



Appeal Decision

Site visit made on 18 November 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2022

Appeal Ref: APP/N5660/Z/22/3302161

Stockwell Underground Station, 254-256 Clapham Road, London SW9 9AE

- 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 22/00759/ADV, dated 1 March 2022, was refused by notice dated 16 May 2022.
 - The advertisement proposed is one static LED Digital Advertisement Display.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to the effect a relocated projecting sign would have on the host property. However, whilst that sign is shown on the plans and photomontage, advertisement consent, if it is required, has not been sought for that sign as part of the proposal before me. I note that the appellant makes comment about the possibility of relocating that sign to alternative positions. Notwithstanding this, I have dealt with the appeal on the basis of the proposal for which consent was sought, namely a single static LED digital advertisement display. The main issues I have defined are in respect of that proposal only.

Main Issues

3. The main issues are the effect of the advertisement on visual amenity and highway safety.

Reasons

Visual amenity

4. Stockwell Underground Station is situated on a corner plot at the junction of Clapham Road and Binfield Road. The proposed advertisement display would be attached to the brown brick two-storey wall of the building fronting Clapham Road, with the lowest part of the display unit being at a height of 2.5 metres above the footway adjoining the building.
5. The site is at a busy light-controlled road junction located in an area of primarily commercial premises at ground floor which provide mostly local services and convenience goods. Advertising on commercial premises is common in the immediate vicinity of the site and this is a characteristic feature of the area. However, with very few exceptions, advertisements are displayed

at ground floor fascia level immediately above the windows and doors to those premises. Advertisements at height do not feature in the area, and I saw no general advertising hoardings locally during my site visit.

6. The wall onto which the proposal would be attached is largely featureless apart from the London Underground standard livery projecting sign. The adjoining part of the building containing the entrance to the Underground station has a standard London Underground station name sign above the entrance, with windows of differing sizes at first floor above. This gives a simple, uncluttered, plain, and uncomplicated appearance to this elevation of the building. This simplicity in appearance is a valuable feature in identifying the building as a landmark in the locality, notwithstanding its relatively lower height in comparison to larger buildings on the opposite side of Clapham Road.
7. I recognise the function of advertising is to draw attention, and commercial areas can be an appropriate location for such displays. I also recognise that advertisements are not required to make a positive contribution to amenity. However, the proposed digital advertisement display would appear in stark contrast to the general positioning of advertisements at lower heights in the immediate area. This would draw the eye, as is intended, but the size, height and illumination of the proposal would appear out of place on this otherwise simple frontage resulting in the proposal having a dominant and intrusive appearance. The proposal would therefore be harmful to visual amenity.
8. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material in respect of amenity. Policy Q17 of the Lambeth Local Plan 2020 – 2035 (September 2021) ('the Local Plan'), which seeks to ensure advertisements do not harm amenity, is material in this case. Given that I have concluded that the proposal would harm visual amenity, it would conflict with this policy.

Highway safety

9. The proposed advertisement would be positioned at a height and location where it would be visible to drivers, cyclists and pedestrians approaching from most directions, noting the access limitations in place on Binfield Road. However, I saw during my site visit that traffic speeds were generally low in the vicinity of the site due largely to the volume of traffic at the time, particularly along Clapham Road.
10. Whilst I recognise that traffic volumes are likely to vary during the day and at night, notwithstanding the width of the carriageways, I would expect drivers to approach the complex light-controlled junction with due caution, and this is what I observed. I also noted during my site visit the views of the traffic light heads for drivers, cyclists and pedestrians approaching from all directions would not be impaired by the proposed advertisement.
11. The advertisement display would draw attention from all highway users. However, given the generally slow and controlled speed of traffic, the presence of dedicated bus and cycle lanes that assist in securing segregation of vulnerable highway users, and the design of pedestrian crossing points which include wide raised paved areas centrally in the carriageways of Stockwell Road and Clapham Road, the proposal would not be so distracting as to cause a hazard to users of any part of the highway. I therefore conclude that the effect

of the advertisement would not cause harm to highway safety for the reasons I have set out.

12. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material in respect of public safety. Policy Q17 of the Local Plan, which seeks to ensure advertisements do not harm public safety, is material in this case. I have concluded that the proposals would not cause harm to highway safety, and they would therefore not conflict with Policy Q17. However, this does not mitigate the harm to visual amenity I have identified.

Other Matters

13. I note that the materials proposed to be used in manufacturing the advertisement display would be hardwearing thereby leading to longevity and limited maintenance. I also acknowledge that digital advertisement displays support commercial activity and can be an important part of a healthy economy by stimulating consumer demand which has positive effects in the wider economy. However, recognising that The National Planning Policy Framework indicates that advertisements are subject to control only in the interests of amenity and public safety, taking account of cumulative impacts, these are not matters to which I can have regard.

Conclusion

14. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

David English

INSPECTOR