



Appeal Decision

Site visit made on 15 February 2022

by Gareth W Thomas BSc (Hons) MSc (Dist) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 MARCH 2022

Appeal Ref: APP/A5840/Z/21/3282604

Red Bus Shop, Unit 1, Winchester Wharf, 4 Clink Street, LONDON, SE1 9DL

- 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. Stuart Balfour (Red Bus Shop) against the decision of London Borough of Southwark.
 - The application Ref 21/AP/1858, dated 5 June 2021, was refused by notice dated 30 July 2021.
 - The advertisement proposed is Removable Shop Signage.
-

Decision

1. The appeal is allowed, and express consent is granted for the display of the Removable Shop Signage as applied for.
2. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Preliminary Matters

3. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. In refusing the application, the Council states that the advertisement would harm the special architectural and historic interest of the Grade II listed building and in turn harm the character and appearance of the of the Borough High Street Conservation Area. In addition, the Council maintains that it would also be harmful to the setting of the nearby Grade II* listed building Remains of Winchester Palace. The Council also raises the issue of public safety.
4. The statutory duty under s66 and s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This duty applies in advertisement appeals insofar as it relates to the consideration of amenity.

Main Issues

5. The main issues are therefore the effect of the advertisement display firstly, on the visual amenity of the listed building and the Borough High Street Conservation Area (the Conservation Area) and secondly, on public safety.

Reasons

6. The appeal site forms part of Winchester Wharf a grade II listed building and former river side warehouse building dating back to the early 19th century. It

also lies close to the grade II* Remains of Winchester Palace to the east and within the site of the Winchester Palace Scheduled Ancient Monument. The building lies within the Conservation Area and has frontages on to the river and Clink Street.

7. The significance of the conservation area is derived from its great diversity of buildings but consistency in terms of character derived from their medieval burgage plot arrangement resulting in generally tall narrow buildings. The immediate location of the appeal building is characterised by the predominance of large-scale buildings with commercial frontages and residential above. Clink Street is particularly narrow with the tall buildings providing a medieval quality to the street scene.
8. Advertising in the area is not particularly a common feature although existing advertisements tend to be positioned flat to the face of the building and at fascia level above the ground-floor windows and shop fronts. Advertising signage above this level and of a projecting nature are rare. There is a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
9. The proposal would see the installation of a small non-illuminated projecting sign, which would be only displayed during the opening hours of the establishment. It is positioned at ground floor window head level. The appellant argues that due to the narrowness of Clink Street, the existing flush mounted lettering applied to the brickwork at fascia level is not conducive to being seen by passing trade. It is argued that a small discreet projecting sign would at least help to flag the presence of the business.
10. I do not believe that the simply designed sign would have any deleterious effect on the host building and would at least preserve the character of the conservation area. The significance of the host property as a listed building would not be harmed. The setting of the Remains of Winchester Palace would be preserved. At my site visit, I was able to view other projecting signs in the immediate locality. Although I am not obliged to undertake any comparison as I have duties under the Act as detailed above. But it did appear to me that signage can make a contribution to the vibrancy of commercial areas. In this instance, the appeal proposal is so discreet and low key that it would be in keeping with the character of heritage assets in the area.
11. Although the Council refers to the impacts on highway safety and thus public amenity, I found that the sign would not project beyond the narrow pavement. It would be unlikely to cause issues of highway safety.
12. I have taken into account Saved Policies 3.23 'Outdoor advertisements and signage', 3.12 'Quality in Design', 3.15 'Conservation of the Historic Environment' 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan 2007, 3.2 'Protection of amenity' and Strategic Policy 12 'Design and Conservation' of the Southwark Core Strategy 2011 insofar as they seek to protect amenity and public safety. Given that I have concluded that the proposal would not harm amenity or introduce unacceptable public safety concerns, the proposal would not conflict with such amenity and public safety aspects of these policies.

Conclusion

13. For the above reasons, I conclude that the appeal should be allowed.

Gareth W Thomas

INSPECTOR

