



Appeal Decision

Site visit made on 20 September 2022

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/N5660/Z/22/3300750

**Outside St George Wharf, Wandsworth Road, Vauxhall Cross,
London SW8 2LE**

- 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 London Lites Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 22/00929/ADV, dated 3 March 2022, was refused by notice dated 29 April 2022.
 - The advertisement proposed is one freestanding static LED digital display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations to control advertisements require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. Therefore, while I have taken account of the policies and guidelines that the Council consider to be relevant, these have not been decisive in my assessment.

Main Issues

3. The main issues are the effect of the proposed advertisement on local amenity and on public safety.

Reasons

Amenity

4. The proposed free-standing advertisement display would be located within the footway on the western side of the busy A3036 Wandsworth Road, just beyond the subway entrance to the Vauxhall Underground Station. The surrounding area is characterised by modern high-rise buildings and transport infrastructure, but this is not a vibrant commercial area. Most of the buildings appear to be offices or residential flats.
5. I agree that the proposal would not appear out of scale with its surroundings, and that its design and materials would be in keeping with the modern urban character of the area. However, the wider context in which it would be seen already includes several advertisement displays of a similar nature. This includes a large digital display on the eastern side of Wandsworth Road, and two large digital displays to the south at the Parry Street/Nine Elms Lane junction. I saw that these existing displays are experienced in short sequence

when travelling north along Wandsworth Road and appear as eye-catching features that dominate the streetscene, even during the daytime.

6. The proposed advertisement is of a smaller size, but it would still be a highly prominent addition to the streetscene due to its siting, continuous illumination, and sequential changing images. In combination with the existing displays, the proposal would result in an excessive proliferation of digital advertisements within a short stretch of road, dominating the streetscene. This would be the case even if the levels of illumination and the speed and frequency of image transitions were controlled. As such, I find that the cumulative effect of the proposal with existing signage would be harmful to the visual amenity of the area, notwithstanding the urban context and that it is not in a conservation area.
7. Whilst not decisive, the proposal would also conflict with Policy Q17 of the Lambeth Local Plan 2021 (LP), in so far as it requires advertisements are collectively well integrated into their context and do not add unacceptable visual clutter. It would also conflict with paragraph 136 of the National Planning Policy Framework (the Framework) which requires the cumulative impacts of advertisements to be considered.

Public safety

8. This one-way section of Wandsworth Road (A3036) lies between two major junctions and comprises of five general traffic lanes and an offside bus lane that provides access into Vauxhall Bus Station. The road carries a high volume of traffic and is part of the Transport for London (TfL) Road network.
9. The Council's objection to the proposed advertisement on public safety grounds has been informed by an objection from TfL. Concerns are raised regarding the increased potential for distraction to road users in a location where careful attention needs to be paid to highway signs, lane changes, and traffic conditions, also noting that there is already an existing digital display on the opposite side of the carriageway.
10. I have had careful regard to the appellant's assessment of highway safety matters. I note that the nearside siting of the advertisement reflects TfL advice. However, context is important. Indeed, the Planning Practice Guidance on advertisements states that all advertisements are intended to attract attention, but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. Furthermore, it advises that one of the main types of advertisement which may cause danger to road users are those which are illuminated, and those subject to frequent changes of the display.
11. From my own observations, this is not a simple road environment for drivers to negotiate, and would be unlikely to be considered as such by anyone encountering it for the first time given the junctions and lane choices involved. Even for those who may be more familiar with its layout, lane awareness and a high degree of vigilance of other vehicle movements and speed changes is necessary. Peak periods when traffic volumes and queuing towards the forward junction are highest would likely present even greater complexity, particularly in respect of lane changes and the ability to see road markings. I also note from the data provided that there have been a number of accidents within the vicinity of the appeal site, with failure to judge other persons path, sudden

breaking, and poor turn or manoeuvre being highlighted among the contributing factors. Whilst the accident data is not a decisive factor by itself, it does provide some additional confirmation of the complexity of the road environment at this point.

12. I accept that the proposed advertisement would be unlikely to interfere with any traffic signs or signals. Nonetheless, by virtue of its prominent siting, illumination, and sequential changing imagery, the proposed advertisement would have the potential to distract some drivers from concentrating on the movements of other vehicles and correct route lanes. The additional visual interaction with the existing advertisement on the opposite side of the road and the potential of drivers seeing multiple images adds further to my concerns.
13. Overall, in my judgement, the additional potential for distraction of road users along this busy and complex section of Wandsworth Road, both alone, and in combination with the existing signage, would heighten road safety risks in this location, increasing the potential for collisions. Conditions to control the image transition and luminance would not sufficiently mitigate for the distracting nature of the proposal in its context.
14. I therefore find that the proposal could be harmful to public safety. Whilst not decisive, the proposal would also conflict with Policy Q17 of the LP, in so far as it expects advertisements to not be harmful to highway/public safety. It would also conflict with paragraph 136 of the Framework where it seeks to prevent the negative impact of poorly sited advertisements, taking into account cumulative impacts.

Other Matters

15. I acknowledge that advertisements of this type can be acceptable in appropriate locations, and like the existing signs in the locality, have been approved along busy roads and at junctions. However, my concerns relate to the specific local conditions and cumulative effects of this particular case, and I have reached my own conclusions.
16. I do not doubt that there are benefits of this form of advertisement. However, these matters have limited bearing on my decision given that the Regulations require that I exercise my powers only with regard to amenity and public safety.

Conclusion

17. For the reasons given, I conclude that the proposed advertisement would be detrimental to the interests of amenity and public safety. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR