
Appeal Decision

Site visit made on 21 July 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2025

Appeal Ref: APP/X5990/Z/25/3366889

5 Thayer Street, City of Westminster, London W1U 3JG

- 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 Mr. Yilmaz Oytun Pakcan against the decision of the City of Westminster Council.
 - The application Ref is 25/01133/ADV.
 - The advertisement proposed is described as “we would like to place an A-board promoting our business in front of our shop”.
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Decision

1. The appeal is allowed and express consent is granted ‘to place an A-board’ at 5 Thayer Street, City of Westminster, London W1U 3JG in accordance with the terms of the application, Ref 25/01133/ADV. 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.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have omitted narrative wording from the description of development above for clarity and relevance purposes. It does not change any element of the appeal scheme and so would not affect the ability of the main parties to make their cases in respect thereof.
4. The City Plan Partial Review is currently at examination stage. It includes updated policies for a number of matters not relevant to the appeal. As such, the policies of the current development plan referred to in the Council’s decision will be taken into account as far as they are material considerations relevant to the main issues. The power to control advertisements may be exercised only in the interests of amenity and public safety. The policies alone have not been decisive.
5. The Council’s decision has referred to the East Marylebone Conservation Area. However, the submitted evidence shows that it is the Harley Street Conservation Area (HSCA) which lies adjacent. I have therefore proceeded on this basis.

Main Issue

6. The main issues are the effects of the proposed advertisement on public safety and amenity, with specific regard to the setting of the HSCA.

Reasons for the Recommendation

Public Safety

7. The appeal site relates to an existing barbershop on Thayer Street, which itself has numerous ground floor business units. This results in a vibrant commercial setting, where the area experiences a steady level of pedestrian activity. Although a telephone box is sited nearby, the footway to the front of the appeal site remains unobstructed and benefits from a generous width.
8. The plans show that the proposed A-board would be positioned tight to the shop front, on the opposite side to the telephone box. This would allow ample clearance between these structures for both pedestrian and wheeling movements to pass. The A-board would also be of a modest size and easily moveable. Accordingly, given its siting, scale and portability, it would not result in an unacceptable obstruction to the highway, nor would it compromise pedestrian safety. Moreover, the adjoining café features pavement tables and chairs to their front. The A-board would be positioned alongside these. This existing arrangement already encourages foot traffic towards the outer edge of the pavement and would facilitate the natural bypassing of the A-board altogether.
9. For the above reasons, the proposed advertisement would not result in harm to public safety and would comply with the 2007 Regulations in regard to this main issue.
10. The Council has drawn my attention to Policies 25, 28 and 43 of the City Plan 2021. These seek for, amongst others, development proposals to prioritise and improve the pedestrian environment and to contribute to a clutter-free public realm. The loss of footway space should also be resisted to maintain pedestrian mobility. The Council has also referred to the Westminster Way - Public Realm Strategy Supplementary Planning Document 2011, which states, amongst other things, that "A" boards on the public footway will not be tolerated. I have explained above why this would not be the cause of harm here.

Amenity

11. The appeal site is located outside of, but immediately adjacent to, the HSCA, which comprises one side of Thayer Street at its closest point. The street includes a range of external features in association with the ground floor commercial units, such as existing A-boards, chairs, tables and plant pots. Combined with the presence of other street furniture (lampposts, traffic signs, litter bins, and a post box) and the variety of shop frontages, all these features contribute to an animated street scape with a variety of building designs and signage attached thereto.
12. The space outside of the appeal site currently benefits from a clear footway. However, as mentioned, the broader stretch of Thayer Street is noticeably marked by many external fixtures. In this context, whilst the proposed advertisement would be visible, it would not appear as a discordant addition. Moreover, the proposal is for a single A-board, which would be of a small size and footprint in comparison to the more obvious and larger fascia and window signage in the area. It is recognised

that an excess of external structures can cause visual clutter. However, the introduction of one unobtrusive A-board to an otherwise open section of the pavement would not cause unacceptable harm to the appearance of the area and would integrate well with the setting of the adjacent HSCA. The signage would therefore be acceptable in amenity terms and would comply with the 2007 Regulations in regard to this main issue.

Conditions

13. The standard conditions are applicable to the consent as per Schedule 2 of the 2007 Regulations. No further conditions are necessary.

Conclusion and Recommendation

14. For the reasons given above, the appeal scheme should be allowed in these circumstances subject to the conditions set out.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the standard conditions under the aforementioned regulations.

John Morrison

INSPECTOR