

# Appeal Decision

Site visit made on 29 March 2022 by C Glaister BSc (Hons)

**Decision by JJ Evans BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9 May 2022**

---

**Appeal Ref: APP/N5660/Z/22/3292301**

**Land at Atkins Road, Lambeth SW12 0AR**

- 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 London Borough of Lambeth.
  - The application Ref 21/04222/ADV, dated 1 November 2021, was refused by notice dated 23 December 2021.
  - The advertisement proposed is described as an "Internally illuminated digital display on a specially designed Wilmotte leg".
- 

## 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 Atkins Road and Kings Avenue. The immediate area is characterised by mostly residential development set back from the highway behind front gardens. There are wide footways either side of multi-laned roads, with areas of grassed and treed open space near to the footways. The open spaces give a spacious appearance to the area, and this combined with the straight, wide nature of the roads, provides long views of the appeal site.
5. The advertisement would be elevated above the footway to the western side of the junction. The sign would be visually prominent given its large size, its elevated position, and its internal illumination. When approaching from the east there would be long distance views of the sign, and it would also appear in view when approaching from Kings Avenue. As the sign would be seen against

the backdrop of the open space and trees it would be prominently intrusive, with the large, bright illuminated nature of the sign forming a strident contrast to its verdant backdrop.

6. Within the surrounding area there are few signs, and there are no freestanding advertisements nearby that would be similar to the proposal. As such, the sign would appear particularly conspicuous. The presence of a large, bulky sign in a prominent location would introduce additional visual clutter in what is already a complex public realm due to the presence of the junction and the numerous light controls and directional signage. Moreover, as the sign would be large and illuminated it would unacceptably dominate the area.
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. Whilst the appellant considers the sign to be of a high standard of design and construction, neither this nor conditions to control the lighting of the advertisement and hours of operation, would be sufficient to alleviate the significant harm identified.
8. 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 and Q17 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 sustaining and reinforcing local distinctiveness, thereby reflecting objectives of the National Planning Policy Framework (the Framework). The advertisement would fail to accord with these aims.

#### *Public Safety*

9. The advertisement would be positioned close to the light controlled junction and pedestrian crossings of Atkins Road and Kings Avenue, whereby several roads intersect. Traffic speeds permitted on the approach to each junction are limited, but these are busy roads both for vehicular and pedestrian activity, with numerous manoeuvres available due to the complexity of the junction. Although the sign would be set back from the road, given its height, size and illumination it would be clearly visible to those travelling westwards along Atkins Road, including from long distances away. In addition, the sign would also be visible when exiting Kings Avenue and travelling westwards along Atkins Road. Whilst the images would be static, the sign would be in the same line of sight as the traffic lights. The large size of the sign and its illumination would be brightly conspicuous to all users of the highway, and as it would form a backdrop to the traffic signals, it would be particularly distracting for drivers.
10. The junction is a busy and complex one, requiring concentration for all users 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 be a distracting presence, and conditions relating to the lighting of the advertisement and hours of use would not be sufficient to alleviate the harm.

11. LLP Policy Q17 seeks amongst other things, that advertisements should not harm highway/public safety, thereby reflecting objectives of the Framework. Although not determinative in advertisement cases, 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**

12. 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**

13. 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