



Appeal Decision

Site visit made on 12 April 2024

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

an Inspector appointed by the Secretary of State

Decision date: 30th May 2024

Appeal Ref: APP/X5990/Z/23/3335282

35 Cranbourn Street, City of Westminster, London WC2H 7AD

- 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 Duncalf Ltd against the decision of the City of Westminster Council.
 - The application Ref 23/06050/ADV, dated 1 September 2023, was refused by notice dated 23 October 2023.
 - The advertisement display of four internally illuminated fascia signs measuring 350mm x 2250mm, one non illuminated projecting sign measuring 700mm x 700mm and two internally illuminated projecting signs measuring 850mm x 500mm to Cranbourn Street and St Martin's Court elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the description of the proposal varies between submitted documents, I have used the description from the Council's decision notice, as this is full and accurate description of the advertisements for which consent is sought and has also been used by the appellant in their statement.
3. Subsequent to the decision made by the Council on the application to which this appeal relates, the National Planning Policy Framework has been revised. I have therefore made my decision with regard to the National Planning Policy Framework (December 2023) (the Framework).
4. The appeal advertisements have been installed, the application is therefore retrospective, and I have considered the appeal accordingly.

Main Issue

5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets 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.
6. From my reading of the material submitted for the purposes of this appeal the main issue is the effect of the signs on the appearance of the appeal

building and the character and appearance of the local area, with reference to the Covent Garden Conservation Area (the CA).

Reasons

7. The appeal site forms part of a building with elevations on both Cranbourn Street and St Martin's Court, with Cranbourn Street presenting as the main front elevation and St Martins Court presenting as a plain rear elevation onto a narrow lane that wraps around the sides and rear of the Wyndham Theatre.
8. Above ground level, on both elevations, the building retains its original features and traditional detailing. Both the heavily altered ground floor elevations of the building form part of retail frontages within the CA. The significance of this part of the CA rests in its townscape value as a collection of buildings that contribute to the vibrancy of the wider CA, whose main focus is the Historic Market.
9. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
10. The fascia signage on both of the appeal site's frontages, including the lower level projecting signs are internally illuminated. On the Cranbourn Street frontage the internally illuminated letters of the fascia sign appears as a restrained approach to advertising the service provided and to reflect the degree of illumination found on other retail units on this busy retail frontage. However, on the St Martins Court elevation this same form of internal illumination of letters on the fascia sign does not reflect the externally or non-illuminated signage in this rear pedestrian passageway. As a result, the sign appears as visually dominating and unduly prominent and to not reflect the restrained character of the passageway and this part of the CA.
11. On both frontages of the appeal site, the fully internally illuminated projecting signs at fascia level fail to reflect the restrained illumination of projecting signs on other neighbouring units. This form of illumination does not reflect the externally illuminated or non-illuminated fascia signage on neighbouring retail units. Consequently, these signs appear as unduly prominent and visually dominating. This detracts from the character and appearance of the appeal building and diminishes the contribution that it makes to the character and appearance of the local area and the significance of the CA.
12. Whilst there are internally illuminated projecting signs evident in the wider area, these appear to be of some age. The effect of their undue prominence and dominating presence detracts from the character and appearance of the streetscape and the significance of the CA. Conservation practice and policy develops over time, and this form of full internal illumination does not accord with the guidance for signage set out in the City of Westminster Shopfronts, Blinds and Signs- A Guide to Their Design SPD (2004) (the SPD).
13. The first floor level internally illuminated projecting sign is located above the shop front of the appeal unit and fixed to the building façade at first floor level. Due to its positioning amongst the buildings' original features and traditional detailing, this results in this first floor projecting sign appearing as a discordant addition to the façade of the appeal building, above its shopfront

zone. Similar to the projecting signs at fascia level, this effect is further exacerbated at night due to its internal illumination. As such this advertisement does not accord with design guidance for signage set out in the SPD.

14. Whilst the nearby London Underground projecting signage on Cranbourn Street is internally illuminated and at a similar height to the first floor appeal sign, this does not form part of the signage associated with the retail function of the frontage within which it is set. Rather, it requires due prominence in the context of this busy part of Cranbourn Street, in order to fulfil a vital wayfinding function related to a critical transport network.
15. For these reasons, I find that, when considered as a whole, the appeal advertisements result in substantial harm to the character and appearance of the appeal building and fails to preserve or enhance the character and appearance of the CA. This does not accord with guidance for shop signage set out in the SPD and is contrary to Policies 38,39 and 43(g) of the City Plan 2019-2040 (2021), Policies D8 and HC1 of the London Plan (2021) and Paragraph 141 and Section 16 of the Framework. These collectively seek to ensure the quality and character of buildings and places and that advertisements have regard to the local context and character of an area and its visual amenity, preserving or enhancing the appearance or character of conservation areas.

Planning Balance and Conclusion

16. The appeal signage does result in the benefit of announcing the business to potential customers. However, this can be achieved in other ways, including those seen on neighbouring units, without the harm to the character and appearance of the appeal building, streetscape, and harm to the significance of the CA.
17. Set against the substantial harm to the character and appearance of the appeal building and the less than substantial harm to the character and appearance of the CA that I have identified above, I do not find that the benefits of the proposal outweigh this harm. Therefore, dismissing the appeal is a proportionate response in this instance.

Victor Callister

INSPECTOR