
Appeal Decision

Site visit made on 24 October 2017

by B Bowker Mplan MRTPI

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

Decision date: 7th November 2017

Appeal Ref: APP/N5660/Z/17/3179801

513-515 Wandsworth Road, London SW8 4NY

- 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 Sam Dayeh for Daylite LED Media Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/01231/ADV, dated 13 March 2017, was refused by notice dated 24 May 2017.
 - The advertisement proposed is described as 'replacement internally illuminated advertising display measuring 3.2 x 4.8m'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council have drawn my attention to the policies it considers relevant to this appeal and I have taken them into account as material considerations. However, the Regulations¹ 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.
3. The Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area, including its effect on the adjacent Wandsworth Road Conservation Area (WRCA).

Reasons

5. No. 513-515 Wandsworth Road is a three storey building comprising ground floor commercial use and residential flats above. The advertisement would be sited on the side elevation of No 515 adjacent the junction of Killyon Road and Wandsworth Road. The site is outside the WRCA which is located on the opposite side of Wandsworth Road to the immediate north of the site.

¹ At Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

6. Terraced dwellings along Killyon Road give it a residential character that is distinct from the commercial character of retail uses along this section of Wandsworth Road. During my site visit I saw that an unilluminated advertisement was in place at the side elevation of No 517. This aside, I saw that the commercial character along Wandsworth Road is confined to the retail uses at ground floor level. The commercial character of buildings in industrial use to the north of the site (within the WRCA) is similarly predominantly confined to ground floor level. I also observed that a residential character prevails across the upper floor of surrounding buildings along this side and section of Wandsworth Road.
7. The siting, size, illumination and orientation of the proposed advertisement would give it a harmful prominence in contrast to the confined commercial character at Wandsworth Road. The prominence of the proposal would also harm the residential character prevalent along Killyon Road and the upper storeys of surrounding buildings at Wandsworth Road. Compared to the advertisement at No 517, the proposal would be illuminated and situated more prominently. Moreover, in conjunction with the sign at No 517, the proposal would have a cumulative harmful impact on visual amenity. The resultant harm to visual amenity would be particularly noticeable from the adjoining sections of Wandsworth and Killyon Road. The harm would also be prominent in views to and from the WRCA.
8. In reaching this view I have taken into account the case advanced by the appellants in respect of a smaller advertisement that was removed from the site. It is put to me that the previous advertisement benefits from deemed consent. In any event, based on the photographs provided, the previous advertisement was sited less prominently than the proposal before me. Consequently it would have had a less harmful effect on visual amenity.
9. Therefore I conclude that the advertisement would have a harmful effect on the visual amenity of the area, including its effect on the adjacent WRCA.
10. I have taken into account policies Q17 and Q22 of the Lambeth Local Plan which combined broadly seek to protect visual amenity and preserve the architectural and historic interests of the conservation area, and so are material in this case. Given that I have concluded that the proposal would harm visual amenity and the WRCA, the proposal conflicts with these policies.

Conclusion

11. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be dismissed.

B Bowker

INSPECTOR