



Appeal Decision

Site visit made on 2 January 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 10 January 2025

Appeal Ref: APP/X5990/Z/24/3355297

24 Curzon Street, London W1J 7TF

- 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 Jeremy Gee, Beauchamp Estates against the decision of City of Westminster Council.
 - The application Ref 24/05194/ADV, dated 30 July 2024, was refused by notice dated 13 September 2024.
 - The advertisement proposed is the display of one flag and flagpole from first floor balcony measuring 1m by 1.5m.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the flag and flagpole on the visual amenity of the host building and the street scene, including the effect on the character and appearance of the Mayfair Conservation Area (CA).

Reasons

3. The proposal is for the display of a 1m x 1.5m flag from a flagpole projecting out from the first-floor balcony on the front elevation of No 24 Curzon Street, a five storey Georgian end terraced property on the corner of Derby Street in the Mayfair CA. The building, like its neighbours on the southern side of the street, comprises an individual grand house design of high architectural quality with attractive detailing, albeit now in commercial use. Opposite lies the large-scale modern building Leconfield House.
4. The nearby buildings in this section of Curzon Street have a diverse mix of uses including offices, casinos, private clubs and apartments. However, unlike some other Mayfair streets, in the vicinity of the appeal building there are few retail units with large shopfronts and bright fascia signs and the advertisements are restrained, generally brass plaques by doors and simple lettering on the facade such as Leconfield House opposite and William Hill at No 26.
5. Contrary to the views of the appellant, projecting flags are not a subtle or discreet form of advertising, being brightly coloured, moving in the breeze and seen for some distance along the street. Whilst common in some parts of Mayfair, they are scarce on Curzon Street, with the only flags on display during the site visit being the national flags of Egypt on the bureau building on the corner of Chesterfield Gardens and Malaysia on the trade building at No 17.

National flags seem to be a tradition on embassies and their related buildings. However, in respect of normal commercial buildings, the end of the flagpole next door to the appeal building at No 25 is broken off and unused whilst that at No 30 is unused at present as the last occupier, Crockfords, has moved out.

6. There is no evidence that any flags have actually been approved along Curzon Street. The proposal would amount to additional street clutter, detracting from the attractive architectural character of the building concerned and the street scene as a whole. The flag would distract attention from the rich diversity of decorative features on the building and its neighbours, some listed, thus reducing their appreciation by passers-by and causing incremental harm to the character and appearance of this part of the Mayfair CA.

Conclusion

7. For these reasons the flag and flagpole would significantly harm the character and appearance of the host building and the street scene and would fail to preserve the character and appearance of the Mayfair CA. This would be contrary to one of the purposes of the advertisement regulations to protect amenity and would conflict with Policies 38, 39 and 43G of the Westminster City Plan adopted in 2021. These require proposals to positively contribute to Westminster's townscape and streetscape, to conserve its heritage assets, and for signs and advertisements to be sensitively designed in terms of their size, location, impact on the building concerned and local context. The proposal would also conflict with the legislative duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA.
8. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR