



Appeal Decision

Site visit made on 8 October 2025

by **P H Wallace BSc (Hons) DipMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 November 2025

Appeal Ref: APP/N5660/Z/25/3371673

457 – 461 Brixton Road, Lambeth, London SW9 8HH

- 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 of Blow Up Media UK Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/02118/ADV.
 - The development proposed is described as the display of a temporary decorative scaffold shroud wrap advertisement printed onto PVC comprising a 1:1 replica image of the building façade with an inset advertising area measuring 12 x 7.5 metres externally lit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Separately, the Council has taken enforcement action under the Town and Country Planning Act 1990 (as amended). On 23 May 2025, a Notice was served under Section 215 (S215) requiring refurbishment of the building façade. The notice is shown to take effect on 4 July 2025 with six months for compliance. A further Notice under Section 225A seeking the removal of a metal frame display structure was also served. I have only been provided with a copy of the former which I have had regard to only insofar as is relevant to my determination of this appeal.

Main Issue

3. The parties agree the proposed advertisement would not be detrimental to public safety. Therefore, the main issue is the effect of the advertisement on amenity, having regard to heritage assets including the Brixton Conservation Area (BCA) and the adjacent grade II listed building, Reliance Arcade.

Reasons

4. The appeal site has been the subject of allowed appeals for advertisement shrouds, most recently on 28 September 2023¹ (the 2023 appeal), for a display very similar to that now proposed. There have been no substantive changes in circumstances since the 2023 decision in respect of the site boundary, the street scene, or relevant policy. I have had regard to the Inspector's reasoning in the 2023 decision where it remains applicable to the current proposal.

¹ Ref: APP/N5660/Z/23/3315668

5. The appeal site lies within the BCA, which encompasses the historic commercial spine of Brixton centred on Brixton Road. The area derives its significance from the cohesive grouping of 19th and early 20th century buildings that line the main thoroughfare, reflecting Brixton's development as a major suburban shopping and civic centre. Its special interest is experienced through the consistent building line, the varied yet complementary scale of frontages, and the architectural detailing and materials that together create a distinctive and lively townscape character.
6. The site also adjoins part of the grade II listed Reliance Arcade. This early 20th century covered market is significant for its historic communal market role and surviving period fabric, notably its art deco/Egyptian-inspired façades, vitrolite and chrome shopfronts, and glazed truss roof.
7. The appeal property occupies a prominent position within the street frontage. The ground floor has been adapted for modern retail use, while the upper façade retains a distinctive art deco influenced design that reflects a later phase in the area's architectural evolution. This element contributes positively to the variety, interest and overall visual character of the BCA, and complements nearby frontages thereby helping to sustain the architectural unity and sense of place.
8. While I observed a shroud advertisement on the neighbouring building to the east, its scale and position on a more restrained and smaller frontage does not significantly diminish the architectural unity, visual interest or townscape character that contribute to the BCA's special interest.
9. The shroud subject of this appeal would extend across the full width of the front elevation above ground-floor level, presenting an indicative likeness of the existing façade and measuring approximately 19.5 metres in width and 11.1 metres in height. A centrally positioned advertising panel, measuring around 12.5 by 7.5 metres, would be externally illuminated by four top-mounted down-lighters. Consent is sought for a 12-month period.
10. I have had regard to the Planning Practice Guidance, which states that buildings which are being renovated or are undergoing major structural works 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. I also attach some weight to the Council's Advertisement & Signage Guidance – January 2016 (ASG), which advises that, in the absence of façade refurbishment and/or scaffolding, the display of temporary shroud advertisements would be unacceptable in principle.
11. In the 2023 appeal it was found that the shroud, of comparable size and design to the current proposal, would appear dominant and out of scale and character with its surroundings failing to preserve or enhance the character or appearance of the BCA. Having regard to the 12 months temporary consent period sought, it was found that scheme would result in less than substantial harm to its significance. For similar reasons and on the evidence before me I find that the current proposal would lead to harm to the significance of the BCA.
12. The 2023 appeal identified that the only part of the grade II listed arcade affected by the proposal would be its western entrance, which is not described in the list entry. It was also noted that the entrance has undergone alterations in recent years, resulting in a marked departure from the original historic character. Taking into account the facts of this case, I concur with these findings and conclude the

proposal before me would cause no harm to the significance of the listed building or its setting.

