



## Appeal Decision

Site visit made on 11 May 2015

**By J L Cheesley BA (Hons) DipTP MRTPI**

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

**Decision date: 18 June 2015**

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**Appeal Ref: APP/X5210/H/14/2229783**

**Outside 29 Tottenham Court Road, Camden, London W1T 1BU**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
  - The appeal is made by Derek Parkin, Infocus Public Networks Ltd against the Council of the London Borough of Camden.
  - The application Ref 2014/5815/A is dated 26 August 2014.
  - The advertisement proposed is illumination of a six sheet advertisement which enjoys already non-illuminated deemed consent.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. I consider the main issues to be:

the effect of the proposal on the character and appearance of the surrounding streetscene; and

the effect of the proposal on highway and pedestrian safety.

### Reasons

3. The advertisement is in place on the side of the payphone, without internal illumination. I note that both the payphone and a non-illuminated advertisement would remain, irrespective of the outcome of this appeal. Whether the existing light above the advertisement constitutes external illumination is not for my consideration. What is at issue is the effect of the proposed internal illumination.
4. The payphone is situated close to the front of a wide stretch of pavement in a tree lined avenue at the end of a row of other payphones and rolling sheet advertisements. In this area seating has been provided for pedestrians. In addition, in this commercial area, fascia advertisements are prevalent on the buildings set back behind the pavement. As such, the row of pay phones and advertisements is visually separated from the commercial buildings to some extent.

5. From my observations, the internal illumination of the advertisement would unacceptably add to visual clutter in this stretch of pavement. It would appear as an intrusive and prominent addition, to the detriment of the character and appearance of the surrounding area.
6. The advertisement faces on-coming traffic on this one-way stretch of Tottenham Court Road. I note that the advertisement would remain static and the appellant has confirmed the willingness to restrict the illumination to a single back light and prohibit movement and intermittence in any form. Distant views for drivers and cyclists of the illuminated advertisement would be limited to some extent by existing trees and payphones. However, the payphone is very close to traffic lights. I consider that the proposed illumination would distract drivers approaching the traffic lights, particularly during hours of darkness. This would be to the detriment of highway and pedestrian safety.
7. In reaching my conclusion, I have had regard to all matters raised. The Council has referred to Policies CS5, CS14 and CS17 in the Camden Core Strategy 2010 and Policies DP21 and DP24 in the Camden Development Policies 2010-2025. The Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety. Therefore, the Council's policies alone cannot be decisive. However, I have taken these policies into account as material considerations in my determination of this appeal.
8. I have found that the proposal would have an adverse effect on the character and appearance of the surrounding area and on highway safety. I dismiss the appeal.

*J L Cheesley*

INSPECTOR