



Appeal Decision

Site visit made on 20 September 2023

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2023

Appeal Ref: APP/X5990/Z/23/3324363

89 Charlwood Street, London SW1V 4PB

- 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 Mr Brwa Shwan Hamad (Luxury Barber) against the decision of City of Westminster Council.
 - The application Ref 22/08743/ADV, dated 29 December 2022 was refused by notice dated 26 April 2023.
 - The advertisement proposed is a barber rotating pole made of glass and plastic to be fitted on the wall of the property; barber mobile sign which has hair style photos placed outside the shop.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have utilised those parts of the description from the application form that describe the proposed advertisements.
3. At the time of my visit, there was a rotating barber sign in place on the appeal site although its positioning above the entrance door is different to the appeal scheme before me which shows it would be positioned to the side of the door above a wall light. For clarity, I am determining this appeal based on the submitted plans and details.

Main Issue

4. The main issue is the effect of the advertisements on the amenity of the area, having regard to the effect upon the character and appearance of the Pimlico Conservation Area.

Reasons

5. The appeal site is a three-storey mid-terrace property with further accommodation in the roofspace. It forms part of a terrace that includes a variety of commercial and other uses on the ground floor. The Pimlico Conservation Area (Conservation Area) is characterised by stucco terraced properties. They make use of a limited palette of materials, consistent roof lines and a general uniformity in the design and appearance of windows, that together combine to positively contribute to the significance of the Conservation Area.
6. The proposal includes an illuminated rotating barber sign which is symbolic of this type of use, and this type of advertisement is also present on nearby business premises. However, unlike this and other signage on nearby

properties, the proposed rotating sign would be situated below fascia level and not at the level of other fascia and projecting signage commonly seen in the area. Although the Council has also raised concerns on the internal illumination, given the size of this advertisement, I do not consider that this would be harmful. Nevertheless, the position of the barber sign would appear as a visually jarring addition that would be harmful to the character and appearance of the Conservation Area.

7. The appeal proposal would also include a free-standing banner sign on the forecourt area. This would be taller than nearby railings along the frontage to this terrace row that the appeal site forms part of. Its size and location to the front of the commercial frontage would result in it appearing as an intrusive addition that would be harmful to the Conservation Area.
8. I therefore conclude that the proposed advertisements would have a harmful effect on the visual amenity of the area. They would also fail to preserve the character and appearance of the Conservation Area.
9. I note that the main parties make reference to a number of development plan policies, and the Council to the National Planning Policy Framework. Whilst I have taken them into account as material considerations, the power to control advertisements under the regulations may be exercised only in the interests of public safety and amenity. Consequently, in my determination of this appeal, these matters have not, themselves, been decisive.

Other Matters

10. The appellant has made reference to various advertisements in the area. In relation to projecting signage, the majority of these are sited around fascia height, unlike the rotating barber sign that forms part of this appeal proposal. The referenced examples are not therefore comparable to this advertisement before me. Although reference has been made to the re-positioning of the sign, I am required to determine the appeal on its own merits and can confirm that I have done so.
11. The appellant has set out the need for the proposal to help identify the business and the contribution it would make to the local area. The proposal would not impact any neighbouring occupiers. These matters would not however outweigh the harm that I have identified in relation to the main issue and are in any event, outside the scope of the regulations.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR