



Appeal Decision

Site visit made on 8 March 2024 by Ifeanyi Chukwujekwu BSc MSc MRTPI MIEMA CEnv

Decision by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2024

Appeal Ref: APP/A5840/Z/24/3336208

Town Hall Chambers, 32 Borough High Street, Southwark, London SE1 1XU

- 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 Justin Myers on behalf of Blow-Up Media UK Ltd against the decision of Southwark Council.
 - The application Ref 23/AP/3041, dated 31 October 2023, was refused by notice dated 27 December 2023.
 - The advertisement proposed is temporary decorative printed scaffold shroud advertisement measuring 7.5 X 6.6 metres inset within a 1:1 image of the building facade depicted across the whole scaffolding.
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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.

Procedural Matters

3. The Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the development plan policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the advertisement on amenity with particular regard to the Borough High Street Conservation Area and the setting of Saviour's Southwark War Memorial and other nearby heritage assets.

Reasons for the Recommendation

5. Amenity is not defined within the Regulations. Nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing

amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed advertisement would be in scale and keeping with important features.

6. Town Hall Chambers is a Grade II listed building located within the Borough High Street Conservation Area (the CA). It is prominently located at the Southern end of the intersection of Borough High Street and Southwark Street. The appeal building is four storeys high with an attic and constructed with yellow brick with Portland stone dressings and a slate roof. It has a 6-window range to its east elevation. It is articulated by raised pilasters some of which continue as pedimented chimney stacks. To the front of the building is The Saviour's Southwark War Memorial which is also a Grade II listed building.
7. The significance of the CA is derived from its great diversity, so that, it is made up of sub-areas with distinct characters of their own. Nevertheless, it has a clear overall identity in scale and form as with materials and detail, with its tall, narrow property frontages. The common elements are Yellow London stock brick as the basic construction material, façade elements arranged in Classical proportions, usually with parapet roofs to provide a horizontal cornice line and Portland/artificial stone or stucco dressings.
8. The linear character of Borough High Street creates contained vistas. The most notable views focus on landmark locations, generated by the angles of street intersections. Town Hall Chambers is a prime example of this with prominent views from both the north and south. The surrounding area has a mix of residential and commercial uses. At street level, it comprises of shops, public houses and other commercial uses, and as such advertising is a common and prominent feature in the area. However, this tends to be small scale shop signage which is located at fascia level above the ground-floor windows and shop fronts. Large scale advertising is not a feature of the area.
9. The proposal involves a temporary scaffold shroud, which would be installed for a period of six months during external refurbishment works. It would wrap around the entire building and have a 1:1 scale replica image of the building printed on it. The shroud would include one inset advertisement which would be around 7.5 metres wide by 6.6 metres tall. It would be placed on the south facing elevation and would span the length of the first and second floors. At this location, the inset advertisement would form the backdrop for the war memorial and public space.
10. The statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the CA. This duty applies in advertisement appeals insofar as it relates to the consideration of amenity.
11. In my view, Town Hall Chambers makes a positive contribution to the street scene. The building is also part of a larger group that have collective heritage value which includes the apex building at 28 Borough High Street (HSBC Bank) all in Italianate style.
12. To my mind, the advertisement would appear as an incongruous addition to the appeal building especially as the area is devoid of advertisements of a similar scale. It would also be a discordant and unduly prominent feature which would

detract from this group of buildings and diminish the positive contribution they make to the character and appearance of the CA.

13. I am also conscious that the advertisement would be highly visible not just from its immediate vicinity, but also from long range views along Borough High Street. The prominent siting and size of the advert would detract from the building's quality, and it would be visually harmful to the locality. It would also fail to preserve or enhance the character or appearance of the CA.
14. In coming to the above view, I acknowledge that should the appeal be dismissed the intended refurbishment work could be covered by a bland and featureless shroud and that the proposed printed wrap shroud would be preferable and would offer some amenity benefit. I also recognise that the area is vibrant with a backdrop looking northwards from the appeal building of London Bridge and tall buildings of the London skyline. Nevertheless, the appeal property is a prominent feature, and its landmark location in the street scene is amplified by its island location and the public space outside of the building which is further enhanced by the war memorial.
15. In addition to the above, the Planning Practice Guidance states that '*buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large 'wrap' advertisements covering the face, or part of the face, of the building*¹'. Nevertheless, the effect of the advertisement on amenity is the principal consideration.
16. I also recognise that the revenue gained from the advertisement would be put towards financing the costs of the works of refurbishment to the listed building which would enhance its quality and ultimately the appearance of the CA which provides an additional justification for the appeal scheme.
17. Finally, the appellant has also drawn my attention to a nearby example where a shroud with advertisements have been granted consent (St. George the Martyr Church). However, I consider that this consent does not provide an overriding justification for an otherwise unacceptable proposal.
18. Taking all of the above into account, none of the matters raised provide a compelling reason why consent should be granted for the appeal proposal given the significant level of harm to amenity which would result. As such, I conclude that the advertisement would have a harmful effect on the visual amenity of the area, including the CA, the setting of the Grade II listed Saviour's Southwark War Memorial and Grade II listed Town Hall Chambers. Though not decisive, it would also conflict with Policies P19 and P20 of the Southwark Plan 2022, and Policy HC1 of the London Plan 2021 and the overarching objectives of the Framework insofar as they seek to protect amenity.

Conclusion and Recommendation

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

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

¹ Paragraph: 005 Reference ID: 18b-005-20140306

Inspector's Decision

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

Chris Forrett

INSPECTOR