
Appeal Decision

Site visit made on 24 July 2025 by K Hole BA (Hons)

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2025

Appeal Ref: APP/N5660/Z/25/3365096

463-465 Brixton Road, London SW9 8HH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Justin Myers (Blow Up Media Uk Ltd) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/00568/ADV.
 - The advertisement proposed is a temporary decorative scaffold shroud comprising a printed 1:1 replica image of the building facade with an inset advertising area measuring 8 x 6 metres.
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Decision

1. The appeal is allowed, and express consent is granted for a temporary decorative scaffold shroud comprising a printed 1:1 replica image of the building facade with an inset advertising area measuring 8 x 6 metres at 463-465 Brixton Road, London SW9 8HH as applied for through application ref 25/00568/ADV. The consent is subject to the five standard conditions set out in the Regulations and the attached schedule of conditions.

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 Matter

3. Powers under the Regulations to control advertisements may be exercised only in the interests of visual amenity and public safety, taking account of any material factors. The Council has drawn to my attention the policies it considers relevant, and I have taken them into account as a material consideration though they have not, by themselves, been decisive in my recommendation on this appeal.

Main Issues

4. The effect of the proposed advertisement on the visual amenity of the Brixton Conservation Area (CA), and on public safety.

Reasons for the Recommendation

Visual Amenity

5. The CA covers most of Brixton's town centre. It is characterised by mostly 19th and early 20th Century commercial development, impressive public buildings, the covered and open markets and the railway lines elevated on viaducts which

dictated the historical development of the area and are integral to its special interest. There are also several listed buildings in the CA which add to its significance.

6. The appeal property is a locally listed three-storey former bank with a symmetrical façade in stripped classical style, with stucco ground floor with band rustication and three arched windows. The upper floors incorporate sliding sash windows and parapet roof with stone urns. These features combine to give the building a distinctive traditional appearance. It is set amongst buildings that vary in architectural style and as the Brixton Conservation Area Statement (2012) (CAS) confirms 'The rebuilding of nos. 449 – 467 Brixton Road (between Electric Avenue and Coldharbour Lane) in the mid/late 1930s had a dramatic impact on the character of the town centre'. The CAS also notes that within the CA 'Irrespective of their style, buildings tend to be to a high quality using careful massing and proportion, fine detailing and respectful building heights to create a townscape of variety and interest that at the same time has unity and a sense of place'. Consequently, the appeal building positively contributes to the significance of the CA.
7. The shroud would screen the upper floors of the building, including part of the roof and also the distinctive window pattern. However, the printed image on the shroud would accurately portray the architecture of the building. At times when an advertisement is displayed on the shroud this would cover the image of the central windows, thereby reducing the extent to which the building's façade is replicated. I also acknowledge that the size of advertisement indicated would be larger than many of the surrounding signs in the area.
8. Even so, it would be seen in the context of a heavily trafficked commercial area that includes retail and hospitality premises. There are numerous signages in the vicinity that are displayed above street level including shop signs, a large "underground" sign at Brixton tube station and a large, illuminated rainbow above the Reliance Arcade. Moreover, as the printed image would suitably reflect the appearance of the host building, the advertisement would be static, and the shroud would only be in place for an 8 month period, this would limit the visual effects. Importantly, it would also screen scaffolding and the associated renovation works, which once completed, have the potential to positively contribute to the character and appearance of the CA in the longer term.
9. Given the specific factors described, the advertisement would have an acceptable effect on the visual amenity of the CA.
10. As the proposal would have an acceptable effect on amenity, it would also generally accord with Policies Q2, Q5, Q6, Q17, Q22 and Q23 of the Lambeth Local Plan (2021), the guidance in the Lambeth Advertising and Signage Guidance SPD (2016) and the Brixton Conservation Area Statement (2012) and the National Planning Policy Framework which include provisions in respect of visual amenity, character, appearance and conservation of heritage assets and so are material in those respects.

Public Safety

11. The junction of Brixton Road and Coldharbour Road near to the appeal site is controlled by traffic lights and pedestrian crossings. The pavements are wide and there are several bus stops nearby including one directly in front of the appeal site.

On my site visit I observed heavy but slow-moving traffic and a high level of pedestrian footfall which was not unexpected in a busy town centre location such as this.

