
Appeal Decision

Site visit made on 6 September 2016

by Oliver Blower MA (T&CP)

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2016

Appeal Ref: APP/N5660/Z/16/3149561

121 - 127 Streatham High Road, London SW16 3HE

- 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 Seamus Carey (Primesight) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 15/06856/ADV, dated 27 November 2015, was refused by notice dated 7 March 2016.
 - The advertisement proposed is described as "display of 2no. single sided 48-sheet LED media display following removal of 2 no. 48-sheet advertising hoardings".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are the effect of the proposal on visual amenity, with particular regard to whether it would preserve or enhance the character or appearance of the Streatham High Road and Streatham Hill Conservation Area.

Procedural Matters

3. The Regulations and the National Planning Policy Framework both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.

Reasons

4. The appeal site is an imposing and ornately detailed three-storey building which is significantly higher than its neighbours, so that its flank walls are highly prominent when viewed from the ground. The area is broadly characterised by traditional terraced shops constructed of stone and brick, with advertising largely limited to shop fronts and of small scale. The traditional appearance of the appeal building, particularly its detailed upper floor façade, positively contributes to character of the Streatham High Road and Streatham Hill Conservation Area (CA).
5. There are two 48-sheet internally illuminated advertisement hoardings currently attached to the building, with one on each flank wall. The appeal

relates to the replacement of these two existing advertisements with two new digital 48-sheet LED advertisement hoardings, which would be of broadly similar size.

6. It is proposed that the advertisements would be illuminated to no more than 300 cd/m². There would be a smooth and uninterrupted transition from one image to another, and no individual advertisement would be displayed for duration of less than 10 seconds. The advertisements would not display moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
7. The nature of a digital display is that it must emit light to produce an image, rather than a flat image which passively reflects natural or artificial light. This form of illumination would give the proposed advertisements an uncharacteristically bright appearance, especially during daylight hours when there is currently little discernable artificial lighting, present advertisements included. The distinctive modern nature of the digital displays – emphasised by their brightness – would be at odds with the traditional façade of the appeal building and its surroundings, appearing highly incongruous in their prominent setting. Controlling the brightness of the displays by condition cannot sufficiently mitigate these harms.
8. The proposed advertisements would, therefore, have a starkly modern and incongruous appearance which would be out of keeping with the traditional character of the area. As a result, the development would cause harm to the character and appearance of the CA, to the detriment of visual amenity.
9. As far as such factors are material, the advertisements are therefore contrary to policies Q17 and Q22 of the London Borough of Lambeth Local Plan (2015), which seek to ensure that
10. I note that the appellant contends that the existing advertisements have deemed consent, whilst the Council take the opposite view, however the lawfulness of the existing advertisements is not a matter for determination in this appeal. In any event, for the reasons outlined above, the proposed LED displays and their associated method of illumination differ significantly in character and appearance from the existing advertisements, so that they are not directly comparable.

Conclusion

11. I conclude that the proposal would fail to preserve or enhance the character or appearance of the CA, and thus would be detrimental to the interests of visual amenity. I therefore dismiss the appeal.

Oliver Blower

Appointed Person