
Appeal Decision

Site visit made on 8 April 2025

by **G Bayliss BA (Hons) MA MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 30th April 2025

Appeal Ref: APP/A5840/Z/24/3353008

160-166 Borough High Street, Southwark, London SE1 1LB

- 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 London Lites Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 24/AP/1361.
 - The advertisement proposed is one LED Digital Advertisement Display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. Factors relevant to amenity are stated by the Regulations to include the general characteristics of the locality, including features of historic or architectural interest.
3. The appeal site is outside but faces the Borough High Street Conservation Area and I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), in so far as it relates to the consideration of amenity. The site also lies within the setting of the Church of St George the Martyr (a Grade II* listed building) and is near to Nos.215-221 which is identified by the Council as a locally listed building and is therefore a non-designated heritage asset. The National Planning Policy Framework (the Framework) sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
4. As far as the Framework is concerned, when determining advertisement consent appeals affecting a conservation area, or in relation to a listed building, the question of less than substantial or substantial harm is not relevant, as the policy only applies to the heritage-related consent regimes under the Act. It is also not necessary to undertake the weighing of public benefits against any heritage harm. I have, however, considered the positive attributes of the proposal and taken these into account in arriving at my decision.

Main Issue

5. The main issue is the effect of the proposal on the visual amenity of the area with particular regard to designated and non-designated heritage assets.

Reasons

6. The appeal site relates to a relatively modern building which faces Borough High Street. The front elevation is mainly glazed with its side elevation, facing north, clad in dark grey tiles and has few openings towards the street. The building forms part of a mainly continuous street frontage, except for the northern, side elevation where there is a significant gap. The appeal proposal seeks to install a digital LED screen on the side of the building facing the gap. It would be vertically proportioned and would show static, sequential images with illumination controlled by light sensors to vary brightness according to conditions.
7. The building faces on to the Borough High Street Conservation Area which is an expansive urban area significant for its history associated with commerce and its road network linking to the bridge crossing the Thames. The area's character and appearance, and thereby its significance, is varied and mainly drawn from the range of built development within it, and the relationship of the buildings to each other and the spaces around them. This includes a mix of historic and modern buildings with typically tall, narrow frontages lining the main streets and a series of interconnecting yards and alleyways with smaller scale buildings, and numerous viewpoints and landmark buildings. Overall, it has a rich and distinctive historic character and appearance.
8. Along this western stretch of Borough High Street, the buildings are typically more modern and share a uniformity in terms of their scale and general appearance. In contrast, the buildings on the other side of the street, within the conservation area, include a greater number of historic buildings but the overall form and massing of the buildings and sense of enclosure is similar on both sides of the street. The appeal building has a dark, solid and rather understated appearance with strong verticality and sits comfortably within the streetscape and does not distract from views of the conservation area. The slight curve in the street and gap alongside the appeal building means that the blank elevation to the side is more pronounced in views along the street from the north.
9. A dominant focal point within Borough High Street and within the conservation area, is the Church of St George the Martyr which lies to the south of the appeal site, a Grade II* listed building (Ref.1378366) (the Church). The list description mentions, amongst other things, that the Church dates from the early 18th century and describes in detail the architecture of the exterior. Based on the submitted evidence, the significance of the building derives from its age, historic fabric, function and architectural detailing. A key feature is the position of the Church forward of adjoining buildings with its prominent tower and spire to the front. It is clearly designed to be a landmark reflecting its historic value and status as an important place of worship as well as marking significant historic boundaries.
10. In lengthy southerly views along Borough High Street the landmark status of the Church is fully appreciated and the enclosure provided by the surrounding buildings frame views of this focal point. The appeal site is prominent in this southerly vista and, along with the surrounding buildings, provide the context for how the Church is experienced and appreciated. These views contribute to its

significance. It is of note that the blank side walling of the appeal site can be seen but does not draw the eye from the Church in the background. The Council also refers to Nos. 215-221 which lie near the church and have been locally listed by the Council in view of their positive contribution to the historic character of the area. I see no reason to disagree.