13. In allowing the appellant's previous appeal, my colleague had regard to the deteriorating condition of the building's façade and the opportunity, as set out in a submitted 'Renovation Works Timeline' (RWT) document, for remedial works to be undertaken over the course of a year, which he judged would significantly improve the building's appearance and deliver a clear public benefit sufficient to outweigh the harm identified.
14. The evidence before me indicates that, following the 2023 appeal decision, a shroud advertisement was displayed across the building's frontage. Photographic records suggest it was broadly comparable to the scheme allowed on appeal. The Council refer to departures from the approved advertisement dimensions and contend that the scaffolding in place at the time lacked sufficient depth to facilitate the intended repair/renovation works. At my site visit, I observed lighting fixtures and a metal frame in situ, indicative of the former display, but saw no clear evidence of any renovations, with the building fabric continuing to show signs of deterioration. Although the 2023 appeal decision described the proposal as intended to enable façade works, which were not completed under the earlier 2014 permission, the current appeal offers no explanation for the apparent non-delivery of those works through that recent appeal approval.
15. The appellant relies on the S215, which specifies remedial works to be carried out to the building façade, as the basis for submitting the current proposal. Unlike the previously allowed scheme, which was supported by a RWT document, the current submission contains no comparable or substantive evidence such as a restoration programme, timetable and contractor or funding details that could be secured through the planning process. The S215 notice is a material consideration, but reliance on it alone is insufficient because it is a separate statutory enforcement mechanism outside this appeal and cannot be incorporated into or enforced through an advertisement consent. Therefore, it cannot be treated as an alternative means of securing the specification or timetable for remedial works for the purposes of this appeal, and I accordingly afford the notice only limited weight in this respect.
16. I note the plans submitted with the proposal do not show the shroud's projection from the façade, preventing confirmation that adequate working space would be available to carry out building repairs/renovation. The need for this is reasonable and necessary, and I note the stated concerns relating to this in connection with the most recent site display.
17. The Council point to the prolonged lack of façade repairs despite earlier expectations that the two prior appeal approvals would secure improvements. The building's visual decline, reflected in the service of the Section 215 notice, reinforces the need for certainty that any required works would be implemented as part of a consent. I have considered whether planning conditions could reasonably secure the detailed specification and a reliable delivery mechanism for the renovation works. However, in the absence of substantive evidence that the works are programmed or otherwise secured, and having regard to the previous failure to complete them under earlier consents, I am not persuaded that conditions alone would ensure their delivery. Accordingly, the possibility of securing public benefits from the building's renovation through this consent remains uncertain and attracts

only limited weight, which is insufficient to outweigh the great weight I attach to the conservation of heritage assets and the harm to the character and appearance of the BCA.

18. My attention has been drawn to my colleagues' comments in two previously allowed appeals at the site, which supported the use of a decorative scaffold shroud in preference to polythene sheeting (or similar), on the basis that the latter would be visually detrimental to the commercial centre. However, those views were expressed in the context of an understanding that the shroud display would directly facilitate timely renovation of the façade; an outcome for which there is insufficient certainty in the case before me. While past appeal findings are a material consideration, they are not determinative where circumstances differ, as they do here.
19. For the reasons given, I conclude the proposal would harm amenity because it would not preserve the character or appearance of the BCA. I have taken into account Policies Q2, Q17, Q22 and Q23 of the Local Plan (2021), Policy HC1 of the London Plan (2021) and the guidance in the ASG which, amongst other things, seek to safeguard and promote visual amenity, including within a historic context and so are material in this case. As harm to amenity has been identified, although not determinative, the scheme is in conflict with these policies.

Other Matters

20. I have been referred to other sites in the locality which the appellant states have been the subject of temporary permissions for similar shroud displays. Limited information has been made available to me, such as planning permission references. I am therefore unaware of the circumstances relating to these sites. In any event, each case must be assessed on its own merits, and it has not been demonstrated that the specific circumstances at these locations are comparable to the appeal site.

Conclusion

21. I conclude that the display of the advertisement would be detrimental to the interests of amenity. Therefore, the appeal is dismissed.

PH Wallace

INSPECTOR