



Appeal Decision

Site visit made on 10 December 2019

by Jonathon Parsons MSc BSc DipTP (Cert Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2020

Appeal Ref: APP/C5690/Z/19/3230125

Os 74-78 Sydenham Road, London SE26 5QE

- 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 Nathan Still (Infocus Public Networks Ltd) against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/110675, dated 16 January 2019, was refused by notice dated 24 April 2019.
 - The advertisement proposed is a single illuminated sequential affixed to the frame of the communication hub.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the advertisement on (a) the character and appearance of the area, having regard to Sydenham Conservation Area, and (b) the safety of highway users along Sydenham Road and Girton Road.

Reasons

Character and appearance

3. The appeal site comprises an existing illuminated two sided display which lies outside a former supermarket located at the corner of Sydenham Road and Girton Road. The supermarket building is two storey with only the ground floor used for retail purposes. To the west of the site and supermarket building, there are three storey terraced buildings which mainly comprise commercial premises at ground floor level, with residential uses above. Such a form of development continues in the other direction and on the opposite side of the street. In so far as it relates to amenity, the site lies on a street within the northern area of the Sydenham Conservation Area. The southern part of the street is not within the Conservation Area.
4. The appeal site is located in and around a city centre environment within a brightly lit setting. It is on a busy thoroughfare with bright lit frontages and a range of advertisements, including some which are illuminated. The existing display would be replaced by a communication hub which has had relevant prior approval granted. The advertisement proposal would be to attach an illuminated sequential display to the frame of the communication hub on one side of it. The advertisement would be displayed and illuminated by means of

LED modules, and would automatically change in a repeated sequence. The illumination will be lit to a level no greater than 300Cdm², which is 50% below the maximum recommended by the Institute of Lighting Professionals for advertisements in suburban and urban medium to high brightness districts. There advertisement will not feature any flashing or intermittent lighting effect or animation.

5. However, it would be of large size being approximately 1.9m high and a width of approximately 1m at a prominent corner of Sydenham Road and Girton Road, and nearby traffic lights junction at Sydenham Road and Mayow Road. The advertisement would also consist of sequential illuminated images. In this location, the proposal would be visually intrusive and unsympathetic to its context by virtue of the combined effect of its size, illumination and moving images, even in a city centre environment such as this.
6. I have taken into account policy 15 of the Lewisham Core Strategy (CS) 2011, and policies 19 and 30 of the Lewisham Development Management Local Plan (DMLP) 2014 in so far as they relate to amenity. Given that I have concluded that the proposal would harm amenity, the proposal would conflict with these policies.

Highway safety

7. The proposed advertisement would be at a prominent location close to two road junctions. In such a location, the advertisement would distract highway users on the road, in particular drivers and cyclists, in a significant manner because of its height and width, illumination and changing images and colours, taken together. Such a view is supported by Transport for London who advise on highway matters. On this basis, the advertisement would be so distracting that it would create a hazard and would endanger people in the vicinity who are taking reasonable care for their own and others safety.
8. I have taken into account policy 6.10 of the London Plan (Consolidated with Alterations since 2011), policies 15 and 16 of the CS, and policy 35 of the DMLP in so far as they relate to public safety. Given I have concluded that the proposal would affect safety, the proposal would conflict with these policies.

Conclusion

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

Jonathon Parsons

INSPECTOR