

Appeal Decision

Site visit made on 1 February 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 9 February 2017

Appeal Ref: APP/N5660/Z/16/3163822

113-115 Clapham High Street, London SW4 7TB

- 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 Primesight Limited against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/04803/ADV, dated 11 August 2016, was refused by notice dated 30 September 2016.
 - The advertisement proposed is 2 No. LED 48-sheet advertising displays.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations and the National Planning Policy Framework make it clear that advertisements should be the subject of control only in the interests of amenity and public safety. Whilst the Council has referred to the policies which it considers relevant to this appeal they cannot, by themselves, be decisive but are material considerations to the determination of this appeal.

Main Issue

3. It is considered that the main issue is the effect of the proposed advertisement on amenity, with particular regard to whether it would preserve or enhance the character or appearance of the Clapham High Street Conservation Area.

Reasons

4. The appeal property is a 2-storey building with a rounded elevation facing towards a street frontage which has commercial uses at ground floor level. The Clapham High Street Conservation Area generally includes the buildings fronting the road. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This statutory duty applies in so far as it relates to amenity considerations.
5. There are a variety of styles of buildings fronting the road and most have some form of signage at ground floor levels, principally fascia and projecting box signs. There are limited examples of hoarding advertisements erected on the side elevations of buildings at some road junctions.
6. The evidence indicates that there were previously two 48-sheet internally illuminated hoarding advertisements erected on the property's elevation facing

the road but they were removed to enable refurbishment work to be undertaken to the building. The appeal scheme comprises the erection of 2 internally illuminated LED advertisements in the same location as the previous signs. The size of the proposed advertisements would also be similar to the previous signs. However, because the previous signs are no longer displayed I have assessed the erection of the proposed advertisements on their own circumstances.

7. By reason of size and siting, the proposed advertisements would be overly prominent rather than positively contribute to the local streetscene. Although the appeal scheme would not unduly add to the clutter of other advertisements, because of their elevation above the footway they would not be well related to the other signs within the streetscene which are predominantly associated with the ground floors of the commercial premises. The prominence of the proposed advertisements would be accentuated by their angled siting which would not respect the distinctive rounded form of the property's elevation fronting the road.
8. Even if the previous signs still existed, the proposed LED display would have a bright appearance during the daylight hours because there is a need for a digital display to emit light to produce an image. Although the level of illumination could be controlled by condition, the method of illumination and size of the display panels would be an incongruous addition to this streetscene notwithstanding the commercial character of other premises, particularly at ground floor level.
9. There would be some diminution in the setting of the adjacent Listed Buildings but, on its own, this would not amount to a reason for this appeal to fail because of the siting, character and context of these buildings. No specific conflict with LP Policy Q20 of the Lambeth Local Plan (LP) concerning the setting of Listed Buildings would, therefore, arise. However, this matter is significantly and demonstrably outweighed by the unacceptable harm which has been identified.
10. For the reasons given, it is concluded the proposed advertisements would be detrimental to the interests of amenity and would fail to preserve the character and appearance of the Clapham High Street Conservation Area. Account has been taken of LP Policies Q17 and Q22 which, amongst other matters, seeks to sustain and reinforce local distinctiveness by ensuring that advertisements do not diminish the setting or significance of heritage assets such as Conservation Areas. Given it has been concluded that the proposal would harm amenity, the proposal conflicts with these policies. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR