

Appeal Decision

Site visit made on 21 December 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 23 January 2017

Appeal Ref: APP/N5660/Z/16/3154995

Outside 36 Clapham High Street, London SW4 7UR

- 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 Andrew Jordan (JCDecaux UK Ltd) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/02368/ADV, dated 6 April 2016, was refused by notice dated 17 June 2016.
 - The advertisements proposed are on a single freestanding Forum Structure, featuring a double sided Digital 84" screen at one end of the bus shelter.
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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, with particular regard to whether it would preserve or enhance the character or appearance of the Clapham High Street Conservation Area (CHSCA).

Reasons

4. The CHSCA generally follows the buildings which front Clapham High Street between the railway line (Clapham High Street station) and Clapham Park Road with a variety of styles of buildings generally in commercial use. The pavement on the north side of Clapham High Street is wide with little street furniture.
 5. In the immediate vicinity of the appeal site is an existing bus shelter which along its rear elevation has a transport information display panel. It has glazed panels to its sides which extend a little over half the width of the shelter, preserving views along Clapham High Street.
 6. Advertisements are generally limited to those on the buildings fronting Clapham High Street on the commercial premises. One notable exception to this is the bus shelter, which also has an illuminated advert panel, on the
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opposite side of the Clapham High Street close to St Luke's Avenue. However, this is located outside of the CHSCA.

7. The appeal concerns a freestanding 'Forum Structure' comprising a totem with two 84" digital advertisement screens positioned back to back. The advertisements would be capable of displaying illuminated, static and dynamic images. The structure would be placed to appear as a side panel to a new bus shelter.
8. Given that the advertisements would be orientated at 90 degrees to the buildings, they would stand out as being overly prominent in the streetscene and would reduce views along the pavement. Whilst this would not impede pedestrian flows to a significant degree above the existing situation, it would add an unacceptable element of visual clutter to the streetscene.
9. 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, including during daylight hours when there is currently little discernible artificial lighting. This would give the advertisements a modern and incongruous appearance, and would be out of keeping with the overall character of the area and the appearance of the CHSCA.
10. The appellant has stated that the level of illumination could be reduced in sensitive areas such as Conservation Areas. Whilst limiting the brightness of the advertisements could be controlled by a suitably worded condition I am not persuaded that the harm to the area would be sufficiently mitigated.
11. I have also had regard to the importance of the revenue from advertising for Transport for London, together with the ability to use the panel to display public transport information. However, these matters do not outweigh the amenity harm I have identified.
12. Policies Q5, Q6, Q17, and Q22 of the Lambeth Local Plan 2015 (LLP), amongst other matters, seek to sustain and reinforce local distinctiveness by ensuring that advertisements do not add unacceptable visual clutter or diminish the setting or significance of heritage assets such as Conservation Areas. These policies are material in this case.
13. For the above reasons, the proposed advertisements would be detrimental to the interests of amenity and would cause harm to the appearance of the CHSCA. Consequently, the proposal would not accord with Policies Q5, Q6, Q17, and Q22 of the LLP nor paragraph 67 of the National Planning Policy Framework.

Conclusions

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

Chris Forrett

INSPECTOR