
Appeal Decision

Site visit made on 23 August 2017

by C Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 11 September 2017

Appeal Ref: APP/N5660/Z/17/3177513

Advertising Right at 253 Brixton Road, London SW9 6LH

- 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 Richard Wilson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/00787/ADV, dated 17 February 2017, was refused by notice dated 13 April 2017.
 - The advertisement proposed is replacement of existing internally illuminated 48 sheet (3M x 6M) advertisement display with a 48 sheet (3M x 6M) digital advertisement display panel.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the visual amenity of the area.

Reasons

3. This part of Brixton Road has a somewhat mixed appearance. One side of the road is visually dominated by contemporary blocks of flats, which are set back from the street frontage behind gardens. The other side of the road mostly contains older style properties with shops and commercial premises occupying the ground floor frontages. Apart from the signage associated with these premises, the street scene also contains two large advertising hoardings, including the display which is the subject of this appeal.
4. The appeal site is within the Brixton Road and Angel Town Conservation Area. Paragraph 132 of the National Planning Policy Framework (The Framework) states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case, the significance of the Conservation Area is largely derived from the quality of the historic buildings and their arrangement along the frontage of Brixton Road amongst parks and open spaces.
5. The existing advertising panel displays a static image which is lit from behind and orientated to face oncoming traffic. There is disagreement between the parties as to whether it benefits from deemed consent and I find the evidence presented in relation to this matter to be inconclusive. As such, I am unable to determine with absolute certainty that the existing display would remain in place for the long term if the appeal were dismissed.

6. From outside the shops, the proposed digital panel would be seen against the backdrop of the flats and their open gardens. Given its functional appearance and relatively large size, the panel would appear prominent when viewed at close quarters and would not be particularly representative of the mainly residential street scene on that side of the road. The panel would also be highly exposed within the wider street scene as it would be positioned on a street corner and orientated so that it would be visible to pedestrians and oncoming traffic for some distance along Brixton Road to the north, which also forms part of the Conservation Area. The rear of the panel would also be visible from some vantage points to the south.
7. The proposed panel would be of the same size and orientation as the existing panel and I am informed that it would be of a similar luminescence. However, unlike the existing panel, it would display a continual sequence of static images which would change every 10 seconds. It seems to me that the effect of this change sequence would draw additional attention to the digital display, making it appear even more prominent than the existing panel.
8. I recognise that this particular part of Brixton Road contains more signage and contemporary structures than other parts of the Conservation Area to the immediate north and south. However, whilst the retail premises on the western side of the road give the area a distinctly commercial appearance, the opposite side of the road is more residential in character. In my view, the addition of a prominent digital panel in this location would only add to the visual clutter in the vicinity and would neither preserve nor enhance the appearance of the Conservation Area.
9. I appreciate that the Framework supports economic development and new technologies. However, it also assigns 'great weight' to the protection of heritage assets. In this case, there is little before me to indicate that the economic benefits of the proposal would outweigh the harm to the Conservation Area that I have identified above.
10. I therefore conclude that the proposal would harm the visual amenity of the area. There would be conflict with Policies Q5, Q6, Q17 and Q22 of the Lambeth Local Plan 2015 which promote local distinctiveness and appropriate standards of design. The appeal should therefore be dismissed.

C Cresswell

INSPECTOR