
Appeal Decision

Site visit made on 30 August 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/A5840/Z/23/3320648

Pavement Outside 18 Camberwell Road, Camberwell, London SE5 0EN

- 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 Martin Stephens (J C Decaux Limited) against the decision of the Council of the London Borough of Southwark.
 - The application Ref 22/AP/3661, dated 21 October 2022, was refused by notice dated 28 March 2023.
 - The development proposed is the installation of an internally illuminate freestanding double-sided digital advertisement unit – advertised space measuring 1065mm x 1865mm.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety. Although the reason for refusal refers to policies contained in the Southwark Local Plan (SLP) and the London Plan (LP), they are material considerations rather than being decisive in the determination of this appeal.
3. Where relevant, possible effects on designated heritage assets have been considered. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In advertisement appeals this is only relevant in so far as it relates to amenity. Reference is made in the reason for refusal to the Walworth Road Conservation Area. The appeal site is not located within this Conservation Area.

Main Issue

4. It is considered that the main issue is the effect of the proposed advertisement on visual amenity.

Reasons

5. The proposed development is a freestanding advertisement unit with internally illuminated digital display screens on either side. The appeal scheme would be erected in a location currently occupied by a bench which would be relocated.

6. The appeal site is located on Camberwell Road in the footway outside a parade of shops and related commercial businesses at ground floor level with residential accommodation above. The surrounding area is of a mixed character and appearance comprising both residential and commercial uses. This includes the terrace of buildings fronting the opposite side of the road which are within the Conservation Area.
7. However, by reason of the width of Camberwell Road, the commercial character at ground floor level and the scale of the proposed advertisement there would be a neutral effect on the setting of this Conservation Area. Further, because of the commercial uses at ground floor level, the appeal scheme would not unacceptably harm the setting of the non-designated heritage asset comprising 36-44 Camberwell Road. There would not be a conflict with the SLP's and LP's heritage policies cited in the reason for refusal.
8. The wider streetscene along Camberwell Road includes a range of street furniture, including benches, trees, lamp posts, bus shelter with static advertisements, a demarcated scooter parking area and a telephone kiosk. To the north is a controlled pedestrian crossing with associated lights and control boxes and an area for cycle parking.
9. Although there is a mix of street furniture within the wider streetscene, the footway adjacent to the site is more open in character because of the combination of its width, benches and trees. By reason its siting and digital illumination displays, the appeal scheme would introduce an incongruous addition to the current open character and appearance of the streetscene and would represent an increase in the visual clutter of street furniture in this immediate locality.
10. Accordingly, it is concluded that the proposed advertisement would cause unacceptable harm to the visual amenity of the streetscene. Although not determinative, the appeal scheme would conflict with SLP Policies P14 and P43 and LP Policy D4 which require a high standard of design and for advertisements to take into account the site's context and local character and also avoid harm to the significance of streetscape.
11. For the reasons given, it is concluded that the appeal should be dismissed.

D J Barnes

INSPECTOR