
Appeal Decision

Site visit made on 23 July 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2020

Appeal Ref: APP/A5840/Z/20/3246834

352-354 Camberwell New Road, London SE5 0RW

- 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 Justin Myers of Blow Up Media UK Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref 19/AP/7386, dated 13 December 2019, was refused by notice dated 10 February 2020.
 - The advertisement proposed is a temporary scaffold shroud screen advertisement comprising a 1:1 coloured image of the building façade with an inset advertising and information area measuring 6m x 6.6m for a temporary period of 12 months.
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Decision

1. The appeal is allowed, and express consent is granted for a temporary scaffold shroud screen advertisement comprising a 1:1 coloured image of the building façade with an inset advertising and information area measuring 6m x 6.6m for a temporary period of 12 months as applied for. The consent is subject to the five standard conditions set out in the Regulations, and the following additional conditions:
 - 1) The express consent hereby granted shall be for a period of 12 months which shall begin on the date of commencement of the display of the inset advertisement area or 3 months from the date of this decision, whichever is the sooner.
 - 2) Written notice shall be given to the Council of the date of commencement of the display of the inset advertisement area on the shroud within 7 days of commencement.
 - 3) The advertisement and surrounding shroud hereby granted shall be removed at the end of the period specified in Condition 1 or on completion of the maintenance works detailed in the application, whichever is the sooner.
 - 4) The inset advertising area hereby granted shall only be displayed at the same time as the 1:1 image of the building façade.
 - 5) The advertisement hereby granted shall not display any moving, sequential or apparently moving images.
 - 6) No more than 4 lights shall be used to illuminate the advertisement hereby granted and they shall be positioned as shown on drawing PY3521/005/rev A. The intensity of illumination to the advertising area shall not exceed 300 candelas per square metre.

Procedural Matter

2. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Camberwell Green Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I have also paid special regard to the desirability of preserving the setting of the nearby listed buildings, in accordance with the statutory duty set out in Section 66(1) of the Act.

Main Issue

3. The main issue is the effect of the proposal on the visual amenity of the area including the Camberwell Green Conservation Area (the CA).

Reasons

4. The appeal site is an attractive, prominent building on a junction within the CA, with commercial uses on the ground-floor and, consistent with the assessment in the Camberwell Green Conservation Area Appraisal (the CAA), relatively ornate upper floors. The CAA notes the CA has a commercial character, much of the success and character of which is derived from shop fronts and advertisements.
5. The appeal proposal seeks to wrap the upper storeys of the building in a printed vinyl screen to enclose it during refurbishment works. The appellants intend to partially meet the costs of these works through occasional use of an inset, illuminated advertisement on a central section of the screen.
6. As the proposed screen replicates the appearance of the building beneath it, I do not consider that it would cause harm to the visual amenity or character and appearance of the area. Whilst the inset advertisement would obscure part of the image printed on the screen, owing to its central location, it would not prevent an observer from appreciating the overall appearance or symmetry of the building beneath it. I also consider that it would be clear that both the shroud and the advertisement upon it would be temporary and associated with the refurbishment works behind. The appellant suggests that the inset advertisement would not be expected to be in use for the entire time that the screen were to be in place, although as the screen itself is temporary I do not consider it would be harmful even if that were not the case.
7. As a result, I consider that the temporary scaffold shroud screen advertisement comprising a 1:1 coloured image of the building façade with an inset advertising and information area for a temporary period of 12 months would not harm the visual amenity of the surrounding area. For the same reasons, the proposal would also preserve the character of the CA and would not harm the setting of the nearby listed buildings. I have also taken into account Saved Policies 3.23, 3.12, 3.15, 3.16 and 3.18 of the Southwark Plan 2007, Strategic Policy 12 of the Southwark Council Core Strategy April 2011, all of which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with these policies.

Conditions

8. In addition to the five standard conditions set out in the Regulations, I consider that it is necessary to attach the conditions set out above in order to clearly define and control the consent granted. Condition 1 is necessary to allow a reasonable period to erect the screen before the 12 month period begins and Condition 2 is necessary to allow enforcement of the conditions. I consider Condition 3 to be necessary in order to ensure that the screen is removed at the end of the works, and Conditions 4, 5 and 6 are necessary to ensure that the consent is clearly defined and controlled in the interests of amenity and public safety.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

S Dean

INSPECTOR