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## Appeal Decision

Site visit made on 8 October 2019 by Hannah Ellison BSc (Hons) MSc

**Decision by Susan Ashworth BA (Hons) BPL MRTPI**

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

**Decision date: 28 October 2019**

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**Appeal Ref: APP/N5660/Z/19/3233590**

**2-3 Clapham Common South Side, London, SW4 7AA**

- 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 BLOW UP MEDIA UK LTD against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 19/01809/ADV, dated 20 May 2019, was refused by notice dated 15 July 2019.
  - The advertisement proposed is a temporary decorative scaffold shroud screen advertisement comprising a 1:1 image of the building facade with an inset area for public information and advertising measuring 5.4m x 7m (revised application following refusal of application 19/00891/ADV).
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issue

3. The main issue is the effect of the advertisement on the visual amenity of the area, including the character and appearance of the Clapham Conservation Area and the setting of the nearby listed building.

### Reasons

4. The Council has drawn my attention to a number of policies and guidance they consider to be relevant to this appeal and I have taken them into account where relevant. However, powers under the Regulations<sup>1</sup> to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance reiterates this approach.
5. The appeal site comprises two mid-terraced, four storey buildings, positioned on a prominent corner location in a busy shopping area of Clapham. The site is located within the Clapham Conservation Area (the 'CCA'), the character and appearance of which is defined by the extensive open space of Clapham

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<sup>1</sup> The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Common and the eclectic mix of developments on roads radiating from it. This includes the Grade II listed Alexandra Hotel, located along the terrace west of the appeal site. It is a large five storey building with flanked wings and attractive features including domed roof with fish scale slates and cast-iron balconies. The site is also adjacent to the Clapham High Street Conservation Area (the 'CHSCA') which is a thriving commercial high street.

6. The buildings with frontages to Clapham Common South Side, including the appeal site, are predominantly in commercial use on ground floor and advertising is notably limited to fascia and window displays, with few examples of advertisements on the upper levels of building frontages. Consequently, there is clear visual distinction between the commercial uses at street level and the uncluttered building frontages above this. This contributes positively to the character of the CCA and setting of the nearby listed building.
7. This appeal seeks temporary permission for a decorative shroud which would replicate the upper stories of the building's façade. It would encase scaffolding which is to be erected for a period of 12 months during restoration and repair works to the appeal building. The shroud would also include an inset advertisement area measuring 7 metres(m) X 5.4m and positioned over two bays at first and second floor. It would display public information as well as commercial advertising.
8. It is appreciated the proposed shroud would disguise the scaffolding and may avoid the use of piecemeal sheeting and netting. The appellant highlights that this proposal would ensure the building's façade would be legible during the works. However, building works and associated scaffolding are not an uncommon sight and have a neutral impact on the character and appearance of the area. Therefore, whilst the image of the building's façade on the shroud may add interest, the public benefit of the proposal is limited.
9. Furthermore, due to its scale and high-level positioning, the inset advertisement would occupy a significant area of the shroud and would therefore appear overly dominant and incongruous in the street scene. It would add visual clutter in an area largely devoid of advertisements above ground floor level. As such, it would neither preserve nor enhance the character or appearance of the CCA, or preserve the setting of the identified listed building. In addition, the proposal would detract from the setting of the adjacent CHSCA. Whilst this would amount to less than substantial harm to the heritage assets, any limited public benefit arising from the proposal would not outweigh that harm which carries great weight. It is suggested the advertisement could be non-illuminated, and controlled through condition, however this would not negate the harm identified.
10. Accordingly, I find that the proposal would result in unacceptable harm to the visual amenity of the area and would neither preserve nor enhance the character or appearance of the CCA or the setting of the nearby listed building. In that respect the proposal is contrary to policies Q2, Q5, Q17, Q20 and Q22 of the Lambeth Local Plan 2015 which, although not decisive, collectively seek to ensure proposals do not harm the amenity of the area, reflect local distinctiveness and preserve heritage assets.

## **Other Matters**

11. The appellant has referred to an example of a decorative shroud with an inset advertisement in the London area. This example has a different setting and I have not been provided with the full details which led to its approval. As such, I cannot be certain it is directly comparable with the appeal proposal. In any event, this appeal has been determined on its own merits and I have found the proposal would cause harm to visual amenity as identified above.

### **Conclusion and Recommendation**

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

*Hannah Ellison*

Appeal Planning Officer

### **Inspector's Decision**

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Susan Ashworth*

INSPECTOR