



Appeal Decision

Site visit made on 30 January 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 February 2025

Appeal Ref: APP/K5030/Z/24/3355323

Pavement o/s 139 - 140 Cheapside, London EC2V 6BJ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by New World Payphones against the decision of City of London Council.
 - The application Ref is 24/00372/ADVT.
 - The advertisement proposed is 1 no. Digital advertisement display within proposed New Communications Kiosk.
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Decision

1. The appeal is allowed and express consent is granted for the display of 1 no. Digital advertisement display within proposed New Communications Kiosk at Pavement o/s 139 - 140 Cheapside, London EC2V 6BJ in accordance with the terms of the application, Ref 24/00374/ADVT, dated 10 August 2024. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.

Preliminary Matters

2. The application for advertisement consent was submitted to the Council alongside an application¹ for planning permission for the installation of a new telecommunications kiosk with integrated advertisement display and the removal of four existing associated telephone kiosks. Whilst the Council refused advertisement consent, it granted planning permission for the kiosk. On the site visit I saw that this was yet to be implemented.

Main Issue

3. The main issue is the effect of the advertisement on the amenity of the area.

Reasons

4. The appeal site lies on the north side of Cheapside and comprises an area of pavement adjacent to bicycle racks, set forward of an expansive nine storey twentieth century building faced with concrete and glass. It has a retail frontage to the ground floor that extends around the corner onto Foster Lane. Similarly aged and styled buildings lie further east along Cheapside. The opposite side of the road to the appeal site comprises the similarly tall and predominantly glazed 'One New Change' retail and commercial development. This building is contemporary in appearance and also includes multiple retail units to the ground floor. Many of the retail units incorporate modern illuminated signage. Whilst occasional traditional

¹ Ref 24/00371/FULL.

buildings are present, my impression of this part of Cheapside was of predominantly contemporary and modern buildings within a modern streetscene setting.

5. Street furniture is prevalent in the vicinity of the appeal site and comprises of multiple bus shelters, highway signage, lighting columns, bollards and interpretation boards. Street trees are also prevalent.
6. The proposed digital display would be located to the back of the telephone kiosk. It would portray static advertising images that change sequentially every 10 seconds. The appellant sets out that the digital display would operate in accordance with Professional Lighting Guide 05 'The Brightness of Illuminated Advertisements including Digital Displays' (2023). On this basis, during the daytime, the in-built sensor control system adjusts the display luminance to suit the prevailing ambient light levels, meaning lower display luminance when ambient light levels are lower. After dark, the display operates at a very low luminance level, not exceeding 300 candela per square metre, and is turned off between midnight and 0500 hours.
7. The proposed digital advertisement display would be seen in the context of the modern development to both sides of the road that characterises the streetscene here. It would also be seen alongside the extensive advertisements to the retail units, many of which are illuminated. I am therefore not convinced that the appearance of the proposed advertisement, would appear incongruous or visually intrusive when seen as part of a telephone kiosk in this modern streetscene setting. Furthermore, given the urban location, prevalence of existing illuminated advertisements and the proposed luminance levels, I am satisfied that the proposal would not result in any noticeable light pollution or light spill.
8. For the above reasons, the proposal would preserve the visual amenity of the area. Policies CS10, DM10.6 and DM15.7 of the City of London Local Plan (2015) and Policy D8 of The London Plan (2021) seek to, amongst other things, protect visual amenity and so are material in this case. Given I have concluded that the proposal would not harm visual amenity, the proposal complies with the provisions of the Policies insofar as they relate to that matter.

Conclusion

9. For the reasons given above the appeal should be allowed.

Paul Martinson

INSPECTOR