



Appeal Decision

Site visit made on 27 February 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal Ref: APP/H5960/Z/24/3349358

179 Battersea Park Road, London SW8 4LR

- 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 UK Ltd against the decision of the Council of the London Borough of Wandsworth.
 - The application reference is 2024/1721.
 - The advertisement proposed is a temporary decorative scaffold shroud wrap comprising a 1:1 printed coloured image of the building facade with an inset advertisement area measuring 10 metres x 3 metres for a period of 12 months.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has drawn my attention to the development plan policies it considers to be relevant to this appeal, as well as related guidance, and I have taken them into account as material considerations. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
3. The Government published a revised version of the National Planning Policy Framework ("the Framework") on 12 December 2024, replacing the December 2023 version extant at the time the application was determined. The amendments made did not have any bearing on the main issues in this appeal, and it was not therefore necessary to seek comments from the main parties on the updated Framework.
4. The appeal site has been the subject of two recent appeal decisions relating to advertisements, in October 2020 ("the 2020 appeal" – PINS Ref: APP/H5960/Z/20/3253974) and May 2022 ("the 2022 appeal" – PINS Ref: APP/H5960/Z/22/3292495). I address these earlier decisions at relevant points below.

Main Issues

5. The main issues are the effect of the proposal on the amenity of the area, and on public safety.

Reasons

Amenity

6. The appeal relates to a four-storey terraced building on a corner plot at the junction of Battersea Park Road and Queenstown Road. The appeal property is a locally-listed building and therefore a non-designated heritage asset (“NDHA”), and within the setting of two Grade II listed buildings – Battersea Park Railway Station¹, and the railway bridge crossing Battersea Park Road². It is also within the Park Town Estate Conservation Area (“the PTECA”) and immediately adjacent to the Battersea Park Conservation Area (“the BPCA”). The presence of railway infrastructure, including the two listed buildings just mentioned, is a defining feature of the area around the junction where the two conservation areas meet, and a key part of the significance of the PTECA in particular.
7. The appellant is seeking consent for a decorative scaffold wrap, to be installed around the northern and western street frontages while the building is refurbished, which would incorporate a commercial advertisement panel on the west-facing elevation. The advertisement panel would be approximately 3m high and 10m wide; it would be externally illuminated with overhead lights, though the appellant has described the lighting as “an optional feature”.
8. While the inset advertisement panel would be a relatively small part of the scaffold shroud, it would be very prominent in views east along Battersea Park Road in particular. While poster displays are of course a reasonably common feature in many towns and cities, and there are some a short distance from the appeal site, the appeal scheme would introduce a large poster into a sensitive location. It would be an intrusive and commercialising presence, drawing attention away from the listed buildings. While consent is sought for a temporary period of no more than 12 months, during the time the advertisement was in place it would cause unacceptable harm to the appearance of the NDHA, to the character and appearance of the PTECA, and to the setting of the two listed buildings.
9. I therefore conclude that the proposed advertisement would have a harmful effect on the amenity of the area. So far as the provisions of the development plan are material considerations, the proposal would conflict with Policies LP1, LP2, LP3 and LP9 of the 2023 Wandsworth Local Plan (“the WLP”). Together, and among other things, these policies seek to ensure that development (including new advertisements) relates positively to the prevailing local character, and that the historic environment is sustained, preserved and, wherever possible, enhanced.

Public safety

10. The commercial advertisement would be seen in long views by drivers approaching from the west along Battersea Park Road. The junction of Battersea Park Road and Queenstown Road is a busy and reasonably complex one, with bus and cycle lanes, pedestrian crossings, banned turns and yellow box markings. While traffic would be likely to be approaching the junction at moderate speeds, the advertisement would be a prominent addition to the area, and would draw the attention. The commercial advertisement panel would be seen behind the traffic

¹ List entry number 1357652

² List entry number 1065548

signals for vehicles in the rightmost two of the three lanes, and would increase the risk of distraction.

11. The increased risk of distraction means that the advertisement would harm highway safety, and therefore would have an unacceptable effect on public safety. Again, there would be conflict with Policies LP2 and LP9 of the WLP, which are material inasmuch as they seek to ensure that development in general, and advertisements in particular, avoid causing material harm to highway safety.

Other Matter

12. I have referred to the two previous appeal decisions relating to this site. The 2020 appeal related to a proposal for a scaffold shroud with two commercial banners, each measuring 8m high by 4.5m wide, so the visual impact of this appeal scheme would be likely to be markedly smaller. However, the 2022 appeal related to a proposal for a shroud with a commercial advertisement panel measuring 5m by 5m, with permission sought for a temporary 8-month period. The appeal scheme before me would be larger – with an area of 30m² compared to 25m² – and would be displayed for a longer period. Consistency in decision making, including the determination of appeals, is important; I do not consider that the appellant has put forward substantive arguments which would justify my making a decision which was not consistent with those of my predecessors.
13. The appellant noted that income from the commercial advertisement would help fund the restoration of the NDHA appeal building. It is not entirely clear to me if that is still the case; by the time I carried out my site visit the building appeared to have undergone a very significant external refurbishment, and its appearance was therefore very different from (and considerably improved, when compared to) the earlier site photos within the submitted evidence. In any event though, as my colleague noted in the 2022 appeal decision, the use of any income received from an advertisement is not within the scope of the Regulations, and it has not had a decisive bearing on my decision.

Conclusion

14. For the reasons given above the appeal is dismissed.

M Cryan

Inspector