

Appeal Decision

Site visit made on 24 November 2020

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2020

Appeal Ref: APP/A5840/Z/20/3256545
74 Peckham High Street, London SW15 5ED

- 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 Ms Gertrude Donkor against the Council of the London Borough of Southwark.
 - The application Ref 20/AP/1274, dated 24 April 2020, was refused by notice dated 29 June 2020.
 - The proposed advertisement is described as display of shroud facade and advertisement banner including the installation of 4 externally illuminating lights.
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Decision

1. The appeal is allowed and consent is granted for the display of shroud facade and advertisement banner including the installation of 4 externally illuminating lights as applied for. The consent is subject to the five standard conditions set out in Schedule 2 of the Regulations and to the following additional conditions:
 - 1). *No part of the shroud façade and advertisement banner hereby permitted shall be illuminated between the hours of 22.00 and 16.00.*
 - 2). *The shroud façade and advertisement banner hereby permitted shall not be displayed until all scaffold is in place and shall be removed when the scaffold is removed or within 11 months of the façade and advertisement banner's initial display, whichever is the sooner.*

Preliminary matters

2. In the interests of accuracy, and since the appellant has signified that she has no objection, I have adopted the description of the proposed display used in the Council's decision notice.
3. Reference has been made to the *National Planning Policy Framework*. Its guidance underlines the fact that the powers under the current Regulations to control advertisements may be exercised only in the interests of amenity and public safety. In this context, the development plan policies referred to have been treated as material considerations.
4. The Council raises no concerns with regard to public safety, but is concerned with amenity. I have no reason to disagree with the Council's stance in respect of public safety.

5. The appeal site is located within the Rye Lane Peckham Conservation Area (CA), and I am therefore required to pay special attention to the desirability of preserving or enhancing its character or appearance.

Main issue

6. The main issue is the effect of the proposed advertisement on the amenity of the locality.

Reasons

7. External building works are due to be carried out to the appeal property for which scaffolding and associated mesh will become necessary for access and health and safety reasons. The appellant proposes screening the scaffold with what is described as a shroud for the duration of the works, estimated to last for between 9-11 months. This will have imprinted upon it a coloured life-sized image of the building's façade and a large inset would be provided in the shroud for advertising. Four overhead lights would illuminate the advertisement panel. However, the appellant has explained that this illumination would not be needed at night or for most of the day.
8. I share the Council's view that because of its High Street location, the shroud and advertisement would be prominent at a fairly high level, particularly in views from the west. However, for the same reason so would the scaffold and mesh when erected.
9. It seems to me that the appearance of a shroud of the type proposed for a temporary period, albeit inset with advertisements, would be preferable to the rather crude and utilitarian appearance of scaffolding and associated mesh, as I saw on another building site just to the east, opposite the bus station. It would have less of a damaging effect on the street scene and CA. Moreover, the location is distinctly commercial in character, the current appearance and colour of parts of the existing building is somewhat jarring, and the display would be of a temporary and relatively short duration. The proposed illumination, intended only for the early and late evening, would not be out of place in this commercial location.
10. I conclude that this temporary advertisement would not harm the amenity of the locality or the character and appearance of the CA, and the appeal, accordingly, succeeds.
11. The consent is subject to the standard conditions. Having regard to the nature of the advertisements, additional conditions are necessary.
12. Conditions are imposed to reflect the temporary nature of the consent, and to clarify the permitted duration of the display. A condition is imposed, in the interests of visual amenity, to limit the illumination of the display to certain times of the day and evening.
13. All other matters raised in the representations have been considered but none outweighs the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR