
Appeal Decision

Site visit made on 3 February 2026

by **A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th February 2026

Appeal Ref: APP/N5660/Z/25/3376488

45 Electric Avenue, London SW9 8JP

- 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 Sam Harrison of King Media Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/03070/ADV.
 - The advertisement proposed is the display of 1 externally illuminated shroud advertisement (6.5m wide x 6.8m high) for a temporary period between 02.02.2026 and 29.06.2026.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's reason for refusal refers to the proposal conflicting with its development plan. However, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. This is also reflected in paragraph 141 of the National Planning Policy Framework (the Framework). Therefore, although I have taken the policies of the development plan into account insofar as they are relevant, they have not been decisive considerations in my determination of this appeal.
3. In their appeal statement the appellant has confirmed the proposed advertisement is to no longer be illuminated. The Council and interested parties have had the opportunity to comment on this change, and I am content that there would be no unfairness to any party by me accepting this change. The appeal has been determined on this basis.

Main Issue

4. The Council has not raised any concerns in regard to public safety, and I have no reason to take a different view. Thus, the main issue is the effect of the advertisement on amenity with particular regard to its effect on the character and appearance of the area, and the living conditions of neighbouring occupiers.

Reasons

5. The appeal site is located within the Brixton Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires with respect to any buildings or other land in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the

character or appearance of that area. This duty is relevant when assessing the proposal's effect on amenity.

6. The Brixton Conservation Area Statement, dated March 2012 (CAS) says the CA covers most of Brixton's Victorian town centre, and is characterised by mostly 19th and early 20th century development centred on part of Brixton Road and the viaducts that cross it, with much of it having a commercial use. The built form contains a diverse range of architecture, along with street markets and railway arches below the viaducts. This part of Electric Avenue is narrow and contains tall attractive terraced properties in a curved arrangement between Brixton Road and Atlantic Road, with the host property being a 4-storey focal building on the corner of Electric Avenue and Atlantic Road, this gives the immediate area an intimate, active, and vibrant character and appearance. Collectively these aspects contribute positively to the significance of the CA.
7. The CAS also states that poorly designed advertisements detract from the CA, and that whilst faded historic wall painted advertisements add to its richness, contemporary advertisement hoardings and poster displays, whether free-standing, building mounted or attached to street furniture, are not characteristic of the CA.
8. The Council has referred to the host property as a landmark building, and in the language of the Framework as a non-designated heritage asset (NDHA), partly because of its relationship with the terrace it is part of (nos.19-47). Due to its age, corner location and architectural detailing, I see no reason to disagree. Paragraph 212 of the Framework states the significance of NDHA's should be taken into account for proposals that directly or indirectly affect NDHA's, it says a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. This is a relevant consideration in terms of visual amenity.
9. Whilst there are some large murals, and occasional high-level advertisements nearby, most of the advertisements and commercial activity is at ground floor level in this immediate area, being below the many purposefully designed upper floors of the nearby terraced properties, including those on Electric Avenue.
10. Lambeth's Advertising and Signage Guidance dated January 2016 (ASG) says advertisements should not harm the character of buildings and that installations above ground floor level are generally not characteristic and cause harm. It also says that a plain, clear, or white shroud has a neutral appearance, and when they are present for more than 3 months on a landmark building, they should accurately reproduce the architecture of that building. Although, as the ASG is only guidance, I attach limited weight to it.
11. The illustrated scaffold shroud would obscure the architectural detailing on the appeal property, although it would depict a 1:1 facsimile of the building façade. The area of the proposed advertisement is said to measure some 6.5 metres wide by 6.8 metres high and cover two of the host property's prominent windows at first and second floor level. The proposed advertisement's significantly raised height and large size, together with its prominent location, would introduce a wholly dominant and discordant form of advertising, that would be seen in short and long-distance views, which would harm the appearance of the host property, the terrace it is part of, and the visual amenity of this immediate area.

