

Appeal Decision

Site visit made on 28 February 2017

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 21st March 2017

Appeal Ref: APP/C5690/Z/17/3166559

50 Lewisham High Street, Hither Green, London, SE13 5JH.

- 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 J C Decaux UK Ltd against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/097974, dated 16 August 2016, was refused by notice dated 22 November 2016.
 - The advertisement proposed is for the removal of existing 2 x externally illuminated 48 sheet advertisements to be replaced with 1 x internally illuminated display.
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Decision

1. The appeal is allowed and express consent for the removal of existing 2 x externally illuminated 48 sheet advertisements and the display of 1 x internally illuminated display as applied for is granted. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. The Regulations and the National Planning Policy Framework (the 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.
 3. The appeal site is the north flank wall of number 50 Lewisham High Street. From the evidence I note that there were previously two 48 sheet advertisement hoardings fixed to this façade, one at street level (now removed) and the other, which I saw was still in place, located at second floor level.
 4. The appellant proposes to permanently remove an existing street level advertisement and upgrade the existing externally illuminated advertisement hoarding at second floor level with an internally illuminated display of the same dimensions. The Council states, and the appellant has submitted no evidence to the contrary, that there is no planning history for two advertisement hoardings and, further, deemed consent under Class 13 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 has not been established. I will, as the Council did, therefore consider this appeal as a new advertisement hoarding. I shall proceed to determine the appeal on this basis.
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Main Issue

5. I consider the main issue to be the effect of the proposed internally illuminated advertisement display on the host property and the surrounding area.

Reasons

6. The host property, number 50 Lewisham High Street, is a part two/three-storey end of terrace building. The site is located at the junction of Rennell Street and Lewisham High Street, and the general area comprises a large shopping centre and numerous small retail parades nearby. I would therefore characterise this as a busy commercial area. While the site is outside the conservation area, it is within the vicinity of St Stephens Church, listed grade II, and the St Stephens Church Conservation Area.
7. The proposed advertisement would be an LED media display that would show static adverts. The screen would, I understand from the evidence, be illuminated at all times to a maximum level of 300 cd/m. However, the level of brightness would also be controlled to maintain the perceived brightness at a set level.
8. The advertisement would be positioned at high level on the flank wall of number 50 and would be open to long views from the surrounding area to the north, including the site designated as the Lewisham Gateway Development. Accordingly, therefore, it would be highly prominent. Nevertheless, given the size of the flank wall of number 50 and this busy commercial urban area in which it is located, I do not consider that an advertisement of this format, projecting from the face of the building, in this situation would, in itself, cause harm to the architectural integrity of the host building or appear as an incongruous or unsympathetic feature.
9. Furthermore, given the separation distance to St Stephens Church, listed grade II, I agree with the Council that the proposal would not harm its setting or indeed that of the nearby conservation area. Further, I do not consider, having regard to its location in relation to the Lewisham Gateway Development site, that it would impact in any significant way on the amenity of future neighbouring occupiers. I therefore conclude that the proposed display would not cause harm to either the heritage assets or be detrimental to the general interests of amenity.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer
INSPECTOR