
Appeal Decision

Site visit made on 30 June 2020

by AJ Steen BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2020

Appeal Ref: APP/A5840/Z/20/3244968

Golden Hinde Mooring, St Mary Overies Dock, Cathedral Street, London SE1 9DE

- 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 Francis Coleman against the decision of the Council of the London Borough of Southwark.
 - The application Ref 19/AP/2082, dated 26 June 2019, was refused by notice dated 22 November 2019.
 - The advertisements proposed are described as "three dynamic screens situated in and around St Mary Overie Dock. Screen sizes are 42", 50" and 65"."
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The Council have drawn my attention to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, local and national planning policies have not therefore, by themselves, been decisive. Nevertheless, I need to pay special attention to the desirability of preserving or enhancing the character or appearance of the Borough High Street Conservation Area in which the site is located, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I also need to consider the effect of the adverts on the setting of Southwark Cathedral that is listed Grade I and Winchester Palace that is a Grade II* listed building and a scheduled ancient monument.
3. The screens have been installed and I was able to view them on my site visit. I have considered the appeal based on the screens on site.
4. As a result, the main issue in this appeal is the effect of the advertisements on visual amenity, having regard to the location within the conservation area and setting of listed buildings and a scheduled ancient monument.

Reasons

5. The advertisements comprise dynamic screens. They are located within the square surrounding the replica of the Golden Hinde ship kept in the historic St

Mary Overie Dock as a tourist attraction. The screens advertise the ship and provide educational information, with moving images that could appear flashing from a distance. Moving images on screens are likely to attract the attention of people in the immediate, and wider, area. Two of the screens are located adjacent to the steps leading up to the entrance of the ship. They face in the direction of the street leading away from the square toward Winchester Palace. The other screen is located on the edge of the dock in front of the bow of the ship, facing down Cathedral Street toward Southwark Cathedral.

6. Southwark Cathedral is an Anglican cathedral that dates from the twelfth and thirteenth century with further changes in the centuries since. The tower extends above surrounding buildings, such that it is visible from a wide area within London that gives it a greater than local importance. Its immediate setting includes the streets and modest open spaces in the immediate surrounds of the Cathedral, including St Mary Overie Dock. The west end of the Cathedral is visible along Cathedral Street from the square around St Mary Overie Dock.
7. The remains of Winchester Palace is both a listed building and a scheduled ancient monument of national importance. The palace remains principally comprise a twelfth century bishop's palace constructed on earlier Roman buildings. The walls to the Great Hall, dating to the fourteenth century, partially survive, including a large rose window that is visible along Clink Street from St Mary Overie Dock. The immediate setting of this comprises the streets and open spaces around Clink Street, including the part of St Mary Overie Dock and Golden Hinde ship from which the palace remains are visible. Its wider setting comprises the streets and open spaces in the area including the dock.
8. The Borough High Street Conservation Area comprises an eclectic mix of development, including a substantial area that is divided by the railway line to the south of Southwark Cathedral. The area immediately around St Mary Overie Dock comprises a number of modern office buildings arranged around narrow streets linking larger spaces in the wider area surrounded by the railway, River Thames and London Bridge. The squares provide space for seating and the space around St Mary Overie Dock has a coffee shop and public house, as well as the Golden Hinde ship, that enable quiet enjoyment of the area. These streets allow views and movement between historic features, such as St Mary Overie Dock, and historic buildings, including the remains of Winchester Palace and Southwark Cathedral. These buildings contribute to the significance of the conservation area as a heritage asset.
9. The screen and its housing in front of the bow of the ship are visible from much of the dock area. Its central location means that it is prominent. The other screens are more discreet as they are located adjacent to the entrance of the ship with other structures adjacent. Nevertheless, they are also central to the open space around the ship and the lit, moving images displayed on the screens draws attention toward them and away from other features of the dock and wider area.
10. Views down Cathedral Street to the west end of Southwark Cathedral from much of the dock are obscured to some extent by the rear of the screen housing by the bow of the ship. Whilst the screen itself is not visible in views toward the cathedral, it interrupts and diminishes those views. In addition, the moving images on the screen distract attention in views from and around the

west end of the cathedral, adding visible busyness to an area that provides some quiet respite from the surrounding city.

11. The two screens by the entrance to the ship face toward Pickfords Wharf and Clink Street. However, due to their positioning they are not visible from much of that road. They are also largely obscured by buildings and other structures from Cathedral Street. Nevertheless, their visibility and the nature of the moving images mean that they draw attention of visitors as they enter the dock area and add clutter to the street scene. This causes harm to the character and appearance of the conservation area and setting of the remains of Winchester Palace. They are also a distraction in views toward Southwark Cathedral from the end of the dock closest to the River Thames.
12. I note that there are larger dynamic illuminated signs within the conservation area. I understand that these are the only advertising for the Golden Hinde. However, I have considered these advertisements on their own merits, taking account of their location within St Mary Overie Dock and their effect on Southwark Cathedral and the remains of Winchester Palace.
13. For these reasons, I conclude that the advertisements both individually and cumulatively harm the visual amenity of the area, having particular regard to the location within the Borough High Street Conservation Area and the setting of the listed buildings and scheduled ancient monument of Southwark Cathedral and Winchester Palace. As a result, the advertisements conflict with Policies 3.16, 3.18 and 3.23 of the Southwark Plan, Strategic Policy 12 of the Core Strategy and the National Planning Policy Framework that seek to preserve or enhance the historic environment, including listed buildings, ancient monuments and the character and appearance of conservation areas. They also seek to ensure advertisements are designed to be appropriate within the context of the site and be an unobtrusive part of the character and appearance of the surrounding area.
14. My attention has also been drawn to Policy 3.15 of the Southwark Plan, although that is not listed as a relevant saved policy and appears to have been replaced by Strategic Policy 12 of the Core Strategy. Consequently, I understand that it is no longer an adopted policy and have not taken it into account in coming to my decision.

Conclusion

15. On the basis of the above considerations, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR