



Appeal Decision

Site visit made on 18 December 2023 by R Parker BSc (Hons)

Decision by S Edwards BA MA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd May 2024

Appeal Ref: APP/N5660/Z/23/3325713

181-183 Kennington Lane, Lambeth, London SE11 4EZ

- 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 Foxtons against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 23/01433/ADV, dated 27 April 2023, was refused by notice dated 27 June 2023.
 - The advertisement proposed is described as 'New fascia tray and acrylic letters and new projection sign. Replace existing like for like fascia panel'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. While I have had regard to the revised national policy as a relevant factor, the issues most relevant to this advertisement appeal remain unaffected by the revisions. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by this course of action.
4. The control of advertisements relates only to public safety and amenity. Regulation 3 states that these powers shall be exercised having regard to the provisions of the development plan, so far as they are material, and any other relevant factors considered. No concerns regarding public safety have been raised by the Council. Having reviewed the available evidence, I see no reason to disagree with them.

Main Issue

5. The main issue in this case is the proposal's effect on the amenity of the area.

Reasons for the Recommendation

6. The appeal site is located within proximity to Kennington Cross, at the effective heart of the Kennington Conservation Area which, as noted in the Council's submissions, is predominantly characterised by smart terraced housing

developed from the late 18th century and the impressive Duchy of Cornwall Estate laid out in the early 20th century. The appeal site comprises two four-storey historic terraced buildings, which are adjacent to a locally listed public house and opposite Grade II listed underground toilets. These, together with the surrounding commercial uses, give the locality a pleasant town centre feel with a strong historic character.

7. The proposed advertisement relates to the ground floor commercial premises, which have modern shopfronts. The two units have been combined into one and, presently, the site has a modern blank fascia sign in place. The shopfronts do not retain any features of historic interest. Notwithstanding this, and despite some unfortunate alterations, the appeal buildings make a positive contribution to the special interest of the Kennington Conservation Area.
8. The appeal proposal is for a large non-illuminated folded aluminium fascia tray spanning the extent of both shopfronts, with acrylic lettering and an internally illuminated projecting sign. The sign currently erected appears to be an unadorned version of the appeal proposal. The appellant has stated that the proposal matches the size and specifications of the signage in place when the application was made. The Council's submissions explain that the preceding signage was, however, erected without consent and was subject to enforcement action. This is not disputed by the appellant.
9. The materials of the proposed advertisement would be out of keeping with the more traditional contextual materials of the location. In addition, the scale of the proposed signage would be out of proportion with both the host shopfront and the understated frontages of those shops which contribute positively to the area's character. The proposed sign would dominate the street scene due to its incongruous appearance and prominent location. By reason of its bulky appearance and inappropriate design, the proposed signage would fail to relate to the host building and detract from the strong, historic character of the conservation area. The cumulative effect of these issues would harm the visual amenity of the area.
10. The appellant has stated that the signage serves an essential purpose to promote visibility of the business and attract customers. It is reasonable that a business advertises its presence. However, I have received no substantive evidence that it is not possible to do so without causing harm to the amenity of the area.
11. As outlined above, the appeal scheme would fail to preserve or enhance the character and appearance of the Kennington Conservation Area. It would therefore cause significant harm to the amenity of the area and so conflict with Policy Q17 of the Lambeth Local Plan (LP) 2020-2035 (Adopted September 2021), and the Council's Advertisement and Signage Guidance (2016) which, amongst other things, seek to protect amenity. I have had regard to Policy HC1 of the London Plan (2021) and LP Policies Q2, Q5 and Q22, but these focus on development proposals, with particular regard to design, local distinctiveness and conservation areas. Advertisements are not development, and I therefore find that these policies are not directly relevant to the appeal scheme before me.
12. I have also had regard to the Kennington Conservation Area Statement (2012) (Statement), which notably identifies shop signage as a particular problem in the area. It seeks to ensure that new shop signage reflect the style of

contributory shopfronts, which tend to use timber and be formed with careful proportions and good detailing. The Statement supports proposals which contribute positively to the character and appearance of the area, and seeks to resist those which are unsympathetic, particularly regarding shopfronts. However, for the reasons detailed above, the appeal scheme would also not accord with guidance contained within the Statement.

Conclusion and Recommendation

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

R Parker

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR