
Appeal Decision

Site visit made on 5 October 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th October 2020

Appeal Ref: APP/A5840/Z/20/3245879

123 West Combe Apartments, Newington Causeway, London SE1 6BN

- 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 Westcombe Hill Investments Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref 19/AP/5732, dated 8 October 2019, was refused by notice dated 4 December 2019.
 - The advertisement proposed is the display of temporary scaffold shroud with 2 x externally illuminated advertisement banners (on west and south elevations) for a period to December 2020.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. The latter more fully describes the advertisements proposed, clarifying that they would be externally illuminated. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the advertisements on amenity.

Reasons

4. The appeal building is of 5 storeys, sited on the eastern side of the former Elephant and Castle roundabout incorporating a public house at ground floor level with residential accommodation above. It is enveloped to the north and east by the southern and western blocks of the Grade II listed Metro Central Heights, while the Grade II listed Michael Faraday Memorial sits to the west. Planning permission has been granted for an extension to increase the height of the property and provide additional accommodation.
5. The area surrounding the property is of mixed character with both residential and commercial uses and subject to ongoing public realm improvements. Signage in the area is generally restrained and in the main limited to lower levels on nearby buildings. Many of the large illuminated advertisements identified by the appellant on the shopping centre to the south no longer appeared to be in place at the time of my site visit.

6. The proposal comprises a 1:1 shroud depicting the building at the site, with an inset advertising area.
7. Planning Practice Guidance (PPG) states that buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements.
8. However, advertisements should be subject to control in the interests of amenity and public safety, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, as the PPG explains, if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it would be in scale and in keeping with these features.
9. I have considered the provisions of the development plan. Of particular relevance to the appeal proposal is Policy 3.23 of the Southwark Plan (2007) (SP) which states that amongst other things, advertisements will be permitted provided they are designed (including size, type and any illumination) to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area.
10. Immediately to the north and east of the property is the taller complex of buildings which comprise Metro Central Heights. The Listing description identifies that the significance of these buildings is principally associated with their design reflecting the European Modern Movement, elevation treatments and external materials.
11. By reason of their size, prominent siting, height above the footways/roads and illumination, the proposed advertisements would appear as unduly dominant and obtrusive features when viewed from the surrounding area and would be uncharacteristic of the majority of existing advertisements within the area.
12. As a result, they would detract from the public realm and would visually harm the setting of the adjoining Metro Central Heights. I have not identified any harm to the setting of the Michael Faraday Memorial. This is as a result of its degree of separation from the appeal site meaning that the advertisements would not generally be viewed in conjunction with the memorial.
13. Therefore, I conclude that the advertisements would have a significantly detrimental effect on amenity and would harm the setting of Metro Central Heights, harm which would not be offset by the temporary nature of the proposal. The proposal therefore conflicts with Policy 3.23 of the SP which seeks to protect amenity and which is relevant to this case.

Other Matters

14. I am aware that advertisements have previously been permitted at this location by the Council. However, I have not been presented with all the circumstances relating to this approval and the evidence appears to indicate that this previous proposal differed in that it was non illuminated. The previous approval does not justify the appeal. Conditions limiting the intensity or times of illumination would not be enough to overcome the harm identified which does not solely centre around this aspect of the proposal.

15. The appellant claims that there are financial and other public benefits associated with the appeal scheme. However, there is nothing in the evidence to indicate that a shroud would not be erected during the construction period without the proposed advertisements or that the works to provide additional residential accommodation at the site would not occur without the provision of the advertisements. However, in any event, advertisements are subject to control only in the interests of amenity and public safety.

Conclusion

16. For the reasons given above, I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR