



Appeal Decision

Site visit made on 28 June 2024 by R Dickson BSc (Hons) MSc MRTPI

Decision by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th September 2024

Appeal Ref: APP/N5660/Z/24/3342806

516 Brixton Road, Lambeth, London SW9 8EN

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Justin Myers of Blow Up Media Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/00359/ADV.
 - The advertisement proposed is for the temporary display of an externally illuminated static scaffold shroud advertisement printed onto PVC measuring 10 metres x 5.8 metres.
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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.

Main Issues

3. The effect of the proposed advertisement on the visual amenity of the Brixton Conservation Area, and on public safety.

Reasons for the Recommendation

Visual amenity

4. The Brixton Conservation Area (CA) surrounds an historic roman route from London to the south coast, now known as Brixton Road. The appeal site, which is identified as making a positive contribution to the CA, is adjacent to a locally listed landmark corner building (No 518-522) which has a corner tower and dome detailing, denoting the visual hierarchy against the smaller terraced buildings, including the appeal site. The site itself is highly visible from long-reaching views, particularly from Coldharbour Lane and the large piazza opposite, however, remains visually subservient to the local landmark adjacent. These important local views within the CA add to the character and appearance to form a sense of place of the vibrant commercial area of Brixton Road, and forms part of the significance of the area.
5. The advertisement shroud is proposed to cover scaffolding while works are being undertaken to the front of the building, and extends across the width of the building on the first, second and third floors. The shroud would be of a large scale in comparison to the existing building and those adjacent to it. As a

result, the advertisement would detract from the important view of the adjacent building, No 518-522, drawing the eye from the local landmark. The advertisement would alter the visual hierarchy of this row of buildings in a negative way, detracting and harming the significance of the CA, with particularly the views of No 518-522.

6. The Planning Practice Guidance says, amongst other things, 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. Moreover, I recognise that the advertisement would provide some temporary visual interest during the 12 month period in contrast with scaffolding and the more functional screening and safety protection that may otherwise be installed.
7. However, in this instance due to the scale and eye catching nature of the advertisement, it would not uphold the visual hierarchy of the buildings at this corner. In this regard, even on a temporary basis, it would be an incongruous addition which would fail to preserve or enhance the CA.
8. Accordingly, taking the above into consideration, the proposed advertisement would result in unacceptable harm to the visual amenity of the CA. The Council has drawn my attention to Policies Q2, Q17, Q22 and Q23 of the Lambeth Local Plan 2020-2035 (2021), and Policy HC1 of the London Plan 2021 which collectively seek to ensure advertisements respond positively to visual amenity. Whilst I have taken them into account in so far as they are material considerations, they have not in themselves been decisive.

Public Safety

9. The site is located next to a large and busy junction which has multiple pedestrian crossing points. As discussed, the advertisement would be static and printed onto a scaffold shroud. It would be a large addition that would be particularly visible to road users, however given that it would be static, it would not have a significant adverse effect on vehicular road users navigating the junction. Vehicles viewing the site when approaching it from Coldharbour Lane would be able to see it from some distance, and therefore would have time to view the traffic lights separately.
10. The illumination of the externally illuminated advertisement would be at a consistent level, and given that Brixton Road is a vibrant and busy area, it would be unlikely that the level of illuminance would have a harmful effect on public safety. Even if this were to have a harmful impact, it could be controlled by a suitable worded condition, ensuring the advertisement was lit appropriately throughout darkness.
11. Considering the above, the proposed advertisement would not affect public safety. The Council has drawn my attention to Policy Q17 of the Lambeth Local Plan 2020-2035 (2021), and Policy T4 of the London Plan 2021 which collectively seek to maintain highway and public safety. Whilst I have taken them into account in so far as they are material considerations, they have not in themselves been decisive.

Other Matters

12. The Council has noted that the scaffold upon which the shroud advertisement would be placed has the potential to adversely impact pedestrian safety, however it would not be the advertisement itself which would have a negative effect, and therefore is outside the scope of my assessment.
13. I have been provided with examples of other advertisements by both parties. An appeal at 467 Brixton Road (a) was dismissed due to public safety, however this related to a digital advertisement, and is therefore not comparable to the scheme before me. Another advertisement was granted express consent at 463-465 Brixton Road, however this was on the opposite side of the road to the appeal site, and was in a less dominant location than the appeal before me. The same is true for appeals at Nos 457-461 and 467(b), which were allowed at appeal. An appeal at Nos 496-500 was allowed for a similar scheme, however these are located in a less prominent view than this appeal site. Finally, an appeal was allowed at 512-514 Brixton Road, which is adjacent to the appeal site. This scheme included a 1:1 image of the building behind, with the overall advertisement area being comparatively less than that proposed in the appeal before me. As a result, none of the examples provided are of such weight that would alter my recommendation.

Conclusion and Recommendation

14. While I have found that the advertisement would not have a negative impact on public safety, this does not outweigh the harmful impact on visual amenity. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

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

Mr R Walker

INSPECTOR