

Hannah Guest

INSPECTOR