



Appeal Decision

Site visit made on 19 April 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2023

Appeal Ref: APP/X5990/Z/22/3313111

Park Lane Casino, Park Lane, City of Westminster, London W1K 1BE

- 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 Metropolitan Gaming against the decision of City of Westminster Council.
 - The application Ref 22/07569/ADV, dated 8 November 2022, was refused by notice dated 7 December 2022.
 - The advertisement proposed is new signage lettering on the Park Lane and Hertford Street elevations.
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Decision

1. The appeal is allowed and express consent is granted for the display of new signage lettering on the Park Lane and Hertford Street elevations. 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.

Preliminary Matters

2. The appeal site lies within the Mayfair Conservation Area (the CA). Accordingly, the statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.

Main Issue

3. The relevant Regulations, the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the PPG) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety. There is no dispute between the parties relating to the effect on public safety and I see no reason to come to a different conclusion.
4. Given this, I consider the main issue is the effect of the proposal on the amenity of the area and whether it would preserve or enhance the character or appearance of the CA.

Reasons

5. The appeal site forms part of the Hilton Park Lane Hotel building, located near the southern end of Park Lane and close to Hyde Park Corner.
6. The site lies on the edge of the CA and faces towards the busy thoroughfare of Park Lane. In this sense, the significance of this part of the CA derives from the dominant and varied building form flanking Park Lane to the east, formed

predominantly of commercial uses comprising upmarket establishments and hotels with their associated signage. This gives way to a more open and verdant environment to the west, including the heavily planted central reservations along Park Lane and Hyde Park beyond.

7. The hotel building is a prominent high-rise landmark that is visible from much of the surrounding area. The taller part of the building sits atop a base structure comprising the lower floors, which covers a larger footprint extending to the edges of the adjacent streets. It is to this base that the advertisements are proposed.
8. The proposal would comprise two signs to spell out 'Metropolitan Casino' on the southwest corner of the building, on the elevations facing Park Lane and Hertford Street. The signs would comprise of lettering mounted on rails to carry wiring.
9. The Council has referred to the signage being internally illuminated. The submitted details show the lettering would only be illuminated to the side. Whilst this may technically comprise internal illumination, the front face would not be illuminated in the sense that would generally be expected of an internally illuminated sign. Instead, the installation would have the appearance of 'halo' illumination.
10. The signage would sit towards the top of the base structure comprising the lower floors of the building, raised above the surrounding streetscape. The high-rise part of the hotel is illuminated during hours of darkness, and the proposed signage would also sit close to large areas of glazing and an external terrace forming part of the hotel and its associated operations, with the likelihood being that these areas would be active and illuminated into the evening. Whilst the elevated position of the signage would give it a certain prominence, it would be a relatively discrete addition to the building elevations in the context of the existing surroundings. Furthermore, during daylight hours the colour of the proposed signage would assimilate well with the adjacent window frames and balustrading on the building.
11. Although there is currently signage on the ground floor of the building below the location of the proposal, this relates to a different operation and is well separated from the proposed signage, appearing distinct from what is proposed. Accordingly, I do not find this would lead to an overly cluttered appearance.
12. For the above reasons, the proposed advertisements would be appropriate to the location and would not harm the amenity of the area. The proposals would have a neutral effect on the significance of the CA and would therefore preserve its character and appearance.
13. I have taken account of Policies 38, 39 and 43(G) of the City of Westminster City Plan 2019-2040 (Adopted April 2021). These policies are material in this case and seek, among other objectives, to positively contribute to the townscape and streetscape, to ensure heritage assets and their settings are conserved and enhanced in a manner appropriate to their significance, and to ensure signs and advertisements make a positive contribution to amenity. Given I have concluded that the proposal would not harm amenity, there is no conflict with these policies.

Conclusion

14. For the reasons given above, and subject to the conditions prescribed in paragraph 1 of this decision, I conclude that the proposed display of advertisements subject to this appeal would not be harmful to the amenity of the area and would preserve the character and appearance of the CA. Accordingly, the appeal should be allowed.

P Storey

INSPECTOR