
Appeal Decision

Site visit made on 12 July 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 21 July 2017

Appeal Ref: APP/N5660/Z/17/3174093

Advertising Right, Fronting 169 Clapham High Street, London SW4 7SS

- 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 Martin Stephens, JC Decaux UK Ltd, against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/06921/ADV, dated 12 December 2016, was refused by notice dated 17 March 2017.
 - The advertisement proposed is a single portrait advertisement with display screen of 4m x 6m. The advertisement will be illuminated and feature the sequential display of static images.
-

Decision

1. The appeal is dismissed.

Procedural Note

2. I have given the address of the site as described on the Council's decision notice and reflected on the appeal form.

Main Issue

3. The main issue is the effect of the advertisement on the visual amenity of the area with particular regard to various heritage assets, including the Clapham High Street Conservation Area (CA) and various listed buildings.

Reasons

4. The appeal site is in a prominent location within the CA, to the western end of Clapham High Street at its junction with Clapham Park Road. Clapham High Street itself is characterised by mixed retail and commercial uses at ground floor level and it was apparent from my visit that the area has a busy and vibrant feel, with continuous streams of pedestrians and traffic passing the site. The advertising signage on premises along the Clapham High Street varies significantly in terms of size, style, position and colouring. Therefore despite the predominantly commercial character of the location, it seems to me that such variation and lack of consistency in signage serves to undermine the visual amenity of the street scene.
 5. The proposed advertisement would constitute a large and imposing structure in this prominent corner location. From the west and north, it would be viewed against the tall side elevation of the adjacent commercial block and ventilation
-

shaft tower. The frame of the supporting structure to the advertisement would also be constructed in matching brickwork and the proposed application of a 'green roof' to the adjoining former shelter building would soften the visual impact of surrounding built development to a degree. These factors would help to assimilate the advertisement and its supporting frame to a limited extent. However, the structure would be significantly taller than the relatively squat form of the adjoining former shelter building, would be set within a bulky frame and would add further variation to the form of signage along the street.

6. I am firmly of the view, given this context, that the proposed sign would result in a dominant, disproportionate and incongruous addition to the street scene, that would result in harm to amenity. Though I acknowledge that the intensity of illumination would be controlled in accordance with good practice guidance, its illumination would nevertheless serve to amplify the sense of presence of the advertisement and would exacerbate the degree of signage clutter already present.
7. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The advertisement would harm the visual amenity of the area, as set out above, and accordingly would fail to preserve the character and appearance of the CA.
8. Furthermore it is necessary to consider the effect of the proposal on the setting of St Mary's R.C. Church, located on Clapham Park Road; the Clock Tower and entrance building to Clapham Common underground station located adjacent to The Pavement, all nearby listed buildings and No 188 Clapham High Street, undisputed to be a non-designated heritage asset. It seems to me that the special interest of these buildings derives from their age, form and appearance and the elements of setting that contribute to their significance include their relationship with the street.
9. From my visit it was apparent that that the proposed advertisement would be significantly visible in views of the church along Clapham Park Road from the north and in views of the Clock Tower and No 188 looking eastwards along The Pavement towards Clapham High Street. In this context, and notwithstanding the busy and built-up intervening environment, I consider that the advertisement would appear as a dominant feature that would compete for attention with the aforementioned heritage assets, resulting in harm to their setting and the visual amenity of the locality.
10. For the above reasons the proposal would conflict with Policies 7.6 and 7.8 of the London Plan 2016 and Policies Q5, Q17, Q20, Q22 and Q23 of the London Borough of Lambeth Local Plan 2015 insofar as they seek to ensure that advertisements do not result in harm to amenity, are well integrated into their surroundings and safeguard the historic environment. It would also conflict with the National Planning Policy Framework insofar as it seeks to control advertisements in the interests of amenity whilst taking account of cumulative impacts.
11. I have taken into account the appellant's point that the proposed advertisement would amount to a smaller, more sympathetic, better designed solution in comparison to the large former advertising hoarding panels around the site. Furthermore the removal of these panels was identified in the

Council's CA Statement as a key objective and also the Council do not dispute that the panels could be returned to their former position. In addition the proposal would reveal the form of the adjacent historically significant shelter, whilst allowing for the incorporation of a 'green roof', in contrast to the previous panels which substantially screened the structure from view.

12. However, the former panels and any supporting structures have now been removed, allowing the adjacent building to be cleaned and its appearance improved. Whilst it may be possible, it is not inevitable, based on the information before me, that the former advertisements would be restored to their previous position. In addition, though their removal is an objective of the CA Statement, there is no suggestion that this should be at the expense of another unsatisfactory advertisement.
13. In any event, even if the previous panels were restored to their former position, though large and wrapping extensively around the adjacent building, the advertisements would be in paper format and would be lower in height compared with the proposal. Consequently, and notwithstanding the possibility of switching the proposed advertisement off at night, from the information before me I concur with the Council that the panels in question would not appear as imposing or dominant in long range views as the proposed advertisement. This is significant in terms of protecting the setting of the aforementioned listed buildings.
14. In support of the proposal the appellant has made the points that vibrant advertising has a beneficial impact on economic development, could be used to promote the work of local artists and also that the proposed advertisement would offer environmental advantages in terms of avoiding the printing, recycling and trip generation associated with the previous panel advertisements. However the control of outdoor advertisements can only be exercised in the interests of amenity (and, where applicable, public safety). Accordingly these considerations do not carry positive weight in this case.
15. Furthermore my attention has been drawn to a similar advertisement that was allowed on appeal within the same local authority area¹. I have been provided with limited information in relation to that case. However it would appear in that situation that the surrounding area relevant to the site context included a very tall multi-storey building and also an absence of statutory listed buildings. It therefore seems to me that the circumstances of that site are different and not comparable to those of the current appeal.

Conclusion

16. For the reasons set out above, the advertisement would result in harm to the visual amenity of the area and, having taken into account all other matters raised, I conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR

¹ Ref APP/N5660/H/14/2226826