12. Due to the wide pavements, the proposed advertisement would be set back from the vehicular highway. Although near to the junction, it would be positioned far enough away from the traffic lights and pedestrian crossings to not cause unnecessary distraction to those passing by. Furthermore, as the proposed advertisement would be static it would be unlikely to attract a significant level of attention beyond that of other surrounding signage.
13. Transport for London have suggested that a condition should be imposed to restrict the timings the advert can be illuminated. I agree that such a condition would limit any effects from the proposed advertisement in terms of distraction from illumination later in the evening when traffic levels are likely to be lower and freer flowing.
14. Thus, the proposal would have an acceptable effect on public safety.
15. Given the above conclusion, the proposal would also generally accord with Policy Q17 of the Lambeth Local Plan 2020-2035 (2021), Policy T4 of the London Plan (2021) and the Lambeth Advertisements and Signage Guidance SPD (2016) which include provisions relating to highway and public safety and so are material in that regard.

Other Matters

16. Concerns have been raised by the Council that despite previous consents for an advertising shroud, no scaffolding was ever erected and the building works which necessitated a shroud have not been completed over an extended period of time. There have also been concerns raised by interested parties suggesting that the appeal proposal is solely for the purposes of advertising and no building works will take place.
17. However, at the time of my site visit, there was no scaffolding, shroud or advertisement in place at the appeal site. Therefore, I have considered the appeal proposal on its own merits. I have been provided with a letter from the Council from 2019 requesting works to the building to improve its appearance and the evidence submitted with the appeal indicates that remedial work is still required to the sash windows and brickwork joints. There is no substantive evidence before me to suggest this is not the case. Furthermore, as the application specifically relates to a 'temporary decorative scaffold shroud', this can be reaffirmed in any conditions to ensure it relates to this function. A restriction for it to be displayed for an 8 month period only can also be secured by condition and this is a reasonable time frame for the associated works to the building to be completed.
18. The Council have highlighted that the illumination levels of the appeal proposal would exceed the maximum requirement of 250 candelas per square metre as indicated in their Advertisement and Signage Guidance (2016). The appellant has accepted that a condition could be imposed to comply with this guidance and this further persuades me that there would be no harm in respect of my findings under the main issues.

19. The Council's decision notice does not identify any specific harm to the setting of nearby statutorily listed buildings and given my overall findings in respect of the visual amenity of the area and the longer term benefits to the condition and appearance of the appeal building, I find no reason to disagree.
20. Matters relating to the construction of scaffolding and any parking associated with the installation of the proposal are a matter between the appellant and the highway authority.

Conditions

21. In addition to the standard conditions, in the interests of certainty and given that the temporary nature of the proposal has been material to my considerations, it is necessary to impose a condition to define the temporary period of consent as well as specifying the removal of the advertisement at the end of the temporary period. For these reasons also, the suggested condition on the Council's appeal questionnaire suggesting the consent would expire after a period of 5 years would not be appropriate. Additionally, it is necessary to impose a condition requiring the Council to be notified in writing of the commencement of the display of the appeal scheme.
22. In the interests of visual amenity, it is necessary to impose a condition limiting the size of the inset advertisement to 8 x 6 metres. Furthermore, in the interests of public safety, it is necessary to impose conditions to ensure that the advertisement is static and does not resemble traffic signs.
23. I concur with the Council and Transport for London, that conditions to limit the number of lights, the intensity of the illumination and to restrict the hours by which the advertisement can be illuminated are necessary in the interests of amenity and public safety. The appellant has also confirmed that they have no objection to such conditions.

Conclusion and Recommendation

24. For the reasons given above and having had regard to all other matters raised, I consider the proposed advertisement would cause no undue harm to the visual amenity of the Brixton Conservation area, or public safety. Accordingly, I recommend that the appeal should be allowed subject to the five standard conditions and attached schedule of conditions.

K Hole

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR

Schedule of Conditions

1. The express consent hereby granted shall be for a period of 8 months which shall begin on the date of commencement of the display of the decorative scaffold shroud or 3 months from the date of this decision, whichever is the sooner.
2. Written notice shall be given to the Council of the date of commencement of the display of the decorative scaffold shroud hereby granted within 7 days of its commencement.
3. The decorative scaffold shroud hereby granted consent shall be removed immediately at the end of the 8 month period specified in Condition 1.
4. The inset advertising area within the decorative scaffold shroud hereby granted consent shall not exceed 8m x 6m and shall only be displayed at the same time as the 1:1 shroud image.
5. The advertisement hereby approved shall be static with no moving, sequential or apparently moving images. It shall not display any images that resemble traffic signs, as defined in Section 64 of the Road Traffic Regulation Act 1984.
6. No more than 4 lights shall be used to illuminate the advertisement hereby granted consent and they shall be positioned as shown on drawing PY3195/005. The intensity of illumination to the advertising area shall not exceed 250 candelas per square metre.
7. The advertisement permitted by this consent shall not be illuminated between the hours of 23:59 and 06:00 on any day of the week.