11. Borough High Street is a bustling mix of commercial, community and residential buildings. Whilst there are advertisements in the immediate area these are typically limited to shopfront fascia signs and other smaller signs largely contained at ground floor level and designed to be integrated with the businesses to which they are attached. I saw few advertisements at high level nor were there any obvious large or overly dominant signs. Typically, signage is relatively muted and respectful of the surrounding historic context.
12. The proposed advertisement would cover a significant part of the side wall of the building, close to the street frontage. Given its prominent position visible in the enclosed, linear southerly views along the street, the expansive advert extending almost half way up the side of the building would be a dominant focal point in the street scene. The scale of the proposal together with the imagery, typically vibrant colours, image changes and illumination would draw considerable attention to it, detracting from the ability to appreciate the surrounding historic streetscape. Whilst this is a relatively busy urban area with shopfronts which may be illuminated after dark, streetlights and appears a generally well-lit area, the proposal would be very different in appearance and size to anything around it. It would be a highly inappropriate, jarring and garish feature seen in conjunction with views of the conservation area, including the locally listed building. Furthermore, it would be uncharacteristic of other signage in the area.
13. In relatively close and more distant views along the street from the north, the proposal would significantly draw the eye and would be a serious detractor from views of the Church. This unexpected distraction would affect the ability to experience and appreciate the architectural detailing and historic interest of the Church and its dominance in the streetscape. It would therefore significantly diminish the extent to which the setting contributes to the building's significance.
14. The proposal may be perceived as adding colour and interest to the building, but its understated appearance is a positive feature given the building's location. A stark and strident advertisement would significantly exaggerate its presence in this highly sensitive context, diverting attention away from the heritage assets. Furthermore, whilst Borough High Street may be continually evolving and has successfully accommodated more recent development, I have found that, overall, this has been sensitively designed to be respectful of its surroundings.
15. It may be that the proposed display would cover only a small percentage of the side elevation but, nonetheless, it would still be sizeable and in views it would be dominant and conspicuous. Even with the suggested controls to adjust levels of illumination and other suggested operational conditions they would not allow the appeal proposal to assimilate with its surroundings. On dull days and after dark, even low luminance settings would be unlikely to sufficiently temper its prominence, and it would still result in significant visual harm.

16. Whilst the proposal may share some similarities with an illuminated advert approved at 19A Borough High Street in 2016¹, that was some time ago and in the context of older planning policies and guidance. The Council also advises that a recent appeal to retain a similar advert was dismissed in 2024². There is also little to suggest that they share a similar heritage context, especially with the appeal before me where the view to a landmark Grade II* listed building is a key consideration. At 68 Borough Road³, this scheme does not appear to be near a conservation area and there is less intervisibility with the nearby listed building. The pavement scheme near 68 Borough Road⁴ does not appear to affect the setting of heritage assets. Therefore, it has not been satisfactorily demonstrated that these examples are comparable to the proposal before me, and I must base my decision on the specific circumstances presented.
17. The Appellant suggests that the proposal would support the regeneration of retail outlets and the vitality of the high street but there is little explanation to convince me why it should be located here. It may be an energy efficient display and have environmental benefits compared to other more traditional advertising, but this proposal is not replacing an existing advertisement, so these features carry little weight. An absence of other objections does not provide an adequate reason for departing from adopted planning policies and my statutory duty.
18. The proposal would therefore have a harmful effect on the visual amenity of the area. It would harm the character and appearance of the conservation area, including the significance of a locally listed building, and would harm the significance of a Grade II* listed building. It would therefore not meet the expectations of the Act and would conflict with Policies P19, P20, P21 and P43 of the Southwark Plan (2022) which seek to protect amenity and heritage assets and are relevant to this case. There is also conflict with the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

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

G Bayliss

INSPECTOR

¹ Planning Ref.16/AP/0358

² Appeal Ref.APP/A5840/Z/24/3342902.

³ Planning Ref.14/AP/4288

⁴ Planning Ref.22/AP/3656