12. Furthermore, it would contrast harshly against the terraces along both sides of Electric Avenue, and obscure images of the existing attractive window openings (as would otherwise likely be depicted on the shroud), it would also fail to relate to the mainly lower-level market and commercial activity along these nearby roads. Notwithstanding it would be displayed for a temporary period and that it may not always be in use, its bold appearance, which could also be seen from passing trains would be highly conspicuous and wholly different to nearby murals, which are pieces of artwork as opposed to commercial advertising. As such there would be significant harm arising due to this poorly designed advertisement.
13. I note the nearby advertising boards on Atlantic Road, but these are lower and not on a corner façade of a building, so their effects on visual amenity are much different.
14. The appellant has drawn my attention to approvals (including allowed appeals¹) and photographs regarding shroud advertising elsewhere, mostly along parts of Brixton Road. I have carefully considered those examples, and I do note that there are similarities with the appeal proposal, although some of the appeal decisions pre-date the current development plan and those appeals were considered against other policies, and in a few of those decisions harm was identified to amenity, albeit other considerations meant the overall decisions were to allow those appeals. Brixton Road is a much busier and wider road and the advertising along it is not identical to the tighter building form in the immediate area of the appeal site. For these reasons, I attach limited weight to those other decisions, and they have not led me to conclude differently regarding the identified harm. It is also said that as an alternative, scaffolding with a plain shroud may be used at the appeal site. Be that as it may, such an alternative would likely not require advertisement consent, and its lack of high-level large advertising and the harm identified above would likely make it preferable in this case.
15. It is acknowledged that the advertisement would occupy approximately 19% of the shroud. However, given the large area covered by the shroud, the advertising area is also relatively large so that argument carries little weight. In addition, whilst the shroud could comprise high quality heritage materials, it would not make the proposal acceptable or address my findings above.
16. Whilst I can understand the concerns of neighbouring occupiers in terms of the effects of the proposal on their living conditions, my assessment is limited to the effects of the advertisement itself. Without any illumination, the presence of the advertisement, even considering its proximity to windows, would be unlikely to be harmful to the amenity of neighbouring occupiers, particularly taking into account the fall-back position of having covered scaffolding in place during such temporary works. Nevertheless, this would be a neutral matter, and it would not address the identified harm to visual amenity, outlined above.
17. I therefore conclude that, whilst I find that the proposal would not be harmful to the amenity of neighbouring occupiers, it would be harmful to visual amenity. In addition, the proposal would be contrary to the duty within the Act, and whilst not decisive, the proposal would also conflict with Policy HC1 of The London Plan, The Spatial Development Strategy for Greater London, dated March 2021 and policies Q2, Q17, Q22 and Q23 of the Lambeth Local Plan 2020–2035, adopted

¹ Ref's APP/N5660/Z/25/3365096, APP/N5660/Z/23/3315668, APP/N5660/Z/17/3189939, APP/N5660/Z/19/3233937, and APP/N5660/H/14/2220699

September 2021, that amongst other things, collectively require proposals to not harm visual amenity, be sympathetic to both the significance of a heritage asset and the positive characteristics of the area, and preserve non-designated heritage assets. Furthermore, the proposal would be inconsistent with the objectives of the CAS and ASG as set out above. In addition, there would also be conflict with paragraphs 135 and 141 of the Framework, which say proposals should enhance the overall quality of an area, be visually attractive, sympathetic to local character and history, and that the character of places should not suffer from poorly sited and designed advertisements.

Other Matters

18. The Council has referred to the planning history of the appeal site and suggested the refurbishment works may not justify the scaffolding and shroud. The appellant has provided detailed justification for the works, and I have no reason to dispute this.
19. It is noted that the proposed advertisement could help the economy and local businesses and help fund the works to the host property. However, those points go beyond the considerations on such an advertisement consent application, and they would not in any case alter my findings above.

Conclusion

20. For the reasons given above, and having considered all relevant material considerations, I conclude the appeal should be dismissed.

A Hunter

INSPECTOR