



DEVELOPMENT MANAGEMENT  
~~Lewisham Town Centre Local Plan Representation Form on Schedule of  
recommended main modifications August 2013 (post second hearing version  
for public consultation)~~ - SUBMISSION DRAFT

Please use this form to make representations on the <sup>submission draft</sup> recommended modifications to the  
~~Lewisham Town Centre Local Plan~~ <sup>Development Management LP</sup> ~~Policy~~

1. Please indicate which <sup>Policy</sup> modification you are commenting on Ref: DM19
2. Are you supporting, objecting, or commenting Object/Support/Comment
3. Please give your comments or objections below. Do you consider that the modifications are 'unsound' on the various measures set out in the National Policy framework (NPPF)?

UNSOUND/UNLAWFUL

See attached letter

4. Please set out the reasons for your comment or objections below

See attached letter

5. Please set out below any changes you consider should be made to make the plan 'sound' in accordance with the measures in the NPPF:

*see attached letter*

6. Please provide your contact details below:

Name: CHRIS THOMAS

Organisation: CHRIS THOMAS LTD

Address: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

**Please return form to Planning Policy Group by post to  
3<sup>rd</sup> Floor Laurence House, 1 Catford Road London SE6 4RU or by email to  
[planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk) by 5pm 4<sup>th</sup> October 2013.**

<sup>1</sup>The measures set out in the NPPF are whether the plan is

- Positively prepared – the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

**Chris Thomas Ltd**  
*Outdoor Advertising Consultants*

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Tel: [REDACTED] Mobile: [REDACTED]

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Planning Service  
Lewisham LBC  
3rd Floor, Laurence House  
1 Catford Road  
London SE6 4RU

20 August 2013

Dear Sir/Madam,

**Lewisham LBC Development Management Local Plan – Submission Draft, August 2013**

These representations are submitted on behalf of the Outdoor Media Centre (OMC – formerly the Outdoor Advertising Association) in response to Policy DM19 and supporting text of the above draft Development Management Local Plan.

The OMC represents 97% of the outdoor advertising industry and monitors development plans throughout the country to ensure the emerging LDF/Local Plan policies do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, DCLG Circular 03/2007 and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

We would first comment that policy DM19(2) has been significantly amended since the previous "Further Options" version. That version stated that the Council would not grant permission for the display of poster hoardings "which are considered to be out of scale and character with the building/site on which they are displayed". The OMC would agree with this statement. However, the present Draft Submission version states that the Council will not grant consent for the display of poster hoardings at all.

The Council claim that the NPPF supports this policy. This is rubbish. There is no support in the NPPF for the proposed total ban on poster hoardings. Indeed, the opposite is true. A poster hoarding is an "advertisement" within the statutory definition; and the NPPF therefore requires that any application for a poster hoarding be considered as any other application for an advertisement, ie on grounds of amenity and public safety only. Evidence taken from Inspectors' Reports at Local Plan Inquiries at Mendip and Wandsworth support the OMC's objections. In the Mendip case the Inspector concluded that a similarly restrictive policy being put forward by the Council was not justified. I quote from paragraph 4.182 of the Inspector's Report:

**"There is also no need to make special mention of poster hoardings. They clearly fall within the normal meaning of advertisements (PPG19, 3) and, whilst they are the subject of specific guidance in the annex to PPG19, they are still subject to the same amenity and public safety tests contained in the Regulations as other outdoor advertising."**

Whilst the reference to PPG19 is out of date, the same wording is in the NPPF; and the annex to PPG19 is now Appendix E to DCLG Circular 03/2007 which is still relevant.

In the Wandsworth case the Inspector again dismissed the use of blanket policies that would restrict advertisements of certain types or locations. I quote from paragraph 3.145 below:

**"The Regulations limit Council control of those advertisements which fall within their scope to the interests of amenity and public safety. There is, therefore, no support in them for a blanket policy to prevent advertisements near schools and playgrounds....It is clear that all applications should be considered on these two grounds on their own merits. For the same reason I cannot accept objection 319 which would not allow the number of hoarding sites to be increased."**

It is therefore clear that the Draft Development Management Local Plan should not presume against any advertisements of a certain type in this way as they all fall within the normal definition of advertisements. Amenity and public safety are still the determining factors and therefore the policy should only presume against such advertisements in situations where their impact on amenity or public safety would be damaging.

We therefore suggest that Policy DM19(2) either be deleted entirely; or (if, for some reason the Council believe it should be retained), it should be redrafted again to revert to the wording used in the "Further Options" version which was within the requirements of the Regulations and National policy advice.

It is hoped that these comments are found to be useful and informative, if you have any further questions, please contact me.

Yours faithfully

A large black rectangular redaction mark covering the signature area of the letter.

Chris Thomas  
Chris Thomas Ltd