



Appeal Decision

Site visit made on 19 April 2023

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/K5030/Z/24/3338546

**Public Telephone Box near 63 Mansell Street, City of London E1 8AN
(Easting: 533797, Northing: 181031)**

- 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 In Focus Network Limited against the decision of the City of London Council.
 - The application Ref 23/01218/ADVT, dated 8 November 2023, was refused by notice dated 25 January 2024.
 - The advertisement proposed is the installation and display of an internally illuminated advertisement display panel on a telephone kiosk measuring 1.95m high and 1.2m wide at a height above ground level of 0.3m.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the address from the planning application form, corrected to clarify that the appeal site falls within the boundary of the City of London and not the London Borough of Tower Hamlets.
3. As the description of the proposed advertisement varies in documents submitted for the purposes of this appeal, I have used the description from the Council's decision notice, as this is full and accurate and has been used by the appellant in their statement .

Main Issue

4. 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.
5. From my reading of the material submitted for the purposes of this appeal the main issue is the effect of the proposal on the visual amenity of the area.

Reasons

6. The appeal site comprises a telephone kiosk for which planning permission¹ for a replacement has been granted. It is on an area of footway near to 63 Mansell Street. The appeal site is adjacent to an inset in the boundary wall between the Mansell Street Estate and the public highway.
7. Mansell Street forms the boundary between the City of London and Tower Hamlets Council areas. It is a wide north bound one way street for motor vehicles with segregated two way cycle lanes on its east side. It forms part of a wider gyratory system related to Tower Bridge and the river crossing. On my weekday late morning visit the area appeared little used by pedestrians as well as motor vehicles and cyclists. Given the nature of the predominantly business uses in the wider area, I would expect this to get busier at lunch time with pedestrians, and busier for all modes during the morning and afternoon/evening peak travel times.
8. The advertising signage in the immediate local area is minimal and is limited to shop fronts some distance from the appeal site. This lack of advertising signage and limited street furniture in the area produces an uncluttered streetscape, which appears to be a defining characteristic of the City of London, which in Mansell Street is also reflected on the Tower Hamlets side of the street.
9. The proposal would introduce an internally illuminated advertising sign at street level that would be on the south facing side of the replacement kiosk, facing the oncoming vehicular traffic. This would replace an existing non-illuminated paper poster sign attached to the existing kiosk. The proposed advertisement sign would take the form of an LCD screen, which it is indicated would display advertisements that would change every 10 seconds between 6:00am and midnight. It is proposed that the brightness of the LCD screen would automatically adjust to ambient light conditions, ensuring that the luminance remains within accepted guidelines.
10. The proposed advertising LCD screen would stand in isolation of other advertising and shop signage. Within the context of the current streetscape described above, the size and illumination of the proposal would appear to dominate the streetscene. Whilst these types of advertisements are becoming more common in streetscapes in the UK, there does not appear to be any similar LCD advertising screens visible in the local area.
11. The appellant has brought to my attention consents for other similar illuminated advertising screens permitted on appeal in the City of London that are associated with BT Street Hubs. However, from my site visit it was clear that these do not form part of the local visual context of the proposed LCD screen and would have been considered on their own individual merits. Therefore, I have only afforded these moderate weight in my considerations.
12. Notwithstanding this ability to control the level of illumination of static but changing advertisements, the limited nature of advertising signage on Mansell Street would result in the proposed LCD screen appearing as unduly prominent

¹ Planning Ref: 23/01217/FULL

and incongruous. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating their visual prominence and would be visually dominating in the context of the local street scene. The proposal would, therefore, stand in stark contrast to the existing established restrained and uncluttered streetscape of the local area.

13. For the reasons given above, I find that the proposed development would be significantly harmful to the appearance of the local area and detrimental to its visual amenity. This would be contrary to Policies CS10 and DM10.6 of the City of London Local Plan (2015), Policy D8 of the London Plan (2021) and paragraph 141 of the National Planning Policy Framework (2023). These collectively seek to ensure that signs and advertisements respect the restrained character of the City and that advertisements should be carefully considered and well-designed in order to minimise intrusive lighting.
14. The appellant has drawn to my attention the potential benefits of the proposal including emergency and transport messaging, reduced paper waste and energy savings, compared to older illuminated advertisement methodologies. The potential social benefits indicated for emergency and community messages are possible but not, however, definite. The potential environmental benefits are marginal and limited at best, as the existing signage is non-illuminated. I have only afforded these limited weight in my considerations.

Planning Balance and Conclusion

15. Whilst the proposal has limited public benefits, as set out above, I find that these do not outweigh the significant harm to the visual amenity of the area. Accordingly, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR