



Appeal Decision

Site visit made on 14 July 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2023

Appeal Ref: APP/X5990/Z/23/3316648

354-358 Oxford Street, London W1C 1JJ

- 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 I Ratcliffe against the decision of City of Westminster Council.
 - The application Ref 23/00221/ADV, dated 13 January 2023, was refused by notice dated 27 January 2023.
 - The development proposed is described as signage above doors.
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Decision

1. The appeal is allowed and express consent is granted for the signage above doors as applied for. 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 address of the site was worded differently on the application form. However, the main parties have subsequently confirmed the correct address and therefore I have used that on the banner above. I am satisfied that the site can be clearly identified and neither party has been prejudiced.
3. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council refused the application on amenity grounds only.

Main Issue

4. The main issue is the effect of the advertisement on the amenity of the area, including the Stratford Place Conservation Area (SPCA).

Reasons

5. The appeal site comprises a modern building within a vibrant, active and busy area. It lies within the SPCA where there is a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing its character or appearance. This duty applies in advertisement appeals in so far as it relates to amenity.
6. This part of the SPCA is characterised and derives its significance from a mixed character and appearance, reflecting the pattern of land ownership and the historic development of the area. This includes the stone-faced Oriental Club, Beaux Arts Selfridges department store, 19th century semi-industrial terraces and later interventions.

7. As a vibrant commercial area, advertisement signage of differing styles and sizes feature in the SPCA. These include modest signage and much larger signage such as that on the Selfridges department store.
8. I acknowledge the advertisement would modestly overhang the edge of the fascia. I also note that it would not be central to the building and would cross a brick column. However, it would sit centrally above the two sets of existing doors.
9. The central siting of the advertisement above the doors would be appropriate in framing the entrance to this commercial premises. The design, size and siting of the proposed advertisement would be sympathetic when read against the more modern host building and when compared to the mixed character and appearance of the SPCA.
10. For these reasons, the proposed advertisement would be sensitively designed and would not harm the architectural details of the host building or create visual clutter. It would add appropriate interest and variation to this part of the SPCA in keeping with the amenity of the area.
11. I have considered Policies 38, 39 and 43(G) of the Westminster City Plan 2019 - 2040 (April 2021). These are of relevance insofar as they seek to protect amenity and ensure a high quality of design that positively contributes to amenity, seek to preserve or enhance the character or appearance of conservation areas and set out considerations against which advertisements shall be assessed. Given my findings on the main issue, the proposal would be in accordance with these policies.

Conclusion

12. For the reasons set out above the appeal is allowed.

N Praine

INSPECTOR