



Appeal Decision

Site visit made on 5 October 2020

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/N5660/Z/20/3244476

666a Streatham High Road, London SW16 3QL

- 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 Richard Page (Insite Poster Properties Ltd) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/03894/ADV, dated 4 October 2019, was refused by notice dated 12 December 2019.
 - The advertisement proposed was described as '*Replacement of an internally illuminated advertising display with an internally illuminated digital advertising display. - Display of illuminated static images on a 10 second sequential rotation. - No special effects including animation, flashing, or fading. - Illumination: Display will monitor and adjust to ambient light levels. Day max 300 candela/sqm. Night max 150 candela/sqm.*'
-

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The reasons for refusal refer to Lambeth Local Plan (LP) policies Q2, Q5 and Q17. I have taken these policies into account insofar as they relate to amenity.
3. The Council raise no objection to the proposed advertisement in respect of public safety. Having assessed the proposal, I see no reason to disagree. The main issue in this case is therefore the effect of the digital advertising display on amenity.

Reasons

4. There is an existing 48-sheet internally illuminated advertisement panel in-situ at the appeal site. It is positioned directly in front of an exposed flank elevation of an existing building adjacent to the appeal site and at right-angles, and directly adjacent to, the ground, first and second floor windows of 666a Streatham High Road.
5. The Council has recently granted advertisement consent¹ for the replacement of the existing advertisement with a digital advertising display. Although located in broadly the same position at the appeal site, I am advised that the

¹ LPA Ref No: 19/02805/ADV

approved panel would be mounted in a 'portrait' rather than 'landscape' orientation and would be smaller than both the existing panel and the appeal proposal. As a consequence it would be slightly further away from the windows of 666a Streatham High Road.

6. It is stated that the light emitted by a digital display panel is directional, which in turn limits the angle from which presented content is visible. Whilst content may not be visible when viewed across the panel's face, such as the view from the existing first floor windows at No. 666a, the light projected from the display would nevertheless be a discernible feature for residents of adjacent properties. Moreover, the windows at ground and second floor at No. 666a, and those on the neighbouring building, would experience a different relationship and angle of viewing, thereby varying the extent to which light emissions from the panel would affect those windows. Furthermore, light spill from the panel would be a constant presence from its interaction with and reflection from other nearby surfaces, signs and street furniture.
7. I accept that the appeal site is located alongside a busy road with a strong commercial presence where street lighting is present. Nevertheless, the stark nature of displayed images on digital panels in a position so close to residential receptors would be materially harmful to the amenities of occupiers of those adjacent properties. The proposed digital panel would therefore be an intrusive and unpleasant feature so close to the windows of those properties and would dominate the immediate outlook from those windows. Notwithstanding the prevailing commercial character of the surrounding area, the proposed panel would be harmful to the amenities of occupiers of those properties.
8. In reaching this conclusion, I am mindful of references to a previously approved scheme for the replacement of the existing internally illuminated display. I am particularly mindful that that replacement would be both smaller and, due to a different display orientation, not so close to the windows at No. 666a as is proposed in the instance before me. The margins of difference may, in the appellant's words, be modest but the current proposal's proximity to the front of No. 666a offers no relief or contrast between the panel and its backdrop in terms of the outlook from those windows.
9. LP policies Q2, Q5 and Q17 all recognise the value of amenity, whether that is of neighbours and local residents, or in terms of visual amenity. LP policy Q17 is generally supportive of advertisements where they contribute positively to a range of aims and goals. However, advertisements should not harm amenity. In accordance with the Regulations, the provisions of these policies are material considerations in this instance. The proposed digital advertising display panel would be a visually dominant and disruptive presence in close proximity to the windows of adjacent residential properties, thereby causing harm to amenity, the proposal would be in conflict with HLP policy CC5 and the Framework.
10. The principle of a replacement digital display panel at the appeal site has been accepted by the Council. The panel would be seen as one of three advertisement sites along a short stretch of the eastern side of Streatham High Road from its junction with Hermitage Lane and, whilst it would differ from the previously approved scheme in the orientation of its display and its larger size, it would not be significantly larger, or its impact on the visual amenity of the street scene materially greater, in the context of the Streatham High Road

street scene in the vicinity of the appeal site. The absence of harm to amenity in this respect does not, however, outweigh the harm that I have identified in relation to the amenities of occupiers of adjacent properties.

Conclusion

11. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR