
Appeal Decision

Site visit made on 20 December 2016

by **Chris Forrett BSc(Hons) DipTP MRTPI**

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

Decision date: 20th January 2017

Appeal Ref: APP/N5660/Z/16/3160033

666a Streatham High Road, London SW16 3QL

- 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 Insite Poster Properties Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/03495/ADV, dated 10 June 2016, was refused by notice dated 8 August 2016.
 - The advertisement proposed is the replacement of existing single sided internally-illuminated backlit 48 sheet advertising unit with single new internally-illuminated digital LED 48 sheet advertising unit.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. 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.

Main Issue

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

Reasons

4. The appeal advertisement would be located adjacent to the south facing flank wall of the Lahore Kebab House (668 Streatham High Road), where there is an existing internally illuminated advertisement. Whilst the existing (and proposed) advertisement does not form part of this building, given its proximity, visually it appears as an addition to the building.
 5. In the vicinity of the site along Streatham High Road there is a wide range of advertisements, including other large scale displays, adverts within bus shelters, and signage located on buildings, including a large projecting sign at Lidl. Notwithstanding the proliferation of signage in the vicinity, the current signage relates poorly to the adjoining building as a result of its size, position and its depth. Furthermore, the existing advertisements poor relationship with the adjoining building gives rise to harm to the streetscene in general.
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6. The appeal proposal would be the same overall size, and height from the ground, as the current advertisement it would have a depth of around 20cm less than the existing. Whilst this reduction would represent a minor visual improvement over the existing, the proposed advertisement would still give rise to significant harm to the visual amenity of the building and the streetscene.
7. Furthermore, a digital display must emit light to produce an image. The very nature of this type of illumination would give an uncharacteristically bright appearance, especially during daylight hours when there is currently little discernible artificial lighting.
8. I acknowledge that the illumination would be below the levels recommended in the Institute of Lighting Professionals "The Brightness of Illuminated Advertisements" (2015). Whilst limiting the brightness of the advertisement could be controlled by a suitably worded condition I am not persuaded that the harm to the amenity of the area would be sufficiently mitigated.
9. From the evidence before me, there does not appear to have been any consent granted for the existing advertisement. However, there has been an advertisement in this location for a considerable period of time. The Council have not queried the lawfulness of the existing advertisement nor the claim that it benefits from 'deemed consent' and I have no reason to disagree. Furthermore, the Council do not appear to have instigated any discontinuance action.
10. Whilst I give some weight to the existing advertisement, the proposal would give rise to harm to the amenity of the area as a result of its poor relationship with the adjoining building together with its illumination throughout the daytime.
11. Policies Q5, Q6 and Q17 of the Lambeth Local Plan 2015 (LLP), amongst other matters, seek to sustain and reinforce local distinctiveness by ensuring that advertisements positively contribute to the local scene. Furthermore, Policy Q17 states that the renewal of large panel advertisements will generally be resisted. These policies are material in this case.
12. For the above reasons, the proposed advertisement would be detrimental to the interests of amenity. Consequently, the proposal would not accord with Policies Q5, Q6 and Q17 of the LLP.

Conclusions

13. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR