

Appeal Decision

Site visit made on 14 March 2022 by C Glaister BSc (Hons)

Decision by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 May 2022

Appeal Ref: APP/N5660/Z/22/3292299

Land at Kennington Road, London SE1 7BJ

- 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 Thomas Johnston of JCDecauxUK against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/04221/ADV, dated 1 November 2021, was refused by notice dated 23 December 2021.
 - The advertisement proposed is described as "Installation of an internally illuminated digital display on a specially designed Wilmotte leg".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the advertisement on:
 - the amenity of the area; and
 - public safety.

Reasons for the Recommendation

Amenity

4. The advertisement would be located near the busy light controlled junction of Lambeth Road with Kennington Road. The immediate area is characterised by wide roads and footways, mixed-use and residential development, and the parklands of the Imperial War Museum. There is a large hotel near to the site, and opposite is a terrace of tall historic buildings, which are locally listed. Although there are other listed buildings in the wider area, including the Imperial War Museum, 53 – 57 Kennington Road, and 96-102 Lambeth Road, they are some distance away from the appeal site. Given this, it is the long, terraced row of historic buildings opposite the proposed sign that would form part of its immediate context. These locally listed buildings with their rich architectural detailing and tall, elegant forms are an attractive and prominent group, and they make a distinct contrast to the simple, rhythmical style of the hotel opposite. The presence of both historic and modern buildings, along with

the park gives the area a distinct identity, and one whereby the historic buildings make a positive to the character and appearance of the area.

5. The advertisement would be elevated above the footway of the north-west corner of the junction. The sign would be visually prominent given its large size, its elevated position, and its internal illumination. When approaching the sign it would be seen against the backdrop of the hotel building and the historic buildings. Given the proximity of the sign to these locally listed buildings, the sign would make a harsh and incongruous juxtaposition with the high quality, traditional materials, styles and forms of these historic buildings. This contrast would harmfully draw the eye, and the sign would unacceptably erode the attractive prominence of the historic buildings and the distinction that they give to the street scene.
6. Within the surrounding area those advertisements present generally relate to commercial and service premises, and there are no freestanding advertisements in the immediate area that are similar to the proposal. Given this, the sign would appear conspicuous, and particularly so when approaching it from the south. The hotel is a large building, with a simple, rhythmical style, albeit I note there are proposals to re-develop the site. Having regard to the homogeneity of the current backdrop, the sign would appear both disruptive and intrusive when viewed against the harmonious appearance of the hotel. Even if the adjacent site is redeveloped, the presence of a large, bulky sign on a prominent street corner would introduce additional visual clutter in what is already a complex public realm due to the presence of the junction.
7. The advertisement would not directly face any residential buildings, and there would be some light provided by streetlights during darker hours. Notwithstanding this, the illumination of the sign would have a crisp and bright appearance, and this, combined with its large size and its elevated position, would make it conspicuously prominent, especially when it was dark. A limit on the advertisement's illuminance during hours of darkness, and other controls relating to the lighting of the advertisement, would not be sufficient to alleviate the harm. Any contribution to economic growth would be very minor, and the benefits deriving from the use of modern technologies, energy efficiency and recycled materials would be modest and would not outweigh the harm identified.
8. The appellant has referred to the refused application for a larger freestanding sign, which was subsequently dismissed at appeal (reference: APP/N5660/Z/18/3195012). Even though the size and scale of the sign have been reduced, the proposed sign would be large, prominent, and in a position where it can be seen from long distances away, including when approaching the sign from the east. Whilst similar signs may be found within urban settings, in this instance the sign would fail to integrate into its context.
9. For these reasons, the advertisement would unacceptably harm the visual amenity of the area. Although not decisive in advertisement cases, I have had regard to Policies Q5, Q17 and Q23 of the Lambeth Local Plan (2021) (LLP) and the Advertisements and Signage Guidance (2016). These seek amongst other things, that advertisements contribute positively to the local scene and integrate into their context, including protecting the setting of locally listed buildings, thereby reflecting objectives of the National Planning Policy Framework (the Framework). The advertisement would fail to accord with

these aims. Although reference has been made to LLP Policy Q7 as this relates to new buildings and conversion schemes it is not therefore directly relevant to the appeal.

Public Safety

10. The advertisement would face roughly south, and would be positioned close to the light controlled junction and pedestrian crossings of Kennington Road with Lambeth Road. These are busy roads, both for vehicular and pedestrian activity, with Kennington Road being part of the Strategic Road Network. Although the sign would be set back from the road junction, given its height, size and illumination it would be clearly visible to those travelling northwards along Kennington Road, and to a lesser extent when using Lambeth Road. Whilst the images would be static, for north-bound drivers the sign would be in the same line of sight as the traffic lights, and it would be a bright and conflicting backdrop to the traffic signals.
11. The junction is a busy and complex one, requiring concentration for all users of the highway due to the presence of several sets of traffic lights, pedestrian crossings, and also varying traffic movement options. Having regard to this, the sign would not only reduce the conspicuousness of the traffic lights but would also be a distracting presence. Even though its size and scale have been reduced following the previous appeal, the sign would be large and prominently positioned, and neither these amendments nor conditions to control display and illumination would be sufficient to reduce the significant harm the sign would cause to public safety.
12. LLP Policy Q17 seeks amongst other things, that advertisements should not harm highway/public safety, thereby reflecting objectives of the Framework. Although not determinative, as the sign would be detrimental to public safety, it would fail to accord with these policy objectives and also those of the Framework.

Conclusion and Recommendation

13. The sign would cause significant harm to the visual amenity of the area and also with regard to public safety. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

JJ Evans

INSPECTOR